

FILED IN

SEP 17 2024
9:32 AM

DISTRICT COURT,
DONA ANA COUNTY, NM

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'S MEDIATION REPORT FOR THE STATUS CONFERENCE
September 24, 2024

COMES NOW the plaintiff, State of New Mexico ("State"), by and through its undersigned counsel, and pursuant to the requirement of Section H.8 of the Seventh Amended Order Regarding Stream Adjudication Procedures, filed November 19, 2014 ("Seventh Amended Procedural Order"), tenders this report on the status of all subfiles for which Offers of Judgment/Stipulated Subfile Orders have been served under the Fifth through Seventh Amended Procedural Orders, and a Form C Objection has been filed, but no subfile order has been entered.

Table 1 identifies all subfiles with outstanding objections. The State has noted on the table whether the subfiles have been referred to mediation, are in trial, or have not been referred to mediation pending further negotiations with the claimant.

Respectfully submitted this 17 day of September 2024.



Sonny Swazo
Special Assistant Attorney General
P.O. Box 25102
Santa Fe, New Mexico 87504-5102
Tel.: (505) 827-6150
Attorney for the State of New Mexico

TABLE 1. MEDIATION REPORT FILED FOR THE SEPTEMBER 24, 2024 STATUS CONFERENCE

<u>Subfile #</u>	<u>Claimant's Name</u>	<u>Objection Filed</u>	<u>Mediation Requested</u>
------------------	------------------------	------------------------	----------------------------

In Mediation

There are no subfiles in mediation at this time

In Trial

LRR 280040081 B	Jaralosa Cattle Company, LLC	12/31/2020
-----------------	------------------------------	------------

Mediation Not Recommended at This Time

Subfiles are arranged by current status

<u>Subfile #</u>	<u>Claimant's Name</u>	<u>Date of Objection</u>
------------------	------------------------	--------------------------

Signed Stipulated Order

LRO 280270002	Charles & Patricia Hayslett	2/11/2013
---------------	-----------------------------	-----------

<u>Subfile #</u>	<u>Claimant's Name</u>	<u>Date of Objection</u>
------------------	------------------------	--------------------------

Revised Offer Pending

LRN 280120214	Sergio & Veronica Rodriguez	1/12/2021
LRO 280091087	Charles & Shirley Nelson	5/24/2013
LRO 280280001 A	Gary & Rodney Foster	3/22/2017
LRO 280309002	Wilfred & Iva Binns Rev. Trust & Muncrief Family Partnership	verbal 8/2011
LRR 280070016	Andrea & Jesus Soto	3/30/2018,
LRS 280190055	Helen & Neal Luther	8/31/2020
LRS 280210052	Vilumin McMullin	6/17/2019
LRS 280181100	Mary Jane & Robert Gunn	9/23/2008

Researching Objection

LRO	280079001	Salopek David Farms LTD Co	6/19/2009
LRO	280221006	Gary Thurm	3/14/2012
LRO	280331001	Brewster Limited Partnership	3/26/2012

Permit Application Pending

LRN	280060241 B	Gary Seemar & Joyce Combs	3/21/2019
-----	-------------	---------------------------	-----------

Working with Claimant to Resolve Objection

LRN	280090016	Terry W Getz	6/17/2024
LRN	280120306	Laura & Tor Nichols	7/19/2024
LRN	280130345	City of Las Cruces	5/24/2024
	280170004	Beck Land and Cattle Co.	1/28/2021

On Hold Pending Determination of SSI

LRN	280040053 A	Louie J. Salopek	1/25/2023
LRN	280050007	Oscar V Butler	1/9/2019
LRN	280050011	Daniel & Evangeline Diaz	2/12/2019
LRN	280120224	Betty, Carolyn, John, Juanita, & Nelson Clayshulte	6/9/2021
LRN	280120228	James & Dawn Wolslager	8/26/2013
LRN	280120229	James & Dawn Wolslager	8/26/2013
LRN	280120277	James & Dawn Wolslager	8/26/2013
LRS	280100121 A	Virginia Gomez, et al	10/21/2016
LRS	280100121 B	Delia Cantu	10/22/2016
LRS	280100121	Virginia Gomez, et al	10/20/2016
LRS	280107019	Delia Cantu	10/26/2016
LRS	280170022	Edward F Page	2/12/2019
LRS	280090055	Jose Evaro	7/17/2009