

STATE OF NEW MEXICO  
COUNTY OF DOÑA ANA  
THIRD JUDICIAL DISTRICT

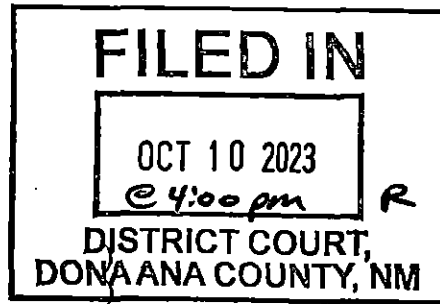
STATE OF NEW MEXICO *ex rel.*  
OFFICE OF THE STATE ENGINEER,

Plaintiff,

vs.

ELEPHANT BUTTE IRRIGATION DISTRICT, *et al.*,

Defendants.



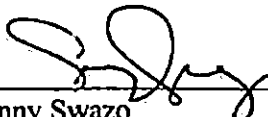
No. D-307-CV-888  
Hon. James J. Wechsler  
Judge Pro Tempore

**STATE OF NEW MEXICO'S STATUS REPORT  
FOR THE OCTOBER 17, 2023 STATUS CONFERENCE**

Plaintiff, State of New Mexico, submits the following status report for the October 17, 2023 Status Conference. Counsel for the State, Sonny Swazo, Brenda Lindlief-Hall, and Richard Allen will attend via internet.

Current adjudication statistics are provided in Table 1.

Respectfully submitted this 10 day of October 2023.

  
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Sonny Swazo  
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Attorney for the State of New Mexico

**Table 1. Lower Rio Grande Adjudication - Current Statistics**

*Prepared 10/04/2023*

*The statistics for this report are generated by computer reports based upon data entered for over 14,000 subfiles in the Lower Rio Grande hydrographic survey and, while they provide a clear indication of the progress of the adjudication, may not be precisely correct due to errors in data entry and the complexity of the computer reports.*

**Lower Rio Grande Adjudication**

	<u>12/2/2020</u>	<u>8/18/2022</u>	<u>3/22/2023</u>	<u>10/17/2023</u>
Total Subfiles	14,050	14,072	14,085	14,089
Total Claimants	18,546	18,610	18,628	18,643
Total Case Numbers	23,066	23,099	23,111	23,098

**Offers Sent and Subfiles Adjudicated**

2	Total Subfiles Sent an Offer of Judgment	9,299	66%	9,410	67%	9,466	67%	9,525	68%
	Total Subfiles Adjudicated	7,043	50%	7,242	51%	7,311	52%	7,382	52%
	Signed Subfile Orders	6,213	88%	6,377	88%	6,441	88%	6,504	88%
	Default Orders	768	11%	794	11%	798	11%	804	11%
	Implied-Consent Orders	62	<1%	71	1%	72	1%	74	1%

**Mediation**

Total Mediation Requests	690	693	696	696
Total Orders for Mediation	461	465	466	470
SFs with Mediation Order, Adjudicated	297	302	306	310
Currently in Mediation	12	9	4	1

## Statistics by Section

	<u>12/2/2020</u>	<u>8/18/2022</u>	<u>3/22/2023</u>	<u>10/17/2023</u>
<b>Rincon</b>				
Total Subfiles	1,237	1,238	1,238	1,239
Offers of Judgment Served	1,196 97%	1,197 97%	1,197 97%	1,197 97%
Subfile Orders Filed	1,058 86%	1,058 85%	1,060 86%	1,060 86%
<b>Northern Mesilla</b>				
Total Subfiles	5,905	5,917	5,921	5,923
Offers of Judgment Served	3,566 60%	3,625 61%	3,649 62%	3,687 62%
Subfile Orders Filed	2,384 40%	2,502 42%	2,547 43%	2,584 44%
<b>Southern Mesilla</b>				
Total Subfiles	5,505	5,506	5,515	5,516
Offers of Judgment Served	3,364 61%	3,412 62%	3,439 62%	3,456 63%
Subfile Orders Filed	2,547 46%	2,621 48%	2,639 48%	2,669 48%
<b>Outlying Area</b>				
Total Subfiles	1,360	1,368	1,368	1,368
Offers of Judgment Served	1,134 83%	1,137 83%	1,142 83%	1,142 83%
Subfile Orders Filed	1,012 74%	1,018 74%	1,025 75%	1,026 75%
<b>Nutt Hockett</b>				
Total Subfiles	43	43	43	43
Offers of Judgment Served	43 100%	43 100%	43 100%	43 100%
Subfile Orders Filed	42 98%	43 100%	43 100%	43 100%