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STATE OF NEW MEXICO
COUNTY OF DOÑA ANA
THIRD JUDICIAL DISTRICT

STATE OF NEW MEXICO *ex rel.*)
OFFICE OF THE STATE ENGINEER,)
)
Plaintiff,)
)
vs.)
)
ELEPHANT BUTTE IRRIGATION DISTRICT, *et al.*,)
)
Defendants.)

DISTRICT COURT
DOÑA ANA COUNTY, NM
NORMAN OSBORNE, CLERK

No. CV 96-888
Hon. James J. Wechsler

**STATE OF NEW MEXICO'S STATUS REPORT
FOR THE NOVEMBER 20, 2014 STATUS CONFERENCE**

Plaintiff, State of New Mexico *ex rel.* Office of the State Engineer, submits the following status report for the November 20, 2014 Status Conference. Sonny Swazo, Counsel for the State, will attend in person.

- 1. Current adjudication statistics follow¹:
- A. Statistics Applying to All Sections

1) Total Subfiles:	13,973
2) Total Subfiles Sent an Offer of Judgment:	8,452 (60%)
3) Total Subfile Orders Filed:	5,875 (42%)
Signed Subfile Orders Filed:	5,236 (89%)
Default Orders Filed:	623 (11%)
Implied-Consent Orders Filed:	16 (less than 1%)

¹ The statistics for this report are generated by computer reports based upon data entered for nearly 14,000 subfiles in the Lower Rio Grande hydrographic survey and, while they provide a clear indication of the

4) Response to Offers of Judgment Sent Pursuant to the 5th & 6th Amended
Orders

Total Offers of Judgment Sent: 2,083

Responses Received: 1,1541 (74%)

Initial Response

Signed Order: 1,307 (85% of responses²)

Objection: 234 (15% of responses)

5) Mediation

Total Mediation Requests: 645

Total Orders for Mediation: 416

SFs with Mediation Order, Adjudicated: 251 (may have been adjudicated for
reasons other than mediation)

Currently in Mediation: 9 (have request and/or order for mediation)

B. Statistics by Section

1) Rincon

Total Subfiles: 1,232

Offers of Judgment Served: 1186 (96%)

Subfile Orders Filed: 1,040 (84%)

2) Northern Mesilla

Total Subfiles: 5,964

Offers of Judgment Served: 3,100 (52%)

Subfile Orders Filed: 1,731 (29%)

progress of the adjudication, may not be precisely correct due to errors in data entry and the complexity of the computer reports.

² The relatively high initial acceptance rate is partly a reflection of the fact that currently there are a large number of Offers being sent for groundwater only rights, including domestic wells.

3) Southern Mesilla

Total Subfiles:	5,407
Offers of Judgment Served:	3,024 (56%)
Subfile Orders Filed:	2,184 (40%)

4) Outlying Area

Total Subfiles:	1,327
Offers of Judgment Served:	1103 (83%)
Subfile Orders Filed:	861 (65%)


4) Nutt Hockett

Total Subfiles:	43
Offers of Judgment Served:	42 (98%)
Subfile Orders Filed:	42 (98%)

2. As of this date, there are approximately 18,205 claimants. The State has served Offers of Judgment on 11,663 of these claimants.

3. As of this date, there are approximately 23,081 case numbers. The State has served Offers of Judgment on 12,389 of these case numbers of which 9,418 are adjudicated.

Respectfully submitted this 12th day of November 2014.



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