

3RD JUDICIAL DISTRICT COURT
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April 24, 2014

The Honorable James J. Wechsler
 c/o Celina Jones
 Administrative Office of the Courts
 127 Don Gaspar Ave. #25
 Santa Fe., NM 87501-2178
 aoccaj@nmcourts.gov

By e-mail and first-class mail

Re: Outstanding Objections in the LRG

Dear Judge Wechsler:

With this letter are two documents describing the status and nature of outstanding objections to subfile offers in the Lower Rio Grande Stream Adjudication. The first document lists all the subfiles with outstanding objections, categorized by the stage of efforts to resolve the objections. The second document lists the types of objections, and the number of subfiles with each type. The greater number in the second document reflects the fact that many subfiles have more than one type of objection.

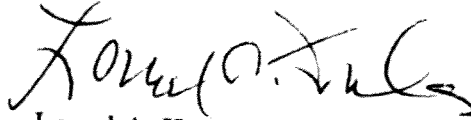
As the Court noted at the April 8 LRG status conference, some of the objections are long-standing. A significant number of those older objections are irrigation rights that were put on hold after two settlement agreements in the LRG. One was the agreement with EBID to adjudicate surface water to the full amount of assessed acreage, which required us to devise new mapping methodology in coordination with the dictates of the original hydrographic survey. The second was the irrigation water rights settlement in Steam System Issue No. 101, which required us to develop complex hydrologic formulas and language for the amount of water in offers of judgment.

Other delays are attributable to factors ranging from pending legal policy decisions to difficult technical challenges to claimants' personal circumstances like divorce. Whatever the situation, we routinely contact claimants when we first receive their Form C objections, and indeed, in many cases we have worked with the claimants and successfully resolved all but one of their objections.

Because of the Court's concern, we are making a special effort to address these outstanding objections, and where we do not reach agreement, we will continue to refer subfiles to mediation, as required under the Sixth Amended Procedural Order.

I hope this additional information is helpful to the Court.

Sincerely,



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Table 1: Outstanding Subfile Objections with Current Status and Date of Objection
Supplement to the 4.8.2014 Mediation Report

<u>Subfile</u>	<u>Objection Filed</u>
<u>Revised Offer Sent or Pending</u>	
LRN 280060083	2/4/2013
LRN 280110117	12/19/2012
LRN 280120231 A	9/16/2013
LRO 280081004	12/26/2012
LRO 280240002 C	8/5/2013
LRO 280261013	1/10/2011
LRO 280271037	5/9/2009
LRO 280291025	11/20/2013
LRO 280301006	5/11/2011
LRS 280111040	9/22/2009
<u>Researching Objection</u>	
LRO 280070001	6/4/2009
LRO 280071004	9/21/2009
LRO 280079001	6/19/2009
LRO 280080002	3/11/2013
LRO 280091001	2/11/2013
LRO 280251001	3/16/2011
LRO 280331001	3/26/2012
LRO 280301148	8/17/2009
<u>Field Work Needed</u>	
LRN 280080179	11/29/2012
LRN 280090311 A	11/18/2011
LRO 280091087	5/24/2013
LRO 280221006	3/14/2012
LRO 280241002	5/11/2011
LRS 280211002	12/22/2011
LRS 280229004	11/10/2011
<u>Awaiting Information/Documentation from Claimant</u>	
LRN 280060062	7/17/2013
LRN 280120110	5/6/2013
LRO 280041001	5/24/2013
LRO 280049002	4/11/2011
LRO 280071027	10/7/2013
LRO 280361053	7/21/2011
LRO 280361070	1/21/2014

Working With Claimant to Resolve Objection

LRN 280080273 A	5/31/2013
LRO 280121008	8/7/2009
LRO 280121032	8/14/2009
LRO 280141006	10/1/2012
LRO 280270002	2/11/2013
LRO 280361109	7/21/2010
LRR 280020046	1/21/2010
LRS 280078001 27	6/9/2008
LRS 280121085	9/11/2008
LRS 280211021	10/24/2008

Working with Claimant - Agreement Unlikely

LRO 280091044	8/31/2009
LRO 280261011	2/7/2011
LRO 280301118	8/15/2011
LRO 280339003	4/20/2012
LRS 280079003	9/29/2008

Referring to Mediation

LRO 280240002	2/4/2013
LRO 280240002 E	1/16/2013
LRS 280100089	3/19/2009

Irrigation Rights Formerly on Hold

LRN 280021033	10/22/2009
LRN 280091059	3/17/2009
LRR 280050008	7/1/2008
LRS 280040233 C	10/28/2008
LRS 280107118	12/15/2008
LRS 280110064	10/16/2008
LRS 280120102	3/27/2009
LRS 280130001	11/7/2008
LRS 280131002	11/7/2008
LRS 280140054	7/7/2009
LRS 280181085	9/25/2008
LRS 280181100	9/23/2008
LRS 280090055	7/17/2009
LRS 280107056	10/8/2008
LRS 280107085	2/29/2008
LRS 280130090	10/8/2008
LRS 280137003	7/30/2009
LRS 280211021	10/24/2008

On Hold at Claimant's Request to Adjudicate Subfiles Together

LRO 280049001	4/11/2011
LRO 280081038	8/10/2009
LRO 280081039	11/8/2013
LRO 280081040	11/8/2013
LRS 280140209	7/22/2009
LRS 280149006	10/15/2008
LRS 280149007	10/27/2008

On Hold Pending Determination of Stream System Issues

LRN 280120112 A	9/16/2013
LRN 280120228	8/26/2013
LRN 280120229	8/26/2013
LRN 280120277	8/26/2013
LRN 280120267	6/22/2009

Table 2: Outstanding Subfile Objections by Type

Note Subfile objection forms often identify more than one type of objection

	#	%
Priority Date	40	0.19
Amount of Water	38	0.18
Purpose of Use	26	0.12
Amount of Acreage	21	0.10
Point of Diversion	16	0.08
Other	15	0.07
Place of Use	15	0.07
Right Missing From Offer	15	0.07
Source of Water	15	0.07
Name/Address Incorrect	5	0.02
Well Missing or Incorrect	2	0.01
Claim No Right	1	0.00
Future Water Use	1	0.00

Total 210 objections on 80 subfiles