

DISTRICT COURT  
SAN JUAN COUNTY NM  
FILED *u*  
2013 FEB 21 PM 3:35

STATE OF NEW MEXICO  
COUNTY OF SAN JUAN  
ELEVENTH JUDICIAL DISTRICT COURT

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

Plaintiff,

**AB-07-1**  
Claims of Navajo Nation

vs.

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

THE UNITED STATES OF AMERICA, *et al.*,

Defendants.

DESCRIPTIVE SUMMARY: Notice of deposition of John Whipple on February 26, 2013.

NUMBER OF PAGES: 3

DATE OF FILING: February 21, 2013

**NOTICE OF DEPOSITION OF JOHN WHIPPLE**

Pursuant to Rule 1-030, NMRA, the Community Ditch Defendants hereby give notice that a telephonic deposition of John Whipple will be taken on February 26, 2013, beginning at 9:30 a.m., and continuing until concluded, by stenographic means before a certified court reporter, in Albuquerque, New Mexico, by Victor R. Marshall, counsel for the Community Ditch Defendants.

The deponent is asked to bring to the deposition and to provide in advance the documents listed on Exhibit A, attached hereto.

*D✓*

Respectfully submitted,

VICTOR R. MARSHALL & ASSOCIATES, P.C.

By /s/ Victor R. Marshall

Victor R. Marshall  
Attorneys for San Juan Agricultural Water Users  
Association; Hammond Conservancy District;  
Bloomfield Irrigation District; various ditches; and  
various members thereof.  
12509 Oakland NE  
Albuquerque, NM 87122  
505-332-9400 / 505-332-3793 FAX

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of February, 2013, a true and correct copy of the foregoing was served on the parties and claimants by attaching a copy of said document to an email sent to the following list server: [wrmavajointerse@nmcourts.gov](mailto:wrmavajointerse@nmcourts.gov) and to the filing list referred to in paragraph 8 of the court's November 19, 2012 Corrected Order.

/s/ Victor R. Marshall

Victor R. Marshall, Esq.

**EXHIBIT A**

1. Any reports prepared by Mr. Whipple regarding the pending action;
2. All documents that reflect the substance of the fact to which Mr. Whipple is expected to testify;
3. All documents that reflect the substance of the opinions to which Mr. Whipple is expected to testify;
4. All documents which summarize the grounds for each opinion to which Mr. Whipple is expected to testify;
5. A list of all publications authored by Mr. Whipple within the preceding ten years; and
6. A list of all cases in which Mr. Whipple has testified as an expert at trial or by deposition within the preceding four years.

Items 1- 6 above were listed on the original ConocoPhilips deposition notice. In addition, please bring and provide

7. All documents used or consulted by you in preparation of, or referred to in "Technical Assessment of the San Juan River Basin in New Mexico Navajo Nation Water Rights Settlement Agreement," dated September 6, 2012.