STATE OF NEW MEXICO
COUNTY OF HILDALGO
SIXTH JUDICIAL DISTRICT COURT

FILED IN OPEN COURT
DATE 8/9/12 at 4:50pm
DISTRICT JUDGE

STATE OF NEW MEXICO *ex rel.*
NEW MEXICO STATE ENGINEER,
Plaintiff,

v.

ROSETTE, INC., *et al.*
Defendants.

CV 2005-0054
Hon. J. C. Robinson

Animas Underground Water Basin

CASE MANAGEMENT ORDER MANDATING BASIN-WIDE ISSUE PROCEEDING AND EXPEDITED *INTER SE* PROCEEDINGS AND PRESCRIBING PROCEDURE FOR GIVING NOTICE OF ALL SUCH PROCEEDINGS

THIS MATTER came before the Court on the Special Master's report, filed 7/19/2012, Recommending That Court Enter Case Management Order Mandating Basin-Wide Issue Proceeding and Expedited *Inter Se* Proceedings. Notice of the filing of the Special Master's Report was given as required pursuant to Rule 1-053.E(1) NMRA. No objections were filed to the Report.

The Court, after considering the Report and the Court's file, adopts the Report and FINDS and CONCLUDES that:

1. In fairness to the parties and for reasons of judicial economy:
    a. The common elements of all water rights claims, including the farm delivery and consumptive irrigation requirements of all water rights in the Animas Underground Basin (the "Basin"), should be resolved in one or more basin-wide issue proceedings prior to the adjudication of individual water rights claims.
    b. Each water right claim in the Basin should be resolved, both as between the

claimant asserting the claim and the State and as among the claimant and other claimants in the Basin, in a single proceeding known as an expedited *inter se* proceeding.

2. The Court may adjudicate basin-wide issues as soon as all water rights claimants in the Basin have been provided with due process notice, in accordance with Paragraph C of Rule 1-071. 2 NMRA, of the procedure they must follow to obtain notice of and participate in a basin-wide proceeding.
3. The Court may adjudicate a water rights claim in an expedited *inter se* proceeding as soon as the claimant asserting the claim is joined as a party pursuant to NMSA 1978, Section 72-4-17 (1965) and all other claimants have been provided with due process notice, in accordance with Paragraph C of Rule 1-071.2 NMRA, of the procedure they must follow to obtain notice of and participate in an expedited *inter se* proceeding.

IT IS THEREFORE ORDERED THAT (i) the farm delivery requirements, the consumptive irrigation requirements and other common elements of all water rights claims in the Basin will be resolved in one or more basin-wide issues proceedings prior to the adjudication of individual water rights claims; (ii) each water right claim in the Basin will be adjudicated in an expedited *inter se* proceeding pertaining to that claim; and (iii) all water rights claimants in the Basin shall be provided with notice in accordance with Paragraph C of Rule 1-071.2 NMRA of the procedure they must follow to obtain notice of and participate in all basin-wide issue and expedited *inter se* proceedings. Specifically:

A. <u>Notice of Pending Water Rights Adjudication; Subscription to Monthly Adjudication Report</u>

1. The State shall serve a Notice of Pending Water Rights Adjudication (the "Notice of

Adjudication"), together with a form to be completed by claimants and filed with the Court, entitled "Subscription to Monthly Adjudication Report" (the "Subscription Form"). The Notice of Adjudication shall inform claimants of the procedures specified in this Order for (i) adjudicating water rights claims and (ii) obtaining notice of all court filings and hearings. The Subscription Form, when completed by a claimant and filed with the Court, shall constitute the claimant's request for a subscription to the Monthly Adjudication Report prepared by the Court Clerk pursuant to paragraph B.1 below.

2. The State shall serve the Notice of Adjudication and the Subscription Form on all water rights claimants in the Basin in the manner provided in Rule 1-071.2(C). Specifically:

   (a) The State shall, within forty-five days after the entry of this Order, send by first class mail the Notice of Adjudication, together with a Subscription Form, to all persons who may claim water rights in the Basin whose identity can be ascertained from the following records:

      (i) Existing hydrographic survey records;

      (ii) The records of the Hidalgo County assessor;

      (iii) The public records of the state engineer; and

      (iv) The public records of any conservancy district or similar water association in the Basin.

   (b) The Notice of Adjudication shall also be served by publishing the notice, pursuant to Rule 1-004(K) NMRA and NMSA 1978, §14-11-10 (1978), once a week for four consecutive weeks in the Hidalgo County Herald. Publication

shall constitute notice to those persons claiming water rights in the Basin whose addresses could not be reasonably ascertained from the records described in the forgoing paragraph.

(c) After the State has complied with the forgoing requirements, it shall file with the Court a certificate of service attesting to its compliance with the service provisions of this order.

3. After the State has completed service by mail of the Notice of Adjudication, the Court will conduct one or more public meetings for the purpose of explaining the procedure to be followed when adjudicating water rights. The meetings will be held at times and places to be announced. The Court will publicize the public meetings through one or more advertisements in the Hidalgo County Herald and by local radio public service announcements.

4. To receive prior notice of all Basin-wide and expedited *inter se* proceedings, Claimant must file a Subscription Form with the Court on or before October 31, 2012, and no Basin-wide proceeding or expedited *inter se* proceeding shall commence prior to that date. Claimants may file Subscription Forms after that date, but, except for good cause shown, shall be deemed to have waived their right to notice of any deadline or hearing occurring prior to the filing.

B. Notices of Court Filings, Hearings and Upcoming Deadlines

1. Notice by Monthly Adjudication Report: Notice of hearings and of the filing of motions, orders or other documents with the Court shall be provided to all claimants by means of the Monthly Adjudication Report in accordance with the following procedure:

(a) On the first Friday of every month, the Court will prepare a Monthly Adjudication Report and post the report on the website for the Animas Adjudication(http://animasadjudication.nmcourts.gov/). The report shall contain (i) a listing of the times and locations of all upcoming hearings, (ii) all deadlines for responding to motions and other documents, (iii) a chronological listing of all documents filed with the Court since the publication of the last report, together with a brief description of the relief sought in all motions listed in the report, and (iv) the electronic location on the Court's website of all documents listed in the report.

(b) The Monthly Adjudication Report will be served via email, free of charge, on any claimant who provides an email address on the Subscription Form. Parties who do not provide the Court with an email address on their Subscription Forms will be served with the Monthly Adjudication Report by first class mail for an annual fee of $ 65.00 to cover the costs of producing, copying and mailing the report. The fee shall be payable by money order or cash (no personal checks) to the Clerk of the Court. Parties may subscribe to the Monthly Adjudication Report at any time but the $65.00 fee will be assessed regardless of the amount of time remaining in the fiscal year. The fee will not be prorated for partial years.

(c) Every attorney appearing in this proceeding must have an email address and the email address must appear on the attorney's entry of appearance filed with the Court pursuant to Rule 1-089 NMRA. Claimants not represented by an attorney shall provide their email addresses on the Subscription Forms they

file with the Court.

(d) The Monthly Adjudication Report, and other documents filed in the adjudication, will be available on the court's website at http://animasadjudication.nmcourts.gov/. Any party may obtain a copy of the Monthly Adjudication Report or a document identified in the report by downloading the document from the Animas Adjudication website or by requesting a hardcopy from the Court in writing addressed to:

Court Clerk
Sixth Judicial District Court
300 Shakespeare St.
Lordsburg NM 88945

ATTN: Animas Water Rights Adjudication

The request shall include a money order to cover copying costs, currently set at $.35 per page. The request shall also include a self-addressed envelope of sufficient size and with sufficient postage for mailing the requested documents.

(e) The Court will, without notice, remove from the subscription list any person who fails to maintain a deliverable email or postal address. Parties who fail to maintain a deliverable email or postal address or who fail to pay the required fee for a subscription by mail will be deemed to have waived their right to service pursuant to Rule 1-005.

(f) To enable the Clerk to include in the Monthly Adjudication Report a summary of the relief requested in a motion, all motions filed must contain a short summary of the relief requested in the motion. The summary shall be in the format provided in Exhibit D to this Order and shall appear on the first

page of the motion, shall be distinguishable from the remainder of the motion and shall not exceed 50 words in length. The Court will deny without prejudice any motion that does not contain the required summary.

(g) Unless otherwise ordered by the Court, whenever the Rules of Civil Procedure for District Courts, or a notice given pursuant to those Rules, require that an act be done, or paper filed, within a specified time, the time period shall (a) commence on the date the document pertaining thereto first appears in the Monthly Adjudication Report and (b) three days shall be added to the prescribed period, to allow for service of the report by first class mail.

2. Service in Contested Proceedings: As provided below, any basin-wide issue, pursuant to Rule 1-071.2(A) NMRA, or any disputed water rights claim, will be resolved in separate sub-proceedings known as a "contested sub-proceeding". All motions, notices, orders and other documents filed in contested sub-proceedings shall be served on the parties to the sub-proceeding in accordance with Rule 1-005 NMRA.

C. Basin-Wide Issues Proceedings

After the time set for filing Subscription Forms has expired and prior to commencing the adjudication of water rights claims, the Court will conduct a hearing, pursuant to Rule 1-071.2 NMRA, to determine whether other issues in the adjudication, in addition to the consumptive irrigation and farm delivery requirements of all water rights in the Basin, should be resolved in a basin-wide proceeding. All motions requesting that the Court resolve an issue in a basin-wide issue proceeding, including but not limited to consumptive irrigation requirements, shall be filed by November 28, 2012 and the hearing concerning whether additional issues should be resolved in a basin-wide proceeding will be held on December 13, 2012 commencing at 10:00 a.m. at the

Hidalgo County Courthouse. Notice of the hearing and the deadline for filing motions requesting that an issue be heard in a basin-wide proceeding will be contained in the Notice of Adjudication and published in the Monthly Adjudication Report. Following the hearing, the Court will enter an order designating the issues to be resolved in basin-wide proceedings and defining the scope, timing and procedures to be followed in all such proceedings.

D. Water Rights Claims of All Claimants Except the United States

1. Water rights claims relating to claimants other than the United States will be adjudicated in expedited *inter se* proceedings. The procedure to be followed in expedited *inter se* proceedings will be specified in an Expedited *Inter Se* Procedural Order (the "*Inter Se* Procedural Order") to be entered by the Court following the resolution of all contested basin-wide issues. The *Inter Se* Procedural Order will provide that each water right claim will be adjudicated by a Subfile Final Judgment that (a) constitutes a "judgment" within the meaning of Rule 1-054(a) NMRA from which an appeal may lie; (b) is binding on the State, the claimant and all other claimants in the basin regardless of whether the other claimants were served and joined as defendants, participated in or received actual notice of the proceeding, or filed *inter se* objections to the water rights adjudicated by the Subfile Final Judgment; and (c) may be modified or amended only in accordance with Rule 1-060 NMRA.
2. The form of *Inter Se* Procedural Order the Court contemplates entering is attached as Exhibit C to this order. The Court will determine the final form of the *Inter Se* Procedural Order at a scheduling conference to be held after all basin-wide issues have been resolved. Prior notice of the scheduling conference will be provided by the Monthly Adjudication Report. Procedural deadlines for filing subfile documents and

the forms of the documents to be used in all *inter se* subfile proceedings will be specified in the *Inter Se* Procedural Order.

E. Water Rights Claims of the United States

1. By a deadline to be fixed by the Court, the State shall join the United States as a party to this adjudication in accordance with 43 USC § 666 (b) or as otherwise authorized by the Court.
2. Promptly after the United States has been joined as a party, the Court shall direct that the United States, the State and interested claimants appear at an initial scheduling conference for the purpose of adopting procedures for adjudicating the water rights claims of the United States. Notice of the scheduling conference shall be served on the United States and the State by first class mail, and other water rights claimants shall be provided with notice by means of the Monthly Adjudication Report. At the initial scheduling conference or a subsequent conference, the Court shall set deadlines for the United States to file claims identifying the nature, extent and elements of its alleged water rights. Notice of the deadlines shall be provided in the Monthly Adjudication Report.
3. For those water rights claims of the United States as to which no objections are filed and if the Court is satisfied that adjudication of the claims in the manner proposed is otherwise appropriate, the Court shall, at a hearing following notice to the United States and other water rights claimants, enter a Subfile Final Judgment adjudicating those water rights in the manner claimed. For those claims as to which an objection is filed, the Court shall hear and determine the issues raised by the objection in a contested *inter se* proceeding.

F. Exhibits to Order:

The following documents are attached to this order as exhibits and are deemed part of this order:

Exhibit A: Notice of Pending Water Rights Adjudication

Exhibit B: Form For Subscription to Monthly Adjudication Report

Exhibit C: (Proposed) *Inter Se* Procedural Order

Exhibit D: Format of summary to be included in all motions

IT IS SO ORDERED.

JC Robinson
District Judge

EXHIBIT A TO CASE MANAGEMENT ORDER

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO *ex rel.*
NEW MEXICO STATE ENGINEER,
Plaintiff,

v.

CV 2005-0054
Hon. J. C. Robinson

ROSETTE, INC., *et al.*,
Defendants.

Animas Underground Water Basin

NOTICE OF WATER RIGHTS ADJUDICATION AND OF THE COURT'S *IN REM* JURISDICTION OVER ALL WATER RIGHTS IN THE ANIMAS UNDERGROUND WATER BASIN

PLEASE TAKE NOTICE THAT pending before this Court is a proceeding for the adjudication of water rights in the Animas Underground Water Basin (the "Basin"). The Court has *in rem* jurisdiction over all water rights in the Basin. All orders entered by the Court will be binding on all persons who claim ownership of, or an interest in, a water right, provided that notice of this proceeding is provided in the manner previously ordered by the Court.

If you claim to own a water right in the Basin, you have the right to participate in all court proceedings, including proceedings pertaining to:

- Your water rights
- Other water rights
- Basin-wide issues impacting all or a significant number of water rights in the Basin.

If you fail to respond in writing to certain Court documents or fail to attend a mandatory court hearing, ***YOU SHALL BE DEEMED TO HAVE WAIVED YOUR RIGHT TO A HEARING AND TO HAVE CONSENTED TO THE RESULTING DETERMINATIONS OF THE COURT.***

Notice of all filing deadlines and court hearings will be provided to water right claimants by means of a Monthly Adjudication Report distributed to claimants who file with the Court the form requesting a subscription to the Monthly Adjudication Report (the "Monthly Report"). See paragraph B below. Information about the adjudication and documents filed in the adjudication are also available on the court's website at http://animasadjudication.nmcourts.gov .

A. STREAM SYSTEM AND EXPEDITED *INTER SE* PROCEEDINGS

The Court has ordered that all water right claims be adjudicated in expedited inter *se* proceedings and that certain basin-wide issues be resolved before the adjudication of individual water rights claims, as set forth in the Case Management Order Mandating Basin-Wide Issue Proceedings and Expedited *Inter Se* Proceedings and Prescribing Procedure for Providing Basin-Wide Notice of All Proceedings. A short summary of those procedures follows:

1. Basin-Wide Proceedings

The Court has ordered that the consumptive irrigation requirements and farm delivery requirements of all water rights in the Basin be determined in a basin-wide issue proceedings before commencing the adjudication of individual water right claims in expedited *inter se* proceedings. The Court has also ordered that a hearing be conducted to determine whether other disputed issues common to all water rights should be resolved as basin-wide issues, prior to the adjudication of individual water right claims. At that hearing, the Court will also consider the

parties' suggestions concerning the scope, timing and procedures to be followed in all basin-wide issue proceedings.

The hearing to determine whether other issues should be resolved as basin-wide issues will be held on December 13, 2012 commencing at 10:00 a.m. at the Hidalgo County Courthouse. Motions requesting that the Court resolve a specific issue, as a basin-wide issue shall be filed by November 28, 2012. Notice of the forgoing hearing and filing deadline will also be provided in the Monthly Adjudication Report. See paragraph B. below.

All determinations by the Court on basin-wide issues shall be binding upon all parties in subsequent expedited *inter se* proceedings on individual water right claims.

2. Expedited *Inter Se* Proceedings

As stated, the Court has ordered that each water right claim in the Basin be adjudicated in an expedited *inter se* proceeding. An expedited *inter se* proceeding is a proceeding in which a water right claim is resolved both as between the State of New Mexico and the water right claimant and as among the claimant and all other water right claimants in the Basin. All water right claims will be resolved in expedited *inter se* proceedings, but the procedure for resolving the water right claims of the United States will differ, as set forth below.

a. Water Right Claims–All Claimants Other Than the United States: Each person that the State of New Mexico believes either holds a valid license to appropriate water or who may claim a water right in the Basin will be served by first class mail with a proposed Subfile Final Judgment that describes the elements of the claimant's water rights, as set forth in the license or as otherwise determined by the State, a map showing the location of the water right and, if applicable, a copy of the license. Claimants will be provided with

an opportunity to resolve any differences with the State regarding the proposed Subfile Final Judgment. After the time for resolving differences has expired, the State shall submit to the Court its proposed Subfile Final Judgment. All other water right claimants in the Basin will be notified by the Monthly Adjudication Report of the deadline for filing objections to the State's proposed Subfile Judgment. All objections to proposed final judgments by the subfile claimant or any other claimant in the Basin will be resolved by the Court and the Court will enter a final judgment that is binding on all claimants in the Basin.

b. Water Rights Claims by the United States. The Court will set deadlines (i) for the United States government to file written claims identifying the nature, extent and elements of all water rights claimed by the United States and (ii) for all other claimants in the Basin to object to the claims of the United States. Notice of the deadlines for filing claims, objections to claims and of Court proceedings for resolving all objections will be provided in the Monthly Adjudication Report.

B. MONTHLY ADJUDICATION REPORT

On the first Friday of every month, the Clerk of the Court will file and serve a Monthly Adjudication Report containing (i) a listing of the time and location of all upcoming hearings, (ii) all deadlines for responding to motions or other documents filed with the Court, (iii) a chronological listing of all documents filed with the Court since the publication of the last Monthly Report, and the electronic location on the Court's website for filed documents, and (iv) a brief description of the relief sought in all motions listed in the Report.

The Monthly Adjudication Report will be available on line at http://animasadjudication.nmcourts.gov/and will be served on all persons who file with the Clerk a form entitled "SUBSCRIPTION TO MONTHLY ADJUDICATION REPORT." The Monthly Report will be served by email transmission on all persons who provide their email address on their subscription forms, free of charge. The Monthly Report will be served by first class mail on those persons who request service by mail, provided they pay in advance the required annual fee, currently set at $65.00, to cover the cost of copying and mailing the report.

To ensure timely notice of all deadlines and hearings, claimants must return the SUBSCRIPTION TO MONTHLY ADJUDICATION REPORT, in the form of Exhibit A attached hereto, to the Court Clerk by 5:00 p.m. on October 31, 2012 at the following address:

Court Clerk
Sixth Judicial District Court
300 Shakespeare St.
Lordsburg NM 88945
ATTN: Animas Water Rights Adjudication
(Phone 575-542-3411)

C. PUBLIC INFORMATIONAL MEETING

The Court will conduct a public meeting to explain and answer questions concerning the procedures to be followed when adjudicating water rights in the Basin. The meeting will take place at Animas Community Center, commencing at 5:00 p.m. on October 25, 2012.

SIXTH JUDICIAL DISTRICT COURT CLERK

By: _____
Deputy Clerk

EXHIBIT B TO CASE MANAGEMENT ORDER

SUBSCRIPTION TO MONTHLY ADJUDICATION REPORT
Animas Underground Basin Adjudication

The undersigned hereby subscribes to the Monthly Adjudication Report for the Animas Underground Basin Adjudication.

(1) Do You Claim a Water Right in the Animas Underground Basin?

____ Yes _____No

If you claim a water right and if you are represented by an attorney, the Monthly Adjudication Report will be served by email on your attorney once the attorney files an entry of appearance with the Court.

(2) Service of Monthly Adjudication Report by either (a) email or (b) First Class Mail (Check One)

____Service by email (please print email address clearly) : _____.

____Service by first class mail (A money order for $ 65.00 for the annual subscription fee is enclosed).

_____
Claimant's Name

_____
Street or P.O. Box No.

_____
City State Zip Code

(3) Duty to Inform Court of Address Changes

I understand that my subscription to the Monthly Adjudication Report will be automatically terminated if I fail to maintain a current deliverable email or mailing address with the Clerk or if I fail to pay the annual subscription fee for reports served by first class mail.

(4) Filing Instructions: File with the Court by October 31, 2012

To ensure timely notice of all upcoming matters, this subscription form must be filed on or before October 31, 2012 with the Clerk's Office, Sixth Judicial District Court, 300 Shakespeare St., Lordsburg, NM 88945. A claimant who fails to file the subscription form by the forgoing date shall, except for good cause shown, be deemed to have waived their right to notice of any deadline or hearing occurring between the subscription form deadline and the filing of the claimant's form.

Signature:_____Date:_____

EXHIBIT C TO CASE MANAGEMENT ORDER

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO *ex rel.*
NEW MEXICO STATE ENGINEER,
Plaintiff,

CV 2005-0054

v.

Hon. J. C. Robinson

ROSETTE, INC., *et al.*
Defendants.

Animas Underground
Water Basin

PROCEDURAL ORDER GOVERNING EXPEDITED *INTER SE* ADJUDICATION OF STATE LAW WATER RIGHTS

THIS COURT previously ordered that all water rights claims in the Animas Underground Water Basin (the "Basin") be adjudicated in expedited *inter se* proceedings and, to ensure that the adjudication proceeds expeditiously and in accordance with due process, also ordered that: (a) Notice be given to all known and unknown water rights claimants in the Basin of the procedure to be followed when providing water rights claimants with notice of court hearings and the filing of orders, motions and other documents with the Clerk; and (b) certain basin-wide issues, including farm delivery requirements and consumptive irrigation requirements for all water rights in the Basin, be resolved in basin-wide proceedings prior to the adjudication of state law water rights claims in expedited *inter se* proceedings. *See* Case Management Order Mandating Basin-wide Issue Proceedings and Expedited *Inter Se* Proceedings and Prescribing Procedure for Providing Basin-wide Notice of All Proceedings, filed _____, __, 2012 (the "Case Management Order").

The forgoing tasks having been accomplished, the adjudication of state law water rights claims in expedited *inter se* proceedings can now proceed.

IT IS THEREFORE ORDERED THAT:

A. Adjudication by Hydrographic Survey Sections

The State of New Mexico *ex rel.* State Engineer (the "State") has, for purposes of conducting the hydrographic survey required by NMSA 1978 § 72-4-13 (1982), divided the Basin into four geographic sections to aid in the adjudication process:

Section 1 (Northern Area)

Section 2 (Cotton City)

Section 3 (Village of Animas)

Section 4 (Southern Area)

The State filed the hydrographic survey for Sections 1, 3, and 4 on October ___, 2011 and filed the hydrographic survey for Section 2 on _____, 2012.

B. Joinder and Service

1. Pursuant to Rule 1-071.1 NMRA, the State shall join as a party to this adjudication each person who claims a water right in the Basin ("claimant"). Joinder shall be by geographic sections, commencing with claimants of irrigation and other water rights in Sections 1, 3 and 4, and followed thereafter with claimants of irrigation and other rights in Section 2 (Cotton City). Upon completion of joinder of claimants to irrigation and other water rights, the State thereafter shall join persons claiming domestic and stock well uses whose claims were not adjudicated when adjudicating irrigation or other rights. Pursuant to Rule 1-071.1(B) NMRA, the service of adjudication packets as provided below shall constitute service of process on a water right claimant and joinder of that claimant as a defendant to this adjudication.

2. As soon as practicable, the State shall commence serving adjudication packets on known water right claimants identified in the Hydrographic Survey for Sections 1, 3 and 4. Service shall be by certified mail, pursuant to Rule 1-

004(E) NMRA, and all such adjudication packets shall be mailed by a date to be set by the Court in a separate scheduling order. Any claimants who do not sign and return the certified mail receipt acknowledging delivery within 30 days after the adjudication packet is mailed shall be personally served. Known claimants who cannot reasonably be served by other means shall be served by publication, as authorized by NMSA 1978, § 72-4-17 (1965) and Rule 1-004(K) NMRA.

3. The adjudication packet shall consist of the following Court-approved documents:

   a. a summons, in the form of Exhibit A hereto, and a copy of the Notice of Pending Water Rights Adjudication, attached as Exhibit A to the Case Management Order;

   b. a description of the adjudication process and the obligations imposed on Claimants by this order;

   c. a proposed Subfile Judgment (the "Proposed Judgment") containing a description of the subfile claimant's water rights, as determined by the State. The form of a proposed judgment shall differ depending upon whether the water right described therein is or is not based on a license to appropriate water issued by the State Engineer.

      i. If the Proposed Judgment is based on a license, it shall be in the form of Exhibit B hereto, contain a description of the water right as it appears in the license and include a copy of the license and a map showing the location and amount of irrigated acreage or place of use and the location of the point of diversion; or

ii. If the Proposed Judgment is **not** based on a license, it shall be in the form of Exhibit C hereto, contain a description of the claimant's water right, as determined by the State and include a subfile map showing the location and amount of irrigated acreage or place of use and the location of the point of diversion;

d. an Objection and Request for Consultation (the "Consultation Request") for use by claimants who do not accept the State's determination of their water rights as set forth in the Proposed Judgment. The form of Consultation Request shall differ depending on whether or not the Proposed Judgment is based on a license. If the Proposed Judgment is based on a license, the Consultation Request shall be in the form of Exhibit D hereto and if the Proposed Judgment is **not** based on a license, the Consultation Request shall be in the form of Exhibit E.

e. an envelope addressed to the State for the claimant to mail an appropriate responsive document signed by the claimant, as required by Paragraph C below; and

f. contact information for the State, the Joe M. Stell Ombudsman Program at the Utton Transboundary Resources Center, and the Court.

4. After service of an adjudication packet is complete, the State shall promptly file a proof of service with the claimant's signature receipt attached, if applicable, as required by Rule 1-004(L) NMRA. For each claimant for whom a return or proof of service has not been filed, the State shall file either (a) a motion, accompanied by the affidavit required by Rule 1-004(J) NMRA, requesting an order authorizing service by publication or (b) a show cause statement describing why

the State believes that service by means other than publication is reasonable.

C. Claimant's Obligation to Respond to Adjudication Packet; Consultation with the State

1. By the date set in a separate scheduling order to be entered by the Court, claimants must respond to the adjudication packets served upon them by the State by returning to the State:

   (a) a signed and dated Proposed Judgment signifying the claimant's agreement to the adjudication of its water rights as described in the proposed judgment that was included in the claimant's adjudication packet; or

   (b) a Consultation Request, whereby the claimant states its objections to the Proposed Judgment that was included in the claimant's adjudication packet and requests a consultation with the State regarding the Proposed Judgment.

   The State shall submit to the Court for its consideration each Proposed Judgment that has been accepted by the claimant within five (5) business days after the State receives the accepted judgment from the claimant.

2. Claimants who file Consultation Requests must discuss their Proposed Judgments with representatives of the State. The State shall contact claimants to arrange the consultation. If this contact does not resolve the claimant's objection, the claimant shall meet with representatives of the State at its Office of the State Engineer Water Rights Division's District III office (301 South Tin, Deming, New Mexico) at a mutually agreeable time. The State may be contacted at:

   Stacey J. Goodwin, Esq.
   Special Assistant Attorney General
   Law Offices of Randall W. Childress
   300 Galisteo Street, Suite 205
   Santa Fe, New Mexico 87501
   (505) 982-4147

Claimants who fail to consult with the State at the Deming District Office after being afforded a reasonable opportunity to do so shall be defaulted to the water right described in the Proposed Judgment included in their adjudication packets.

3. At the consultation at the State's Deming District Office, the claimant shall produce all documents in its possession or control pertaining to its water right claim, and likewise the State shall produce the documents that form the basis for its assessment of the claimant's water right as set forth in the Proposed Judgment. If the State determines a field inspection is necessary or appropriate, a representative from the State and the claimant shall schedule an inspection as soon as practicable. Unless otherwise agreed to by the State, the claimant or the claimant's representative shall be present during the field inspection and shall allow field personnel from the State access to the claimant's property as reasonably necessary to verify and inspect the Claimant's water rights claims. If the consultation results in an agreement on the terms of the originally proposed or a revised Subfile Judgment, the State shall promptly prepare an agreed upon judgment and the parties shall sign and submit the agreed upon judgment to the Court.

D. Termination of Consultation; Rejection by Claimant

1. No later than a date to be set in a separate scheduling order to be entered by the Court, the State shall file and serve on those claimants who requested consultation with the State, but did not thereafter agree to the terms of a Proposed Judgment, a Notice Terminating Water Rights Consultation. The Notice Terminating Water Right Consultation shall be served by first class mail.

A form entitled Rejection of Proposed Judgment shall be enclosed with the Notice Terminating Water Right Consultation. The termination notice shall:

(a) notify the claimant of the deadline for filing the rejection form;

(b) state that the Court may adjudicate the claimant's water right in the manner described in the Proposed Judgment if the claimant fails to complete and return the rejection form; and

(c) notify the claimant of a mandatory scheduling conference concerning the claimant's claim.

2. The claimant shall complete and file the Rejection of Proposed Judgment with the court clerk and serve the State within twenty days after service of the Notice Terminating Water Right Consultation. The claimant shall state with particularity and in detail the grounds for rejection of the Proposed Judgment.

E. Default Judgment Upon Failure to Respond to Adjudication Packet or Notice of Termination of Consultations

1. Claimants who, without good cause, either:

(a) fail to respond to the adjudication packet within the time set by the Court by delivering to the State either a Proposed Judgment or a Consultation Request; or

(b) who fail to respond to a Notice of Termination of Consultations within the time set by the Court by returning to the State either a signed Proposed Judgment or filing with the Court a Rejection of Proposed Judgment shall be defaulted to the water right described in the proposed judgment contained in their adjudication packet.

2. Promptly following the respective deadlines for responding to the adjudication

packet or Notice Terminating Water Right Consultation, as applicable, the clerk shall review the court record and, if appropriate, issue a Clerk's Certificate of Default certifying either that: (i) a proof of service pertaining to the claimant is on file with the Court but no signed Proposed Subfile Judgment or Request for Consultation is on file or (ii) a certificate of service of Notice Terminating Water Right Consultation is on file with the Court, but no signed rejection is on file with the Court.

3. Within fifteen (15) days of issuance of the Clerk's Default, the State shall file a Motion for Default Judgment, and serve the motion on the claimant(s).

F. Expedited Inter Se Proceeding Concerning Proposed Judgments. All water rights claimants in the Basin shall be provided with the opportunity to participate in an expedited *inter se* proceeding concerning each proposed Proposed Judgment submitted to the Court in accordance with the following procedure:

1. The Monthly Adjudication Report shall contain a section entitled "Proposed Subfile Judgments Awaiting *Inter Se* Objections" which identifies each Proposed Judgment that has been accepted or rejected by a claimant or as to which a Motion for Default Judgment is pending. Unless the Court orders otherwise, all claimants in the Basin who object to or would like to participate in the resolution of an objection to a Proposed Judgment shall file an *Inter Se* Objection to the proposed judgment within forty-five days after the proposed judgment is first identified in the Monthly Adjudication Report. Attached as Exhibit F to this order is a form of *Inter Se* Objection that claimants may use for this purpose. All Proposed Judgments awaiting *inter se* objections, as well as the form *Inter Se* Objection, shall be available on the Court's website, and claimants may obtain hard copies of

those documents from the Court Clerk upon payment of the required fee for copying and mailing.

2. The Court will enter a final judgment adjudicating the water rights a specific subfile in accordance with the following procedure:

(a) If no *inter se* objections are filed to a Proposed Judgment accepted by the claimant named in the judgment or as to which a motion for default judgment is pending and if the judgment is otherwise proper, the Court will enter a final judgment adjudicating the water rights described therein as between the State and the claimant and as among the claimant and all other claimants in the Basin without further notice or hearing;

(b) If a claimant rejects its Proposed Judgment or another claimant files an *Inter Se* Objection to a Proposed Judgment accepted by a claimant, the Court will resolve the issues raised in a contested proceeding before entering a final judgment in the subfile at issue. The parties to a contested proceeding are the State, the subfile claimant and any other claimants in the Basin who filed *Inter Se* Objections pertaining to the subfile at issue.

3. A final judgment in a subfile (i) constitutes a "judgment" within the meaning of Rule 1-054.A from which an appeal may lie and (ii) is binding on the State, the claimant and all other water right claimants in the Basin regardless of whether the other claimants were served and joined as defendants, participated in or received actual notice of the sub-proceeding, or filed *inter se* objections to the water rights adjudicated by the judgment. A final judgment in a subfile, once entered by the Court, may be modified or amended only in accordance with Rule 1-060 NMRA.

IT IS SO ORDERED.

JC Robinson
District Judge

EXHIBIT A TO *INTER SE* PROCEDURAL ORDER

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO *ex rel.* NEW MEXICO STATE ENGINEER,	)	**CV 2005-0054** **Hon. J. C. Robinson**
Plaintiff,	)	**ANIMAS UNDERGROUND WATER BASIN ADJUDICATION**
v.	)	**Subfile No. AUB-000-0000** **(Animas Section)**
ROSETTE, INC., *et al.*,	)	**SUBFILE CLAIMANT: [Insert Name]**
Respondents.	)	

SUMMONS:
THE STATE OF NEW MEXICO

TO: WATER RIGHT CLAIMANT
ANIMAS UNDERGROUND WATER BASIN
[Address]

GREETINGS:

Please take notice that there is pending in the Sixth Judicial District Court an action, the purpose of which is to adjudicate all claims to rights to use the underground waters of the Animas Valley Underground Water Basin ("AUB"). The waters that are the subject of the action are located in Hidalgo County, New Mexico.

The District Court has ordered that, if you claim a water right in the AUB, you must, on or before [INSERT DATE SET BY COURT IN SCHEDULING ORDER] complete and return to the Office of the State Engineer of the State of New Mexico one of the following documents, using the enclosed addressed envelope, all as provided by law:

A Final SUBFILE JUDGMENT signed by all persons named in the judgment,

OR

An OBJECTION AND REQUEST FOR CONSULTATION, signed by all persons named in the judgment;

Unless you respond to the Summons as described above, on or before [DATE], a JUDGMENT BY DEFAULT may be entered against you adjudicating your water rights in the Animas Underground Water Basin in a manner that conforms with the enclosed Final) Subfile Judgment.

Attorney for Plaintiff State of New Mexico:

Stacey J. Goodwin, Esq.
Special Assistant Attorney General
Law Offices of Randall W. Childress
300 Galisteo Street, Suite 205
Santa Fe, New Mexico 87501
(505) 982-4147
(505) 982-4402 (fax)

WITNESS, the Honorable J. C. Robinson, District Judge of the Sixth Judicial District Court, Hidalgo County, State of New Mexico, and the seal of the District Court of Hidalgo County, this _____ day of _____, 2010.

Clerk of the Court

By: _____
[Plaintiff's Designated Personnel]

EXHIBIT B TO *INTER SE* PROCEDURAL ORDER

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO *ex rel.* NEW MEXICO STATE ENGINEER,	)	**CV 2005-0054** **Hon. J. C. Robinson**
Plaintiff,	)	**ANIMAS UNDERGROUND BASIN ADJUDICATION**
v.	)	**Subfile No. AUB-000-0000 (Animas Section)**
ROSETTE, INC., *et al.*,	)	**CLAIMANT: [INSERT NAME]**
Respondents.	)	

FINAL SUBFILE JUDGMENT: LICENSED WATER RIGHT

THIS MATTER COMES BEFORE the Court upon the stipulation, set forth below, between the State of New Mexico ("State") and the Subfile Claimant(s) named in the caption (collectively, the "Claimant").

The Court, based on the stipulation between the State and the Claimant and its examination of the Court's file, FINDS AND CONCLUDES THAT:

1. The Court has personal jurisdiction over the State and the Claimant and has *in rem* jurisdiction over all water rights in the Animas Underground Water Basin (the "Basin"). Notice of this Court's *in rem* jurisdiction was served on all water rights claimants in the Basin in accordance with Rule 1-071.2. C. and the Case Management Order Mandating Basin-Wide Issue Proceedings and Expedited *Inter Se* Proceedings and Prescribing Procedure for Providing Basin-Wide Notice of All Such Proceedings, filed _____ ___, 2012 (the "Case Management Order".)

2. The State and the Subfile Claimant have agreed that (a) the State issued License No. _____ (the "License") granting the licensee the right to appropriate water from the Basin and (b), as of the date of this Judgment, the License is valid and the water right evidenced by the License has not been abandoned and is not subject to forfeiture.

3. Notice of the parties' request that the Court enter this Judgment and an opportunity to object to that request has been provided to water rights claimants in the Basin pursuant to this Court's Monthly Adjudication Report. Notice of the purpose and availability of Monthly Adjudication Report was provided to all water rights claimants in the Basin pursuant to Rule 1-071.2.C NMRA. *See* (a) Case Management Order and (b) Procedural Order Governing Expedited *Inter Se* Adjudication of State Water Rights, filed _____, ____ 2012 (the "Procedural Order").

4. No objections have been filed to the State's and the Claimant's request that the Court enter this Judgment within the time specified in the Procedural Order.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. The water rights of the Claimant are as set forth in the License. Specifically, Claimants water rights are as follows:

(1) Priority: [date]

(2) Source: Animas Valley Underground Water Basin

(3) Point(s) of Diversion:

Well No: A-00000

Location: X= 0000 Y=0000 Map: 00

(4) Purpose of Use: [Irrigation, Commercial, etc]

(5) [Location and Amount of Irrigated Acreage] [Location of Use]:

[Legal Description of Location]

Water right is appurtenant to _____ acres as shown on the attached Hydrographic Survey Map for Subfile No.: AUB-000-0000 (Animas Section).

(6) Amount of Water:

Field Delivery Requirement: 3 (three) acre-feet per annum per acre at the wellhead.

Consumptive Irrigation Requirement: ___ acre-feet per annum, per acre.

Total: _____ acre feet per annum

2. The conditions imposed by the Office of the State Engineer when granting the License are confirmed by the Court and incorporated into this Judgment.

3. The Claimant has no right to divert and use the public waters of the Basin except in strict accordance with the water rights described herein. This restriction in no way affects any additional water rights the Claimant may have, as adjudicated in other Subfiles in this proceeding.

4. If ownership of all or any part of the water right described herein is transferred for any reason whatsoever, including by operation of law, the successor in interest shall file a notice of change of ownership with the Office of the State Engineer as required by NMSA _____. No successor in interest to the Claimant may participate in any aspect of this adjudication unless it first files a motion for substitution of parties in accordance with Rule 1-025 NMRA and attaches to the motion proof that it has filed the required change of ownership form with the Office of the State Engineer.

5. This Judgment adjudicates the water rights described herein both as between the State and the Claimant and the Claimant and all other claimants in the Basin. This Judgment binds the State, the Claimant and all water rights claimants in the Basin regardless of whether all water rights claimants were served and joined as defendants, participated in or received actual notice of this Subfile Proceeding, or filed *inter se* objections to this Subfile Judgment.

6. The Claimant and its successors, representatives, heirs and assigns are enjoined from any diversion or use of the public waters of the Basin except in strict accordance with the rights set forth in this Judgment.

7. Pursuant to Rule 1-054.B NMRA, the Court determines there is no just reason for delay of the entry of a final judgment as to the water rights adjudicated hereby. The Court enters this Judgment as a final judgment as to all issues related to the nature, extent, elements and validity of the water rights adjudicated hereby. This Judgment may be modified or amended only to the extent permitted by Rule 1-060 NMRA.

IT IS SO ORDERED.

_____
JC Robinson
District Judge

_____ _____
Approved by Special Master Date

[Subfile Claimant's Name]

_____
Signature

_____

_____

_____
Address

_____
Phone number

_____
E-mail address

_____
DATE

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

_____
Stacey J. Goodwin, Esq.
Special Assistant Attorney General

_____
DATE

EXHIBIT C TO *INTER SE* PROCEDURAL ORDER

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO *ex rel.* NEW MEXICO STATE ENGINEER,	)	**CV 2005-0054** **Hon. J. C. Robinson**
Plaintiff,	)	**ANIMAS UNDERGROUND BASIN ADJUDICATION**
v.	)	**Subfile No. AUB-000-0000 (Animas Section)**
ROSETTE, INC., *et al.*,	)	**CLAIMANT: [INSERT NAME]**
Respondents.	)	

SUBFILE FINAL JUDGMENT: UNLICENSED WATER RIGHT

THIS MATTER COMES BEFORE the Court upon the stipulation, set forth below, between the State of New Mexico ("State") and the Subfile Claimant(s) named in the caption (collectively, the "Claimant").

The Court, based on the stipulation between the State and the Claimant and its examination of the Court's file, FINDS AND CONCLUDES THAT:

1. The Court has personal jurisdiction over the State and the Claimant and has *in rem* jurisdiction over all water rights in the Animas Underground Water Basin (the "Basin"). Notice of this Court's *in rem* jurisdiction was served on all water rights claimants in the Basin in accordance with Rule 1-071.2. C. and the Case Management Order Mandating Basin Wide Issue Proceedings and Expedited *Inter Se* Proceedings and Prescribing Procedure for Providing Basin Wide Notice of All Such Proceedings, filed _____ ___, 2012 (the "Case Management Order".)

2. The State and the Claimant have agreed that the Court should enter this Judgment adjudicating all elements of the Claimant's right to divert and place to beneficial use the public waters of the Basin, as set forth below.

3. Notice of the parties' request that the Court enter this Judgment and an opportunity to object to that request has been provided to water rights claimants in the Basin pursuant to this Court's Monthly Adjudication Report.

4. No objections have been filed to the State's and the Claimant's request that the Court enter this Judgment within the time specified in the Procedural Order.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. The water rights of the Subfile Claimant are as follows:

(1) Priority: [date]

(2) Source: Animas Valley Underground Water Basin

(3) Point(s) of Diversion:

Well No: A-00000

Location: X= 0000 Y=0000 Map: 00

(4) Purpose of Use: [Irrigation, Commercial, etc]

(5) [Location and Amount of Irrigated Acreage] [Location of Use]:

[Legal Description of Location]

Water right is appurtenant to _____ acres as shown on the attached Hydrographic Survey Map for Subfile No.: AUB-000-0000 (Animas Section).

(6) Amount of Water:

Field Delivery Requirement: 3 (three) acre-feet per annum per acre at the wellhead.

Consumptive Irrigation Requirement: ___ acre-feet per annum, per acre.

Total: _____ acre feet per annum

2. The Claimant has no right to divert and use the public waters of the Basin except in strict accordance with the water rights described herein. This restriction in no way affects any additional water right the Claimant may have, as adjudicated in other Subfiles in this proceeding.
3. If ownership of all or any part of the water right described herein is transferred for any reason whatsoever, including by operation of law, the successor in interest shall file a notice of change of ownership with the Office of the State Engineer as required by NMSA _____. No successor in interest to the Claimant may participate in any aspect of this adjudication unless it first files a motion for substitution of parties in accordance with Rule 1-025 NMRA and attaches to the motion proof that it has filed the required change of ownership form with the Office of the State Engineer.
4. This Judgment adjudicates the water rights described herein both as between the State and the Claimant and the Claimant and all other claimants in the Basin. This Judgment binds the State, the Claimant and all water rights claimants in the Basin regardless of whether all water rights claimants were served and joined as defendants, participated in or received actual notice of this Subfile Proceeding, or filed *inter se* objections to the water rights adjudicated by this Judgment.
5. The Claimant and successors, representatives, heirs and assigns of the Claimant are enjoined from any diversion or use of the public waters of the Basin except in strict accordance with the rights set forth in this Judgment.

6. Pursuant to Rule 1-054.B NMRA, the Court determines there is no just reason for delay of the entry of a final judgment as to the water rights adjudicated hereby. The Court enters this Judgment as a final judgment as to all issues related to the nature, extent, elements and validity of the water rights adjudicated hereby. This Judgment may be modified or amended only to the extent permitted by Rule 1-060 NMRA.

IT IS SO ORDERED.

_____
JC Robinson
District Judge

_____ _____
Approved by Special Master Date

[Subfile Claimant's Name]

_____
Signature

_____

_____

_____
Address

_____
Phone number

_____
E-mail address

_____
DATE

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

_____
Stacey J. Goodwin, Esq.
Special Assistant Attorney General

_____
DATE

EXHIBIT D TO *INTER SE* PROCEDURAL ORDER

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO *ex rel.* NEW MEXICO STATE ENGINEER,	)	**CV 2005-0054** **Hon. J. C. Robinson**
Plaintiff,	)	**ANIMAS UNDERGROUND BASIN ADJUDICATION**
v.	)	**Subfile No. AUB-000-0000** **(Animas Section)**
ROSETTE, INC., *et al.*,	)	**SUBFILE CLAIMANT: [Insert Name]**
Respondents.	)	

OBJECTION AND REQUEST FOR CONSULTATION
(LICENSED WATER RIGHT)

I/We,_____**(name)** object to the Proposed Subfile Judgment for this Subfile (the "Proposed Judgment") and request consultation with the State of New Mexico concerning the Proposed Judgment. I/We disagree with the Proposed Judgment for the reasons indicated below:

I. OBJECTION(S) TO CLAIMANT INFORMATION

(Please check all boxes that apply and explain):

[ ] My name is incorrect

[ ] My address is incorrect

[ ] I do not own a water right in the Animas Underground Water Basin. I believe that the current owner of the water right represented by the License issued by the State Engineer attached to the Proposed Judgment is:

Name: _____

Address: _____

_____

Phone: _____

II. OBJECTION(S) TO DESCRIPTION OF WATER RIGHT

(Please check all boxes that apply and explain)

[ ] The attached map does not accurately depict the well location or place of use recognized in the State Engineer's License attached to the Proposed Judgment

[ ] I contend that I am not bound by the terms of the water right described in the State Engineer's License because:

_____

_____

_____

_____

III. VERIFICATION (must be completed)

I certify that I am the claimant filing this objection or that I am the attorney for the responding claimant and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

_____
Signature of Claimant
OR

_____
Signature of Attorney Representing Claimant

_____

_____

Address

Phone number

E-mail address

DATE

EXHIBIT E TO INTER SE PROCEDURAL ORDER

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO *ex rel.* NEW MEXICO STATE ENGINEER,	)	**CV 2005-0054** **Hon. J. C. Robinson**
Plaintiff,	)	**ANIMAS UNDERGROUND BASIN ADJUDICATION**
v.	)	**Subfile No. AUB-000-0000 (Animas Section)**
ROSETTE, INC., *et al.*,	)	**SUBFILE CLAIMANT: [Insert Name]**
Respondents.	)	

<u>OBJECTION AND REQUEST FOR CONSULTATION</u>
(UNLICENSED WATER RIGHT)

I/We,_____ object to the Proposed Subfile Judgment for this Subfile (the "Proposed Judgment") and request consultation with the State of New Mexico concerning the Proposed Judgment. I/We disagree with the Proposed Judgment for the reasons indicated below:

I. OBJECTION(S) TO CLAIMANT INFORMATION

(Please check all boxes that apply and explain):

[ ] My name is incorrect

[ ] My address is incorrect

[ ] Other

Please Explain:

_____

_____

II. OBJECTION(S) TO DESCRIPTION OF WATER RIGHT

(Please check all boxes that apply and explain)

[ ] I do not own a water right.

[ ] I have a right located on the Map provided with the Proposed Judgment that is not included in the judgment.

[ ] I object to the following elements of my water right as described in the Proposed Judgment.

1. [ ] **Priority Date**

   Should be: _____

2. [ ] **Source**

   Should be: _____

3 [ ] **Point(s) of Diversion**

   Should be: _____

4 [ ] **Purpose of Use**

   Should be: _____

5 [ ] **Location and Amount of Irrigated Acreage, if applicable**

   Should be (describe): _____

6 [ ] **Amount of Water**

   Should be: _____

IV. REASONS SUPPORTING OBJECTION(S):

You must explain your objection for each specific element to which you object:

_____

_____

_____

_____

V. **VERIFICATION (must be completed)**

I certify that I am the claimant filing this objection or that I am the attorney for the responding claimant and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

_____
Signature of Claimant
OR

_____
Signature of Attorney Representing Claimant

_____

_____

_____
Address

_____
Phone number

_____
E-mail address

_____
DATE

_____
Street or PO Address

_____
City, State and Zip Code

_____
Telephone Number

_____
Email Address

Filing Instructions: The Court may enter the proposed Subfile Judgment without further notice or a hearing unless you file this Inter Se Request Concerning Proposed Subfile Judgment with the Clerk's Office, Sixth Judicial District, 300 Shakespeare St., Lordsburg NM 88945 on or before the date stated in the Monthly Adjudication Report

FORMAT OF SUMMARY TO BE INCLUDED IN ALL MOTIONS

NAME OF PARTY:
DESCRIPTIVE SUMMARY:
NUMBER OF PAGES:
DATE OF FILING: