

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

No. CV-96-888
Lower Rio Grande Adjudication
James J. Wechsler
Judge Pro Tempore

STATE OF NEW MEXICO *ex rel.*
NEW MEXICO STATE ENGINEER,
Plaintiff,
v.
ELEPHANT BUTTE IRRIGATION
DISTRICT, *et al.*,
Defendants.

Stream System Issue No.
97-107, D-307-SS-9700107

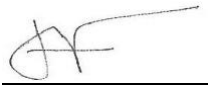
Elephant Butte Irrigation District's Concurrence with the United States Response to
Robert Simon's Motion for Reconsideration of Denial of Summary Judgment

COMES NOW the Elephant Butte Irrigation District (EBID) in concurrence with the United States basis and request that reconsideration of the Court's denial of summary judgment be denied. EBID has read and agrees that the Movants provide no basis for reconsideration, rather they simply reargue the motion while misconstruing the Court's denial. The Court provides what the Movants have sought, the opportunity to litigate the claims of a nebulous set of claimants for priority dates that pre-date 1903. We are all concerned that Mr. Simons professes to represent an unknown set of similarly situated clients, yet we are entitled to know who he represents as parties, Scott Boyd may be a client but he is not a party.

As the United States responds, EBID concurs that reconsideration must be denied.

Respectfully submitted,

DL Sanders, LLC

By: 

DL Sanders
17 Seton Plaza
Santa Fe, New Mexico 87508
Phone: 505-412-1112
E-mail: esquiparro@gmail.com

Pete V. Domenici, Jr.
The Domenici Law Firm, LLC
P.O. Box 4296
Albuquerque, New Mexico 87196
Phone: 505-883-6250
E-mail: pdomenici@domenicilaw.com

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the forgoing document filed in Stream System Issue No. 97-107 via email to the counsel or parties of record set forth in the service lists on the Lower Rio Grande Adjudication Website on August 4, 2026

_____/s/_____
DL Sanders