

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

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

Plaintiff,

v.

**Elephant Butte Irrigation
District, et al.,**
Defendants.

No. D-307-CV-96-888
Lower Rio Grande Adjudication

James J. Wechsler
Judge Pro Tempore

Stream System Issue No. 107
Pre-Project Interests
D-307-SS-9700107

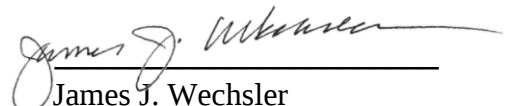
AMENDED SCHEDULING ORDER

This matter came before the Court pursuant to paragraph 6 of the Amended Scheduling Order entered on October 8, 2025, and the Court's Order entered on June 22, 2026, ordering parties to confer and submit to the Court a proposed amended scheduling order. The Parties have determined that related, ongoing settlement discussions have the potential to affect the issues in this cause, and the deadline for those discussions is October 2026, therefore, the parties have proposed a schedule that begins after that time to allow for informal discussions to occur to try to narrow the issues in this proceeding prior to pursuing litigation. After considering the proposed amended scheduling Order presented by the State of New Mexico after circulation among the parties with no objection, the Court finds that good cause exists to issue the following Amended Scheduling Order:

1. If any participating party intends to call expert or fact witnesses, the party shall file a witness list with the Court that discloses the identity of such witnesses along with a summary of their anticipated areas of testimony by no later than February 19, 2027. For each expert witness identified, the party shall also disclose his or her area of expertise, address, and phone number.

2. Any exhibits and expert reports prepared by retained experts for any participating party shall be disclosed to all participating parties no later than March 16, 2027. The exhibit lists shall be filed with the Court by March 16, 2027.
3. All rebuttal witnesses, exhibits, and rebuttal reports for retained experts are to be disclosed to all participating parties no later than June 18, 2027. Rebuttal witness and exhibits lists shall be filed with the Court no later than June 18, 2027.
4. General discovery shall commence on February 1, 2027, and shall be completed by August 6, 2027.
5. Participating parties shall confer in an effort to settle contested issues no later than September 17, 2027.
6. Any party wishing to file dispositive motions shall file them no later than October 1, 2027. Responses to dispositive motions shall be due by November 5, 2027, and replies to responses shall be due by December 10, 2027.
7. If no dispositive motions are filed, the Court shall set a date for a final pretrial conference to address deadlines for submission of final witness and exhibits lists, the pretrial order, motions in limine, and any agreements regarding authenticity and admissibility of documents and to set a trial date.
8. If dispositive motions are filed, the court shall not hold a final pretrial conference until it has ruled on all such motions.

IT IS SO ORDERED.


James J. Wechsler
Judge Pro Tempore

CERTIFICATE OF SERVICE

I hereby certify that on the above file-stamped date, I have caused to be emailed and/or mailed by First Class US Mail, a true and correct copy of the foregoing instrument to counsel or parties of record located on the SS-97-107 service list on the Lower Rio Grande Adjudication Website.

A handwritten signature in black ink, appearing to read "Javier Cuevas". The signature is fluid and cursive, with the first name "Javier" and last name "Cuevas" clearly distinguishable.

Javier Cuevas
Paralegal