

FILED

2015 JUL 16 PM 3:30

STATE OF NEW MEXICO
COUNTY OF DOÑA ANA
THIRD JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO, *ex rel.*,
OFFICE OF THE STATE ENGINEER,
Plaintiff,

vs.

ELEPHANT BUTTE IRRIGATION
DISTRICT, *et al.*,
Defendants.

Copper Flat Expedited *Inter Se*

DISTRICT COURT
DOÑA ANA COUNTY
NORMAN OSBORNE, CLERK
CV-96-888

Honorable James J. Wechsler
Lower Rio Grande Adjudication
Outlying Areas Section
Subfile No. LRO-28-008-9009
Case No. 307-OA-9703126
New Mexico Copper Corporation
Subfile No. LRO-28-008-9010
Case No. 307-OA-9702236
William J. Frost
Case No. 307-OA-9702237
Harris Gray

**JOINT MOTION FOR MODIFICATION IN CASE SCHEDULE
AND PROPOSED REVISED SCHEDULING ORDER**

The parties to the above captioned proceeding jointly request the following changes to the Court's Scheduling Order of (DATE) in this case and attach a Proposed Revised Scheduling Order as follows:

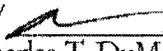
- Rebuttal reports October 2
- Discovery ends October 30
- Dispositive motions due November 16
- Dispositive motion hearing on January 13
- Court decision on dispositive motions February 5
- Final witnesses and exhibits due February 10

- Deposition designations by February 10
- Pre-trial conference, claimant's pre-trial order by February 19
- Objections to deposition designations by February 19
- Opposing counsel files pre-trial order by February 26
- Findings of fact on March 4
- Trial for 3 to 4 days to begin on a Court selected date from March 7 through 21.

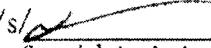
In the event this proposed schedule is not compatible with the Court's calendar, the parties request a scheduling conference with the Court at its earliest convenience. For the Court's consideration in any alternatives to the above proposed revisions, the parties note their unavailability on the following dates through July 1, 2016: March 10 and 11; March 25 through April 22; May 11 through 13, and 23 through 27.

Respectfully submitted:

/s/ 
 Tessa T. Davidson
 Davidson Law Firm, LLC
 P.O. Box 2240, Corrales, NM, 87048
 (505) 792-3636
ttcd@tessadavidson.com
*Counsel for New Mexico Pecan Growers
 and Turner Ranch Properties, L.P.*

/s/ 
 Tanya L. Scott, Charles T. DuMars
 Law and Resource Planning Associates, P.C.
 201 Third Street NW, Suite 1750
 Albuquerque, New Mexico 87102
 (505) 346-0998
tls@lrpa-usa.com
ctd@lrpa-usa.com
*Counsel for New Mexico Copper Company,
 William J. Frost and Harris Gray*


 Jonathan M. Block, Staff Attorney
 New Mexico Environmental Law Center
 1405 Luisa Street, Ste. 5
 Santa Fe, NM 87505
 (505) 989-9022, Ext. 22
jblock@nmelc.org
Counsel for Hillsboro Protestants

/s/ 
 Richard A. Allen, Special Ass't Attorney General
 Office of the New Mexico State Engineer
 P.O. Box 25102
 Santa Fe, NM 87504-5102
 (505) 827-3854
Rick.Allen@state.nm.us
Counsel for the State of New Mexico

STATE OF NEW MEXICO
COUNTY OF DOÑA ANA
THIRD JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO, <i>ex rel.</i> ,)	
OFFICE OF THE STATE ENGINEER,	)	CV-96-888
<i>Plaintiff,</i>)	
	)	Honorable James J. Wechsler
)	
vs.	)	Lower Rio Grande Adjudication
	)	Outlying Areas Section
ELEPHANT BUTTE IRRIGATION	)	Subfile No. LRO-28-008-9009
DISTRICT, <i>et al.</i>,	)	Case No. 307-OA-9703126
<i>Defendants.</i>	)	New Mexico Copper Corporation
)	
	)	Subfile No. LRO-28-008-9010
Copper Flat Expedited <i>Inter Se</i>	)	Case No. 307-OA-9702236
	)	William J. Frost
	)	Case No. 307-OA-9702237
	)	Harris Gray

(PROPOSED) REVISED SCHEDULING ORDER

Having considered the Joint Motion For A Revised Scheduling Order in this matter. The Court hereby issued the following revised scheduling Order:

- Rebuttal reports October 2, 2015
- Discovery ends October 30, 2015
- Dispositive motions due November 16, 2015
- Dispositive motion hearing on January 13, 2016
- Court decision on dispositive motions February 5, 2016
- Final witnesses and exhibits due February 10, 2016
- Deposition designations by February 10, 2016
- Pre-trial conference, claimant's pre-trial order by February 19, 2016

- Objections to deposition designations by February 19, 2016
- Opposing counsel files pre-trial order by February 26, 2016
- Findings of fact on March 4, 2016
- Trial on March __ through __, 2016.

SO ORDERED:

The Honorable James J. Wechsler, Presiding Judge

DATED: _____