

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT

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

Plaintiff,

v.

D-623-CV-2005-00054
Honorable J.C. Robinson

ROSETTE, INC., *et al*

Defendants.

**Animas Underground Basin Water Rights Adjudication
Monthly Adjudication Report
OF DOCUMENTS FILED IN THE MONTH OF
SEPTEMBER – 2019**

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:

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

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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 SEPTEMBER 1 – SEPTEMBER 30, 2019

September 12, 2019	Order Granting State of New Mexico’s Motion to Close Subfile. (Jack Robinson & Susan Kerr-Robinson)
September 12, 2019	Order Granting State of New Mexico’s Motion to Close Subfile. (Jon William Schmidt)

Documents filed

September 1, 2019 – September 30, 2019

Event/ Court Document:

<u>DATE FILED:</u>	<u>CASE</u>	<u>EVENT/ COURT DOCUMENT:</u>
September 5, 2019	D-623-CV-2005-00054	Monthly Water Adjudication Report for August 2019.
September 12, 2019	D-623-AUB-006-0003	Order Granting State of New Mexico’s Motion to Close Subfile. (Jack Robinson & Susan Kerr-Robinson)
September 12, 2019	D-623-AUB-011-0003B	Order Granting State of New Mexico’s Motion to Close Subfile. (Jon William Schmidt)
September 12, 2019	D-623-AUB-012-0022	Subfile Final Judgment: Licensed Water Rights. (Connie Jean Hemphill)
September 12, 2019	D-623-AUB-012-0022	Court Clerk’s Certificate of Mailing/Delivery a copy of the Subfile Final Judgment: Licensed Water Rights. (Connie Jean Hemphill)
September 12, 2019	D-623-AUB-018-0003A	Subfile Final Judgment: Unlicensed Water Rights. (John F. O’Byrne)

September 12, 2019	D-623-AUB-018-0003A	Court Clerk's Certificate of Mailing/Delivery a copy of the Subfile Final Judgment: Unlicensed Water Rights. (John F. O'Byrne)
September 24, 2019	D-623-CV-2005-00054	State's September 2019 Monthly Report on Subfile Activity for August 2019.
September 24, 2019	D-623-AUB-012-00001	State's Notice of Withdrawal of Motion for Subfile Default Judgment. (Felicia and Rene Dominguez)
September 26, 2019	D-623-AUB-020-0001B	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. (Billy, Randy, Ricky Massey and Massey Enterprises)
September 26, 2019	D-623-AUB-020-0001	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. (Billy, Randy, Ricky Massey and Massey Enterprises)

“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
Manuel A. Ramirez and Maria E. Ramirez D-623-AUB-012-0012	“Proposed” Subfile Final Judgment– Licensed Water Rights	October 24, 2019
J O Bar Ranch, LLC D-623-AUB-004-0002B	“Proposed” Subfile Final Judgment– Unlicensed Water Rights	October 24, 2019
Kristopher Odell Massey & Tamie Massey D-623-AUB-012-0011A	“Proposed” Subfile Final Judgment– Unlicensed Water Rights	November 19, 2019
Daniel & Sylvia Dominguez D-623-AUB-012-0003	“Proposed” Order Granting Subfile Default Judgment	November 19, 2019
Irma & Leopold Mendoza D-623-AUB-011-0006B	“Proposed” Order Granting Subfile Default Judgment	November 19, 2019
Irma & Leopold Mendoza D-623-AUB-011-0006A	“Proposed” Order Granting Subfile Default Judgment	November 19, 2019

Pending Objections Filed

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