

Court amends order in APR decision

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http://www.dchieftain.com/news/court-amends-order-in-apr-decision/article_dea72da8-0b20-11ea-a41a-7303ae5ad500.html

In response to a motion filed by the Office of the State Engineer in September, Second Judicial District Judge Matthew Reynolds last week amended his order denying Augustin Plains Ranch's application.

The State Engineer was not asking that Judge Reynolds change his decision denying the Ranch's application. Rather, the Office of the State Engineer was asking to correct what it saw as a flaw in Reynolds' order that it believes could "only lead to unnecessary litigation in the future." The OSE asserted that any ambiguity could easily be avoided by modifying the order to specify that only the 2014/2016 application is subject to the order.

Last week Reynolds amended his final order to read "The Augustin Plains Ranch's 2014/2016 Application to appropriate groundwater from the San Agustin Basin is dismissed with prejudice."

The original order did not specify the 2014/2016 application, and drew motions from the State Engineer and Catron County Commission, asking for the amendment.