

STATE OF NEW MEXICO  
COUNTY OF HIDALGO  
SIXTH JUDICIAL DISTRICT

6TH JUDICIAL DISTRICT COURT  
HIDALGO COUNTY, NM  
FILED IN MY OFFICE  
9/3/2021 8:13 AM  
KERRI CLARK  
CLERK OF COURT  
AMR

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

v.

D-623-CV-2005-00054  
Honorable Jarod K. Hofacket

ROSETTE, INC., *et al*  
Defendants.

**Animas Underground Basin Water Rights Adjudication  
Monthly Adjudication Report  
OF DOCUMENTS FILED IN THE MONTH OF  
AUGUST – 2021**

---

Sixth Judicial District Court  
P. O. Box 608  
Lordsburg, New Mexico 88045  
[6thJudicialDistrict.AUWB@gmail.com](mailto:6thJudicialDistrict.AUWB@gmail.com)  
575-542-3411  
<https://animasadjudication.nmcourts.gov>

**PLEASE NOTE: SUMMARY REQUIRED:** As required by the **Case Management Order Mandating Basin-Wide Issue Proceedings and Expedite *Inter Se* Proceedings and Prescribing Procedure for Giving Notice of All Such Proceedings** filed August 9, 2012, no Motion or other request for relief will be considered by the Court unless it is accompanied by a separate written summary of the motion or other request for relief:

This summary must include:

1. The name of the party filling the pleading;
2. The title of the pleading;
3. A descriptive summary of the relief sought, **no longer than seventy-five (75) words;**  
and
4. The total number of pages in the pleading.

**UPCOMING HEARINGS:**

	None at this time
--	-------------------

**UPCOMING DEADLINES:**

	None at this time
--	-------------------

**PROCEDURAL AND SCHEDULING ORDERS CURRENTLY IN EFFECT**

**DATE FILED:**

**DOCUMENT TITLE:**

August 9, 2012	Case Management Order Mandating Basin Wide Issue Proceeding and Expedite Inter Se Proceedings and Prescribing Procedure for Giving Notice of All Such Proceedings.
April 22, 2014	Procedural Order Governing Expedited Inter Se Adjudication of State Law Water Rights.

**COURT ORDERS FILED BETWEEN AUGUST 1 – AUGUST 30, 2021**

--

**Documents filed**  
**August 1, 2021 – August 30, 2021**

**Event/ Court Document:**

<b><u>DATE FILED:</u></b>	<b><u>CASE</u></b>	<b><u>EVENT/ COURT DOCUMENT:</u></b>
August 4, 2021	D-623-CV-2005-00054	Monthly Water Adjudication Report for July 2021.
August 19, 2021	D-623-CV-2005-00054	State's August 2021 Monthly Report on Subfile Activity for July 2021.
August 25, 2021	D-623-AUB-011-0003A	Clerk's Certificate of Service of Notice of Deadline for Filing Notice of Intent to Participate in <i>Inter se</i> proceeding concerning proposed Subfile Judgment. (Jon Schmidt 2019 Living Trust)
August 25, 2021	D-623-AUB-017-1003	Clerk's Certificate of Service of Notice of Deadline for Filing Notice of Intent to Participate in <i>Inter se</i> proceeding concerning proposed Subfile Judgment. (Peterson Family Revocable Trust)
August 25, 2021	D-623-AUB-031-1002	Clerk's Certificate of Service of Notice of Deadline for Filing Notice of Intent to Participate in <i>Inter se</i> proceeding concerning proposed Subfile Judgment. (Cash & Kansas Massey)
August 27, 2021	D-623-AUB-011-0003A	Subfile Final Judgment: Unlicensed Water Rights. Jon Schmidt 2019 Living Trust)

August 27, 2021	D-623-AUB-011-0003A	Certificate of Service: Subfile Final Judgment: Unlicensed Water Rights. (Jon Schmidt 2019 Living Trust)
August 27, 2021	D-623-AUB-017-1003	Subfile Final Judgment: Unlicensed Water Rights. (Peterson Family Revocable Trust)
August 27, 2021	D-623-AUB-017-1003	Certificate of Service: Subfile Final Judgment: Unlicensed Water Rights. (Peterson Family Revocable Trust)
August 27, 2021	D-623-AUB-031-1002	Subfile Final Judgment: Unlicensed Water Rights. (Cash & Kansas Massey)
August 27, 2021	D-623-AUB-031-1002	Certificate of Service: Subfile Final Judgment: Unlicensed Water Rights. (Cash & Kansas Massey)

**“Proposed” Signed Subfile Judgments Awaiting Inter Se Objection and Posted on the AUB Website with Deadlines**

<b>Water Right Claimant and AUB number</b>	<b>Subfile Final Judgment</b>	<b>Deadline for Filing Inter Se Objection and Notice of Intent</b>
	None at this time	

**Pending Objections Filed**

<b>Water Right Claimant and AUB Number</b>	<b>Rejected Judgment</b>	<b><i>Inter Se</i> Objection and Notice of Intent AND Date of Filing</b>
Americulture, Inc. AUB-007-0003A	“Proposed” Subfile Final Judgment– Unlicensed Water Rights	Notice of Inter Se Objection to Proposed Subfile Judgment filed August 23, 2019
Seawright, LLC D-623-AUB-007-0003	“Proposed” Subfile Final Judgment– Unlicensed Water Rights	Notice of Inter Se Objection to Proposed Subfile Judgment filed August 23, 2019

## **HOW TO OBTAIN DOCUMENTS CONTAINED IN THIS REPORT**

Documents are available on the following Court Website:

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

A paper copy may be obtained from the Court by requesting a hard copy in writing addresses to:

Clerk of the Court, Hidalgo County  
Sixth Judicial district Court  
P. O. Box 608  
Lordsburg, New Mexico 88045

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

**SUBSCRIBING TO THE MONTHLY ADJUDICATION REPORT:** Parties may elect to subscribe to the first class mail delivery of the Monthly Adjudication Report by filing a written request with the Sixth Judicial District Court at the address above. The request must include a current mailing address and an annual fee of \$65.00.