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THIRD JUDICIAL DISTRICT COURT DISTRICT COURT
STATE OF NEW MEXICO DOÑA ANA COUNTY, N.M.
COUNTY OF DOÑA ANA

STATE OF NEW MEXICO <i>ex rel.</i> ,)	
New Mexico State Engineer,)	
)	
Plaintiff,)	No. CV-96-888
)	Honorable James J. Wechsler
vs.)	
)	Stream System Issue
ELEPHANT BUTTE IRRIGATION)	SS-97-104
DISTRICT, <i>et al.</i> ,)	United States Interests
)	
Defendants.)	

**MOTION FOR EXTENSION OF TIME TO FILE SUMMARY
JUDGMENT MOTIONS IN STREAM SYSTEM ISSUE NO. 104**

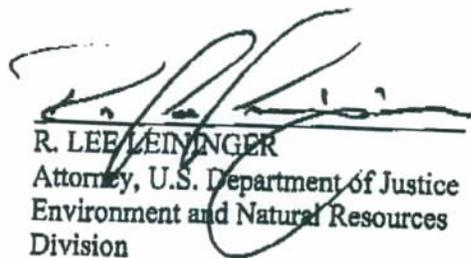
The United States hereby respectfully moves for an extension of one week for all parties to file their respective Motion for Summary Judgment regarding the issues designated by the Court in Stream System Issue SS-97-104 ("SSI 104"). Pursuant to the *Order on Next Issues and Schedule for Litigation Regarding the US Rio Grande Project*, dated October 12, 2012, motions for summary judgment regarding the amounts of water and the priority date(s) for the United States' Rio Grande Project right are due on April 12, 2013. The United States requests the short extension to complete consultation and deliberations with officials within the Department of the Interior. Accordingly, the United States requests the Court grant a 7-day extension of time to April 19, 2013, for parties to submit their summary judgment motions in Stream System Issue No. 104.

NO. 104

Counsel of record in SSI 104 were contacted regarding this motion. The Elephant Butte Irrigation District and the City of El Paso responded stating their non-opposition. The City of Las Cruces and the Southern Rio Grande Diversified Crop Farmers Assoc. concurred in this request providing the extension applies to all parties (which is the intent of the motion). The State of New Mexico, ex rel. State Engineer opposes the motion.

Respectfully submitted this 9th day of April 2013.

FOR THE UNITED STATES:



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NUMBER OF PAGES SENT (INCLUDING COVER PAGE):

SPECIAL INSTRUCTIONS:

Attached for fax filing is the *Motion for Extension of Time to File Summary Judgment Motions in Stream System Issue and [proposed] Order on United States' Motion for Extension of Time to File Summary Judgment Motions in Stream System Issue No.104* in State of New Mexico, ex rel. State Engineer v. Elephant Butte Irrigation District, et al; Doña Ana County No. CV-96-888 SS No. 97-104. The Original will be mailed. Please contact me if you have any questions regarding this matter.