

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

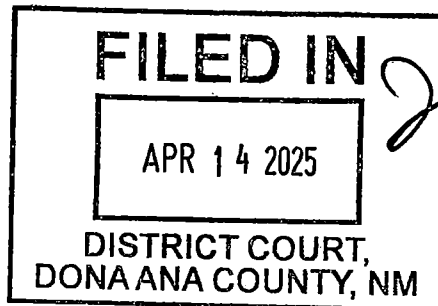
State of New Mexico, *ex rel.*  
Office of the State Engineer,

Plaintiff,

vs.

Elephant Butte Irrigation District, *et al.*,

Defendants.



D-307-CV-96-888  
aka D-307-CV-888  
Honorable James J. Wechsler  
Judge Pro Tempore

**Lower Rio Grande Basin Adjudication Monthly Adjudication Report**

Documents filed in the month of

**March – 2025**

Prepared by Javier Cuevas

Documents are located on the following link:

**<https://lrgadjudication.nmcourts.gov>**

*Third Judicial District Court  
201 W. Picacho Avenue  
Las Cruces, NM 88005  
(575) 528-8370*

**PENDING COURT SETTINGS: (Chronological Order):**

| <b><u>CASE</u></b> | <b><u>DATE OF SETTING</u></b> | <b><u>MATTER TO BE HEARD</u></b> |
|--------------------|-------------------------------|----------------------------------|
|                    |                               | NONE AT THIS TIME                |
|                    |                               |                                  |

**PENDING DEADLINES (Chronological Order):**

| <b><u>CASE</u></b> | <b><u>DATE OF DEADLINE</u></b> | <b><u>DEADLINE</u></b>                                                   |
|--------------------|--------------------------------|--------------------------------------------------------------------------|
| SS-97-107          | May 23, 2025                   | File Motion to Participate in SSI-107                                    |
| SS-97-107          | June 27, 2025                  | Statement of Position as to SSI-107                                      |
| SS-97-107          | August 29, 2025                | Provide Discoverable material as noted in Scheduling Order from 4/8/2025 |

|           |                    |                                                                                                                                            |
|-----------|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| SS-97-107 | October 14, 2025   | Participating Parties to file motions on threshold legal issues or Rule 1-012 (B)(6)                                                       |
| SS-97-107 | January 14, 2026   | Participating shall confer and determine whether it will be necessary to call expert or fact witnesses to support their claims or defenses |
| SS-97-107 | January 29, 2026   | File Witness List for any expert or factual witnesses along with their anticipated areas of testimony                                      |
| SS-97-107 | March 30, 2026     | Disclosure of any exhibits and exhibit reports prepared by retained experts to all participating parties and filed with the Court          |
| SS-97-107 | May 30, 2026       | Disclose all rebuttal witnesses, exhibits, and rebuttal reports to participating parties and filed with the Court                          |
| SS-97-107 | July 16, 2026      | General discovery shall commence on January 14, 2026 and shall be completed by this date                                                   |
| SS-97-107 | August 30, 2026    | Participating parties shall confer in effort to settle contested issues                                                                    |
| SS-97-107 | September 15, 2026 | Filing of Dispositive Motions                                                                                                              |

**CASE MANAGEMENT  
and  
SCHEDULING ORDERS CURRENTLY IN EFFECT**

| <b><u>CASE</u></b>                     | <b><u>DATE FILED</u></b> | <b><u>DOCUMENT TITLE</u></b>                                                                                                                                         |
|----------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| D-307-CV-96-888<br>aka<br>D-307-CV-888 | August 16, 2010          | Second Amended Case Management Order for Stream System Issues and Expedited <i>Inter Se</i> Proceedings Authorizing Notice by Monthly Report and Settling Procedures |
| D-307-CV-96-888<br>aka<br>D-307-CV-888 | November 19, 2014        | Seventh Amended Order Regarding Stream Adjudication Procedures                                                                                                       |
| D-307-CV-96-888<br>D-307-CV-888        | June 6, 2017             | Procedural Order for Global Assessed Acreage Proceedings                                                                                                             |

**SUMMARY OF ACTIVITY**

*NOTE: This report only covers stream system issues and other general adjudication matters. This report does not cover individual subfile matters. Individual subfile matters may be examined at the Clerk's office at the address listed on the last page of this report. Thank you.*

## **COURT ORDERS FILED**

**MARCH 1, 2025 through MARCH 31, 2025**

|  |  |                   |
|--|--|-------------------|
|  |  | NONE AT THIS TIME |
|  |  |                   |
|  |  |                   |
|  |  |                   |

## **DOCUMENTS FILED**

**MARCH 1, 2025 through MARCH 31, 2025**  
**(and/or items not yet resolved)**

| <b><u>CASE</u></b>                                                                     | <b><u>DATE FILED</u></b> | <b><u>DOCUMENT FILED</u></b>                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| D-307-CV-888                                                                           | October 4, 2019          | State of New Mexico's Motion to Exclude Smaller Surface Water Stock Pond Impoundments from the Adjudication                                                                                                                              |
| D-307-CV-888<br><br>Also filed in:<br>D-307-OA-9702924 – R.P. Brewster Ltd Partnership | October 29, 2019         | R.P. Brewster Limited Partnership's Objection to State of New Mexico's Motion to Exclude Smaller Surface Water Stock Pond Impoundments from the Adjudication                                                                             |
| D-307-CV-888                                                                           | November 21, 2019        | Defendant EBID's Response to SNM's Motion to Exclude Smaller Surface Water Stock Pond Impoundments from the Adjudication                                                                                                                 |
| SS-97-104;<br>SS-97-107                                                                | March 5, 2020            | Joint Status Report                                                                                                                                                                                                                      |
| SS-97-104;<br>SS-97-107                                                                | March 6, 2020            | Pre-1906 Claimant's Report Regarding the Continued Stay of Proceedings in SSI 104 and SSI 107                                                                                                                                            |
| SS-97-104,<br>SS-97-107                                                                | March 6, 2025            | Defendant James Scott Boyd's Reply to United States', State of New Mexico, and EBID's Responses to Boyd's Objections and Notice                                                                                                          |
| SS-97-107                                                                              | March 7, 2025            | Pre-1906 Claimants' Reply to Objections by EBID, the U.S., and the State of New Mexico's Response to Boyd Filings in SSI-104 and SSI-107, Elephant Butte Irrigation District's Objection to Lifting Stay, and Proposal of How to Proceed |
| SS-97-107                                                                              | March 7, 2025            | State of New Mexico's Response to Elephant Butte Irrigation District's Objection to Lifting Stay                                                                                                                                         |

|                         |                |                                                                                                                                                                                                                         |
|-------------------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SS-97-107               | March 7, 2025  | City of Las Cruces' Response in Support of Elephant Butte Irrigation District's Objection to Lifting Stay                                                                                                               |
| SS-97-107               | March 10, 2025 | Entry of Appearance- Justin French OSE                                                                                                                                                                                  |
| SS-97-107               | March 10, 2025 | Entry of Appearance- Patrick Rostock OSE                                                                                                                                                                                |
| SS-97-107               | March 11, 2025 | Entry of Appearance- Samuel Walter OSE                                                                                                                                                                                  |
| SS-97-104,<br>SS-97-107 | March 11, 2025 | State of New Mexico's Response in Opposition to James Scott Boyd's Motion to Produce Documents and Evidence Demonstrating the Extinguishment of Pre-1907 Surface Water Rights                                           |
| SS-97-104,<br>SS-97-107 | March 12, 2025 | Reply to Las Cruces' Response in Support of EBID's Objections to Stay Stream System Issues 104 and 107 for Texas Case Only, and OSE's Procedural Request to Dismiss Boyd                                                |
| SS-97-104,<br>SS-97-107 | March 12, 2025 | Pre-1906 Claimants' In Support of James Scott Boyd's Reply to Las Cruces' Response in Support of EBID's Objections to Stay Stream System Issues 104 and 107 for Texas Case and OSE's Procedural Request to Dismiss Boyd |
| CV-888                  | March 13, 2025 | LRG- Monthly Adjudication Report for February 2025                                                                                                                                                                      |
| SS-97-104,<br>SS-97-107 | March 20, 2025 | Court Minute/Proceedings Log                                                                                                                                                                                            |
| SS-97-107               | March 20, 2025 | Request for Copies/Audio                                                                                                                                                                                                |
| SS-97-107               | March 28, 2025 | Pre-1906 Claimants' Motion for Reconsideration of the Court's March 13, 2025, Denial of Boyd Motion to be Joined in SS-107 Summary                                                                                      |
| SS-97-104,<br>SS-97-107 | March 31, 2025 | Motion to Reconsider Dismissal Based on Standing and Void Judgment Due to Improper Service and Fraud in Context with the Liquidation of the Company (1901-1903)                                                         |
|                         |                |                                                                                                                                                                                                                         |

## **HOW TO OBTAIN THE ABOVE DOCUMENTS**

### **OBTAINING DOCUMENTS CONTAINED IN THIS REPORT ON-LINE:**

Documents are available on the following website: <https://lrgadjudication.nmcourts.gov>

Click: Category on top "Forms & Files"

Click: on desired adjudication i.e., CV-888, SS-97-104; SS-97-107, etc.

Click: *document(s) desired*

NOTE: Pursuant to the Second Amended Case Management Order filed on August 16, 2010, Exhibits attached to motions or other documents *may* be omitted from the website and can be obtained from the moving party, initiating party, or at the Clerk's office as noted below.

### **OBTAINING DOCUMENTS CONTAINED IN THIS REPORT FROM THE COURT:**

You may purchase a copy from the Court by calling the numbers below or by requesting it in writing addressed to the following:

Third Judicial District Court

Water Clerk

201 W. Picacho Avenue

Las Cruces, NM 88005

(575) 523-8200

Or Email Requests to: [lcrd-waterfilings@nmcourts.gov](mailto:lcrd-waterfilings@nmcourts.gov)

The request shall include a money order or cashier's check to cover copying costs, currently set at \$.35 per page. The Court does not accept personal checks. The request shall also include a self-addressed, stamped envelope of sufficient size and with sufficient postage for mailing the requested documents.

### **SUBSCRIBING TO THE MONTHLY REPORT**

Any claimant may subscribe to the Monthly Report by filing a written request with a current mailing address and by paying an annual fee of \$100.00. The subscription fee is due by June 1, of each year. Please see the **Second Amended Case Management Order** filed August 16, 2010, which is located on the website under Court Procedural Orders.

### **HOW TO FILE YOUR DOCUMENTS AT THE THIRD JUDICIAL DISTRICT COURT:**

- US Mail: Third Judicial District Court, 201 W. Picacho Ave., Las Cruces, NM 88005
- In Person: Third Judicial District Court, 201 W. Picacho Ave., Las Cruces, NM 88005
- Facsimile: 575-523-8290
- Email: [lcrd-waterfilings@nmcourts.gov](mailto:lcrd-waterfilings@nmcourts.gov)
- E-File: **E-Filing is not available at this time.**

**MAILING LISTS:** Mailings Lists are located on the Lower Rio Grande Website under the Forms & Files category on main menu. Then go to LRG services lists, they are also located in each individual Stream System Issue or *inter se* issue.