

DISTRICT COURT
SAN JUAN COUNTY NM

STATE OF NEW MEXICO
COUNTY OF SAN JUAN

FILED
2010 APR 19 PM 1 10

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

Plaintiff,

vs.

THE UNITED STATES OF AMERICA, et al.,

Defendants,

vs.

THE JICARILLA APACHE TRIBE
AND THE NAVAJO NATION,

Defendant-Intervenors.

No. CV 75-184
Honorable James J. Wechsler
Presiding Judge

SAN JUAN RIVER BASIN
ADJUDICATION

SAN JUAN RIVER
GENERAL STREAM
LITIGATION

**NOTICE OF COMPLETION OF BRIEFING
AND REQUEST FOR HEARING ON MAY 7, 2010**

Briefing is now complete on the Emergency Motion to Vacate Order of December 26, 2007, and the matter is ripe for a decision. Movants request that this matter be set for hearing on May 7, 2010 because it relates to the issues of joinder. On May 7 the Court will be considering a report from the Special Master which deals with joinder issues. Therefore all parties and their counsel should have the right to speak freely about joinder, without fear of violating the order of December 26, 2007.


The Navajo Nation, the State Engineer, and the Jicarilla Tribe object to the Court hearing this matter on May 7, 2010. Since this motion affects the conduct of the hearing on May 7, movants ask that the Court decide the emergency motion before the hearing, or as the first order of business.

JK

Respectfully submitted,

VICTOR R. MARSHALL & ASSOCIATES, P.C.

By



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served by email to the attorneys electing email service at: wrattorney@11thjdc.com and to the La Plata parties electing email service at wrlaplata@11thjdc.com this 14th day of April, 2010.

I further certify that a true and correct copy of the foregoing has been served on the following attorneys by facsimile, by mail to Gary Horner, Dan Israel and William Johnson, and by email to Jolene McCaleb, Elizabeth Taylor, and Richard Cole on April 14, 2010.

Stanley Pollack and Bidtah Becker
Jay Burnham
John Draper and Jeffrey Wechsler
J.M. Durrett, Jr.
Robert Kidd and Michael Garcia
Tracy Hofmann, Arianne Singer and D.L. Sanders
Stephen Hughes, John Sullivan and Michael Thomas
Maria O'Brien
Gary Risley

