

STATE OF NEW MEXICO  
COUNTY OF HIDALGO  
SIXTH JUDICIAL DISTRICT

6TH JUDICIAL DISTRICT COURT  
HIDALGO COUNTY, NM  
FILED IN MY OFFICE  
2/5/2021 9:51 AM  
CONNIE NEWELL  
CLERK OF COURT

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  
JANUARY – 2021**

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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:**

	<i>None at this time</i>
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**UPCOMING DEADLINES:**

	<i>None at this time</i>
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**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 JANUARY 1 – JANUARY 31, 2021**

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**Documents filed**  
**January 1, 2021 – January 31, 2021**

**Event/ Court Document:**

<b><u>DATE FILED:</u></b>	<b><u>CASE</u></b>	<b><u>EVENT/ COURT DOCUMENT:</u></b>
January 11, 2021	D-623-CV-2005-00054	Monthly Water Adjudication Report for December 2020.
January 11, 2021	D-623-AUB-012-0001A	Return of Service. (FFR Animas LLC)
January 20, 2021	D-623-CV-2005-00054	State's January 2021 Monthly Report on Subfile Activity for December 2020.
January 22, 2021	D-623-AUB-028-1002	Notice of Issuance of Summons on January 22, 2021. (James and Susan Hooper)
January 22, 2021	D-623-AUB-038-1001	Notice of Issuance of Summons on January 22, 2021. (Richard and Tamara Winkler)
January 27, 2021	D-623-AUB-005-1001	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. (Wayne Smith Trust)
January 27, 2021	D-623-AUB-029-1001	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. (Ed and Lucinda Kerr)

January 27, 2021	D-623-AUB-029-1002	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. (Rouse Cattle Company)
January 27, 2021	D-623-AUB-040-1001	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. (Murray Keeler and Judith Keeler Revocable Trust)
January 28, 2021	D-623-AUB-012-0001A	Notice of Filing of Response and Request for Consultation.(FFR Animas LLC)
January 28, 2021	D-623-AUB-028-1002	Return of Service. (James and Susan Hooper)

**“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>
Wayne Smith Trust AUB-005-0001B	“Proposed” Subfile Final Judgment– Unlicensed Water Rights	March 25, 2021
Wayne Smith Trust AUB-005-0001C	“Proposed” Subfile Final Judgment– Unlicensed Water Rights	March 25, 2021
Three M Farms AUB-012-0001	“Proposed” Subfile Final Judgment– Licensed Water Rights	March 25, 2021

**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.