

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.*,

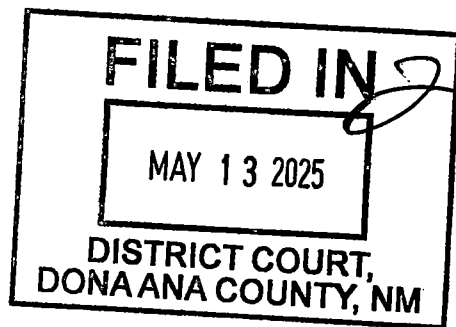
Defendants.

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

April – 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):

<u>CASE</u>	<u>DATE OF SETTING</u>	<u>MATTER TO BE HEARD</u>
RN-9702928 Jaralosa Cattle Company LLC	May 14, 2025 at 9:30 a.m.	Mandatory Status Conference
CV-888	July 17, 2025 at 9:30 a.m.	Rule 1-071.3 Annual Joint Working Session for all current adjudications
CV-888	September 9, 2025 at 10:00 a.m.	Status Conference on active adjudications and any other matters the Court deems necessary

PENDING DEADLINES (Chronological Order):

<u>CASE</u>	<u>DATE OF DEADLINE</u>	<u>DEADLINE</u>
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**

<u>CASE</u>	<u>DATE FILED</u>	<u>DOCUMENT TITLE</u>
D-307-CV-96-888 aka 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 aka D-307-CV-888	November 19, 2014	Seventh Amended Order Regarding Stream Adjudication Procedures
D-307-CV-96-888 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

APRIL 1, 2025 through APRIL 30, 2025

<u>CASE</u>	<u>DATE FILED</u>	<u>ORDER FILED</u>
SS-104; SS-107	April 8, 2025	Discovery Order
SS-104; SS-107	April 8, 2025	Participation Order
SS-104	April 8, 2025	Subfile Order and Final Judgment in SSI-104
SS-107	April 8, 2025	Order Lifting Stay
SS-107	April 8, 2025	Scheduling Order
SS-97-108	April 15, 2025	Seventh Global Order Adding Assessed Acreage for Certain Subfiles

DOCUMENTS FILED

APRIL 1, 2025 through APRIL 30, 2025
(and/or items not yet resolved)

<u>CASE</u>	<u>DATE FILED</u>	<u>DOCUMENT FILED</u>
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 Also filed in: 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; SS-97-107	March 5, 2020	Joint Status Report

SS-97-104; 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	April 3, 2025	Entry of Appearance- OSE Justin French
SS-97-104	April 3, 2025	Entry of Appearance- OSE Patrick Rostock
SS-97-104	April 3, 2025	Entry of Appearance- OSE Samuel Walter
SS-97-104; SS-97-107	April 8, 2025	Participation Order
SS-97-104; SS-97-107	April 8, 2025	Discovery Order
SS-97-107	April 8, 2025	Order Lifting Stay
SS-97-107	April 8, 2025	Scheduling Order
SS-97-104	April 8, 2025	Subfile Order and Final Judgment in SSI-104
SS-97-108	April 14, 2025	State of NM OSE Seventh Final List in the Global Proceedings Case D-307-SS-9700108
CV-888	April 14, 2025	LRG Monthly Adjudication Report for March 2025
SS-97-108	April 15, 2025	Seventh Global Order Adding Assessed Acreage for Certain Subfiles
CV-888; SS-104; SS-107	April 16, 2025	Form D- Notice of Change of Address/Telephone Number filed by US
SS-104	April 16, 2025	United States' Motion for an Extension to File Notice of Appeal
SS-108	April 23, 2025	Multiple Statements of Adjudication Filed- too many to list
SS-108	April 23, 2025	State of NM OSE- Eighth Proposed List in the Global Proceedings Case D-307-SS-9700108
CV-888	April 24, 2025	Notice of Status Conference 5/6/2025
SS-104	April 28, 2025	Response of the State of NM to the United States' Motion for an Extension of Time to File Notice of Appeal
CV-888	April 29, 2025	State's Mediation Report for the Status Conference 5/6/2025
CV-888	April 29, 2025	State of NM Status Report for 5/6/2025 Status Conference
CV-888	April 29, 2025	Reporte Sobre el estado de adjudicacion por el estado de nuevo mexico para la conferencia de estado 6 de mayo 2025

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

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
- 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.