

ELEVENTH JUDICIAL DISTRICT
COUNTY OF SAN JUAN
STATE OF NEW MEXICO

DISTRICT COURT
SAN JUAN COUNTY NM
FILED *28*

2012 DEC 14 PM 1: 28

STATE OF NEW MEXICO ex rel.
State Engineer,
Plaintiff

v.

UNITED STATES OF AMERICA, et al.,
Defendants

v.

THE JICARILLA APACHE TRIBE and the
NAVAJO NATION

No. CV 75-184
HON. JAMES J. WECHSLER
Presiding Judge

Claims of the Navajo Nation
Case No.: AB-07-1

Defendant-Interveners

SUMMARY

1. Name of party filing present document: Robert E. Oxford, Pro Se
2. Descriptive Summary: Robert E. Oxford second set of answers to the U.S. Government's discovery request after the court has ruled on my objections November 30, 2012.
3. Number of pages of present document: 3
4. Date of Service: December 14, 2012

PRUSUANT TO the court's order of November 30, 2012 concerning the response and objections of the non-settling parties to discovery request by the United States of American of Robert E. Oxford the following answer to interrogatory 14 and the request for Production's of Numbers 1, 5, 6, and 9 are hereby submitted:

Interrogatory 14: The objection and initial disclosure of the settlement I filed September 28, 2012 outlines the parameters very clearly on the Navajo's perspective that the unused water at the time of the transfer process of the City of Bloomfield's water right (my water right contingent on the City successfully transferring this right to their use). As further discussed in my objection the State of New Mexico clearly took the Nations position on this water would be available to the Navajo's in their future settlement.

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I also list other legal issues pertaining to the recent court case of San Juan Water Commission v. State Engineer [Case # D-116-CV-2008-1699], the State Engineer v. Luna Irrigation [80 N.M. 515, 458 R. 2d 598 (1969)] and the City of Raton v. Verjemo Conservancy District [101 N.M. 95, 678 p 2d. 1170 (1984)]

By incorporating Mr. Horner's objection in my objection this interrogatory becomes too voluminous to identify all items that he may submit. To conclude I have identified generally what items of evidence I would expect to use, but because the exact formulation of documents have not been assembled it is impossible to identify or produce copies of what may be used. If by the end of discovery I will file additional discovery as it becomes known and itemized.

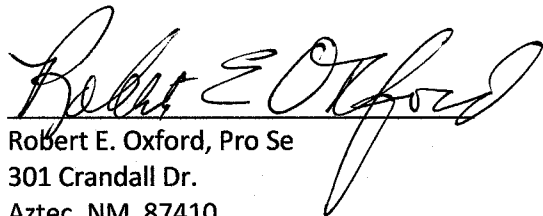
RFP No. 1: In my objection to the settlement filed September 28, 2012 I list the City of Bloomfield's request to transfer water rights not currently used (at the time of hearing with the State of NM) and the apparent conspiring to join the Navajo's objection that unused water, such as these, belong to the Navajo's in their negotiations to achieve an agreement which was accomplished in 2004-2005.

RFP No.5: This request ask for a conclusion, on my part, that I cannot even begin to conclude what water rights might ne gotten by the Navajo's at trial on their claims so to produce documents that are not even contemplated by my objection is absurd.

RFP No. 6: As outlined in my objection filed September 28, 2012 I submit that the District Court decision by Judge Sanchez of the Court Case San Juan Water Commission v, John D. Antonio, State Engineer has negated that the Navajo Nation is entitled to one-half the left over water in File 2883 (Animas / LaPlata) and although this decision has been appealed to the Appeals Court, the law of this case is adverse to the Navajo Settlement and therefore the Settlement Agreement is not consistent with applicable law. This court case is easily accessible to the U.S.to get copies of and I do not think I must submit copies of this court case and decision.

RFP No. 9: My objection to the Navajo Settlement is well documented and to provide a copy of all documents in my possession that describes all of my objections is beyond my ability to copy and produce for the United States. If specific documents are requested that the U.S. does not believe they have access to, I will agree to respond in future disclosures and to provide them.

Respectfully, submitted by:



Robert E. Oxford, Pro Se
301 Crandall Dr.
Aztec, NM 87410
505-330-2284

December 14, 2012

Date

PROOF OF SERVICE BY ELECTRONIC TRANSMISSION

I HEREBY CERTIFY – In accordance with the ORDER MANDATING ALTERNATIVE METHOD FOR SERVICE OF ORDERS, MOTIONS, NOTICES AND OTHER COURT PAPERS, entered in the present matter on September 28, 2011 by the Honorable James Wechsler, Presiding Judge – that a true copy of the foregoing was served on the parties and Claimants in the present matter, by attaching a copy of said document to an email sent to the following email list server(s) maintained by the Court this 14th day December 2012 and to the U.S. Government as listed below:

wrnavajointerse@nmcourts.gov.

Guss.Guarino@usdoj.gov



ROBERT E. OXFORD