

Bi-Weekly Navajo *Inter Se* Report March 23, 2012

San Juan River Basin Adjudication Claims of the Navajo Nation CV-75-184; Case No. AB-07-1

Eleventh Judicial District Court
103 S. Oliver
Aztec, NM 87410
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<http://sjrba.11thjdc.com/Navajo%20Claim%20Subfiles>

DISTRICT COURT
SAN JUAN COUNTY, NM
FILED
2012 MAR 23 AM 8:46
JA

PLEASE NOTE: SUMMARY REQUIRED: As required by the **Order Mandating Alternative Method For Service of Orders, Motions, Notices and Other Court Papers** filed September 28, 2011, 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 filing the pleading
2. The title of the pleading
3. A descriptive summary of the relief sought, **no longer than seventy-five (75) words**
4. The total number of pages in the pleading

PROCEDURAL AND SCHEDULING ORDERS CURRENTLY IN EFFECT

Date Filed:	Document Title
September 28, 2011	Order Mandating Alternative Method For Service of Orders, Motions, Notices and Other Court Papers
February 3, 2012	Court Order: Order (1) Granting Settling Parties' Motion to Extend Certain Deadlines and (2) Setting Schedule Governing Discovery and Remaining Proceedings

PENDING HEARINGS

No pending hearings scheduled	To be announced
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PENDING DEADLINES

April 2, 2012	<ul style="list-style-type: none">• Settling Parties must file Proposed Supplemental Partial Final Decree (Appendix 2)• Settling Parties must file final initial disclosures, described in the Scheduling Order filed February 3, 2012• State of New Mexico's statement of the legal and factual bases for the settlement must be filed
May 1, 2012	Initial meeting of non-Settling Parties to develop coordinated discovery requests
June 1, 2012	Non-Settling Parties' initial discovery requests
June 15, 2012	Objections to initial discovery requests
June 29, 2012	Responses to objection to initial discovery requests
September 21, 2012	Objections or Responses to the Proposed Decrees by non-Settling Parties

DOCUMENTS FILED March 3, 2012 through March 22, 2012

Date Filed	Document Title
March 5, 2012	Objection Disclosures, filed by Michael L. and Patience A. Williams
March 5, 2012	Transcript of Scheduling Conference held October 3, 2011
March 6, 2012	ConocoPhillips and El Paso Natural Gas Company's Response in Opposition to the State of New Mexico and Navajo Nation's Joint Motion for Clarification of Order Establishing the Legal Standards for Evaluating the Proposed Decrees and Respective Burdens of Proof <u>Summary:</u> Response in Opposition to New Mexico and Navajo Nation's Joint Motion for Clarification of Order Establishing the Legal Standards for Evaluating the Proposed Decrees and Respective Burdens of Proof, and recommendation for interlocutory appeal.
March 12, 2012	Notice of Unavailability <u>Summary:</u> Notice that counsel for the United States will be unavailable from March 19, 2012 through, and including, March 30, 2012
March 13, 2012	Peabody Natural Resources Company Notice of Email Addresses
March 13, 2012	Certificate of Service by Peabody Natural Resources Company
March 14, 2012	Entry of Appearance of Chris Lucero Jr. on behalf of Avedon Rodriguez and Teresa R. Martinez
March 15, 2012	Peabody Natural Resources Company Response in Opposition to State of New Mexico and Navajo Nation Joint Motion for Clarification of Order Establishing the Legal Standards for Evaluating the Proposed Decrees and Respective Burdens of Proof <u>Summary:</u> (Filed separately on 3/15/2012) In its Response, Peabody asserts that the "clarifications" requested by the State and Navajo Nation would result in a modification of the substance of the Court's order and either violate the due process rights of water claimants other than Settling Parties or jeopardize the binding nature of the entered decree.

Date Filed	Document Title
March 15, 2012	Certificate of Service by Peabody Natural Resources Company
March 16, 2012	San Juan Water Commission's Response to the State of New Mexico and Navajo Nation Joint Motion for Clarification of Order Establishing the Legal Standards for Evaluating the Proposed Decrees and Respective Burdens of Proof <u>Summary:</u> San Juan Water Commission responds in opposition to the Motion for Clarification filed by the State of New Mexico and the Navajo Nation
March 16, 2012	Certificate of Service by San Juan Water Commission
March 21, 2012	Order Concerning the Renewed Motion of San Juan Agricultural Water Users Association, Hammond Conservancy District, Various Ditches, and Various Members Thereof for Discovery Concerning 2007 BOR Hydrologic Determination

OBTAINING DOCUMENTS CONTAINED IN THIS REPORT:

Documents are available in their entirety on the Court website, at <http://sjrba.11thjdc.com/Navajo%20Claim%20Subfiles>. A paper copy may be obtained from the Court by requesting a hardcopy from the Court in writing addressed to:

Water Clerk Specialist
Eleventh Judicial District Court
103 So. Oliver Dr.
Aztec, NM 87410

The request shall include a money order to cover copying costs, currently set at \$.35 per page. The request shall also include a self-addressed envelope of sufficient size and with sufficient postage for mailing the requested documents.

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