

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT

6TH JUDICIAL DISTRICT COURT
HIDALGO COUNTY, NM
FILED IN MY OFFICE
4/2/2021 11:26 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
MARCH – 2021**

Sixth Judicial District Court
P. O. Box 608
Lordsburg, New Mexico 88045
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:

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

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| | <i>None at this time</i> |
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PROCEDURAL AND SCHEDULING ORDERS CURRENTLY IN EFFECT

DATE FILED:

DOCUMENT TITLE:

| | |
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| 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 MARCH 1 –MARCH 31, 2021

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Documents filed
March 1, 2021 – March 31, 2021

Event/ Court Document:

| <u>DATE FILED:</u> | <u>CASE</u> | <u>EVENT/ COURT DOCUMENT:</u> |
|---------------------------|---------------------|--|
| March 5, 2021 | D-623-CV-2005-00054 | Monthly Water Adjudication Report for February 2021. |
| March 8, 2021 | D-623-AUB-005-1001 | Subfile Final Judgment: Unlicensed Water Rights. (Wayne Smith Trust) |
| March 8, 2021 | D-623-AUB-005-1001 | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Wayne Smith Trust) |
| March 8, 2021 | D-623-AUB-013-0008A | Subfile Final Judgment: Unlicensed Water Rights. (Kristopher Odell & Tamie Massey) |
| March 8, 2021 | D-623-AUB-013-0008A | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Kristopher Odell & Tamie Massey) |
| March 8, 2021 | D-623-AUB-014-0004A | Subfile Final Judgment: Licensed Water Rights. (Dennis and Dianna Massey) |
| March 8, 2021 | D-623-AUB-014-0004A | Certificate of Mailing: Subfile Final Judgment: Licensed Water Rights. (Dennis and Dianna Massey) |
| March 8, 2021 | D-623-AUB-017-1001 | Subfile Final Judgment: Unlicensed Water Rights. (Peterson Family Revocable Trust) |

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| March 8, 2021 | D-623-AUB-017-1001 | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Peterson Family Revocable Trust) |
| March 8, 2021 | D-623-AUB-017-1002 | Subfile Final Judgment: Unlicensed Water Rights. (Peterson Family Revocable Trust) |
| March 8, 2021 | D-623-AUB-017-1002 | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Peterson Family Revocable Trust) |
| March 8, 2021 | D-623-AUB-018-0004D | Subfile Final Judgment: Unlicensed Water Rights. (Dennis O. Massey) |
| March 8, 2021 | D-623-AUB-018-0004D | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Dennis O. Massey) |
| March 8, 2021 | D-623-AUB-020-0002A | Subfile Final Judgment: Licensed Water Rights. (Harriet Veck Green DeBusk) |
| March 8, 2021 | D-623-AUB-020-0002A | Certificate of Mailing: Subfile Final Judgment: Licensed Water Rights. (Harriet Veck Green DeBusk) |
| March 8, 2021 | D-623-AUB-020-0002B | Subfile Final Judgment: Licensed Water Rights. (Harriet Veck Green DeBusk) |
| March 8, 2021 | D-623-AUB-020-0002B | Certificate of Mailing: Subfile Final Judgment: Licensed Water Rights. (Harriet Veck Green DeBusk) |
| March 8, 2021 | D-623-AUB-023-1001 | Subfile Final Judgment: Unlicensed Water Rights. (Dave L. Mead) |
| March 8, 2021 | D-623-AUB-023-1001 | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Dave L. Mead) |
| March 8, 2021 | D-623-AUB-023-1002 | Subfile Final Judgment: Unlicensed Water Rights. (Dave L. Mead) |
| March 8, 2021 | D-623-AUB-023-1002 | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Dave L. Mead) |
| March 8, 2021 | D-623-AUB-026-1002 | Subfile Final Judgment: Unlicensed Water Rights. (Carry & Cheryl Morgan) |
| March 8, 2021 | D-623-AUB-026-1002 | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Carry & Cheryl Morgan) |
| March 8, 2021 | D-623-AUB-026-1003 | Subfile Final Judgment: Unlicensed Water Rights. (Carry Morgan) |
| March 8, 2021 | D-623-AUB-026-1003 | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Carry Morgan) |
| March 8, 2021 | D-623-AUB-028-1001 | Subfile Final Judgment: Unlicensed Water Rights. (James Walter) |
| March 8, 2021 | D-623-AUB-028-1001 | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (James Walter) |
| March 8, 2021 | D-623-AUB-029-1001 | Subfile Final Judgment: Unlicensed Water Rights. (Ed and Lucinda Kerr) |
| March 8, 2021 | D-623-AUB-029-1001 | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Ed and Lucinda Kerr) |
| March 8, 2021 | D-623-AUB-029-1002 | Subfile Final Judgment: Unlicensed Water Rights. (Rouse Cattle Company) |
| March 8, 2021 | D-623-AUB-029-1002 | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Rouse Cattle Company) |

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| March 8, 2021 | D-623-AUB-040-1001 | Subfile Final Judgment: Unlicensed Water Rights. (Murray Keeler and Judith Keeler Revocable Trust) |
| March 8, 2021 | D-623-AUB-040-1001 | Certificate of Mailing: Subfile Final Judgment: Unlicensed Water Rights. (Murray Keeler and Judith Keeler Revocable Trust) |
| March 18, 2021 | D-623-AUB-002-0006 | Acceptance of Service. (Pyramid Peak Mining, LLC) |
| March 22, 2021 | D-623-CV-2005-00054 | State's March 2021 Monthly Report on Subfile Activity for February 2021. |
| March 26, 2021 | D-623-AUB-005-0001B | 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) |
| March 26, 2021 | D-623-AUB-005-0001C | 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) |
| March 26, 2021 | D-623-AUB-012-0001 | 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. (Three M Farms) |
| March 29, 2021 | D-623-AUB-005-0001B | Subfile Final Judgment: Unlicensed Water Rights. (Wayne Smith Trust) |
| March 29, 2021 | D-623-AUB-005-0001B | A copy of the Subfile Final Judgment: Unlicensed Water Rights. (Wayne Smith Trust) |
| March 29, 2021 | D-623-AUB-005-0001C | Subfile Final Judgment: Unlicensed Water Rights. (Wayne Smith Trust) |
| March 29, 2021 | D-623-AUB-005-0001C | A copy of the Subfile Final Judgment: Unlicensed Water Rights. (Wayne Smith Trust) |
| March 29, 2021 | D-623-AUB-012-0001 | Subfile Final Judgment: Licensed Water Rights. (Three M Farms) |
| March 29, 2021 | D-623-AUB-012-0001 | A copy of the Subfile Final Judgment: Licensed Water Rights. (Three M Farms) |

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

| Water Right Claimant and AUB number | Subfile Final Judgment | Deadline for Filing Inter Se Objection and Notice of Intent |
|--|---|--|
| James D. & Susan D. Hooper AUB-018-1002 | “Proposed” Subfile Final Judgment– Unlicensed Water Rights | April 22, 2021 |

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| FFR Animas, LLC AUB-012-0001A | “Proposed” Subfile Final Judgment– Unlicensed Water Rights | April 22, 2021 |
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Pending Objections Filed

| Water Right Claimant and AUB Number | Rejected Judgment | <i>Inter Se</i> Objection and Notice of Intent AND Date of Filing |
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| 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.