

Bi-Weekly Navajo *Inter Se* Report March 4, 2013

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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505-334-7805

<http://sjrba.11thjdc.com/Navajo%20Claim%20Subfiles>

DISTRICT COURT
SAN JUAN COUNTY
FILED
2013 MAR -4 AM 8:30
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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
November 19, 2012	Corrected Order Summarizing Discovery Activities Discussed at the November 6, 2012 Discovery Conference
November 6, 2012	Second Amended Order Setting Schedule Governing Discovery on The Non-Settling Parties and Remaining Proceedings
September 28, 2011	Order Mandating Alternative Method For Service of Orders, Motions, Notices and Other Court Papers
August 7, 2012	Amended Order Setting Schedule Governing Discovery on the Non-Settling Parties and Remaining Proceedings

PENDING HEARINGS

<u>DATE / TIME / TYPE OF HEARING</u>	<u>LOCATIONS</u>
To Be announced	N.M. Court of Appeals Supreme Court Building 237 Don Gaspar, Room 116 Santa Fe, NM 87501 And VIDEO CONNECTION TO Aztec District Court 103 South Oliver Drive Aztec, NM 87410

PENDING DEADLINES

March 1, 2013	Close of Discovery
<u>Dispositive Motions</u>	
March 15, 2013	Settling Parties' memorandum in support of the Settlement Motion of the United States, Navajo Nation and State of New Mexico for Entry of Partial Final Decrees, filed January 3, 2011
March 15, 2013	Non-Settling Parties to file dispositive motions
April 10, 2013	Responses to dispositive motions
April 24, 2013	Replies to responses to dispositive motions
Week of May 6, 2013	Hearing on dispositive motions
Week of June 10, 2013	Decision on the need for evidentiary hearing
June 24, 2013	Submittal of Witness Lists and Exchange of Exhibits
June 27, 2013	Parties Submit Proposed Pretrial Order

July 2, 2013	Pre-hearing Conference
July 22, 2013	Parties Submit Proposed pre-hearing findings of facts and conclusions of law
Weeks of July 29, August 5, and August 12, 2013:	Evidentiary Hearing
Post Hearing Briefing	
30 Days After Evidentiary Hearing	Proposed post-hearing findings of fact and conclusions of law and memorandum in support (Settling Parties and Non-Settling Parties)
10 Days After Proposed Findings of Facts and Conclusions of Law	Responses
December 31, 2013	Decision of Court

DOCUMENTS FILED February 18, 2013 through March 1, 2013

Date Filed	Document Title
2-19-2013	Bi-Weekly Navajo Inter Se Report
2-19-2013	Response to Navajo Nation's Notice of Discovery Dispute With The Community Ditch Defendants <u>Summary:</u> Response to notice of discovery dispute
2-19-2013	Motion to Compel Responses to Discovery About Evaporative and Other Losses <u>Summary:</u> Motion to compel the State, the Navajo Nation and the United States to answer discovery about water losses from evaporation and other causes, like seepage. Evaporative lasses from reservoirs are allocated under the Colorado Compacts, so they reduce the amount of water available from the San Juan River for consumption in the San Juan River Basin in New Mexico
2-20-2013	Notice of Unavailability by USDOJ specifically Guss Guarino
2-21-2013	The Navajo Nations Response to The Community Ditch Supplemental Authority <u>Summary:</u> The Navajo Nation responds to statements made by the Community Ditches in their <i>Supplemental Authority Concerning Inter Se Proceedings, in Support of Counterclaim</i> , filed February 14, 2013
2-21-2013	Notice of Deposition of John Leeper <u>Summary:</u> Notice of Deposition of John Leeper on February 27, 2013
2-21-2013	Notice of Deposition of Christopher Banet <u>Summary:</u> Notice of Deposition of Christopher Banet on February 25, 2013
2-21-2013	Notice of Deposition of Lionel Haskie <u>Summary:</u> Notice of Deposition of Lionel Haskie On February 25, 2013
2-21-2013	Notice of Deposition of John Whipple <u>Summary:</u> Notice of deposition of John Whipple on February 26, 2013

2-21-2013	Notice of Unavailability <u>Summary:</u> Notice that counsel for the United States will be unavailable from March 26, 2013 through, and including, April 2, 2013
2-25-2013	Additional Verification of Discovery Responses <u>Summary:</u> Additional verifications of discovery responses
2-25-2013	The Navajo Nation's Reply to Community Ditch Defendants <u>Summary:</u> The Navajo Nation replies to the <i>Response to Navajo Nation's Notice of Discovery Dispute with Community Ditch Defendants</i> , filed by the Community Ditch Defendants, February 19, 2013
2-25-2013	Notice of Amended Service List
2-25-2013	Order Regarding Notice of Impasse With United States
2-25-2013	Order Granting In Part Motion to Compel
2-25-2013	Order Regarding Impasse With The Navajo Nation
2-27-2013	States Motion to Strike Filing of Exhibit By Community Ditch Defendants <u>Summary:</u> State's Motion to Strike Improperly Filed Exhibit
2-27-2013	State's Brief in Support of Motion to Strike Filing of Exhibit by Community Ditch Defendants <u>Summary:</u> State's Brief in Support of Motion to Strike Filing of Exhibits by Community Ditch Defendants
3-1-2013	Supplemental Witness List by Community Ditch Defendant-Counterclaimants <u>Summary:</u> Supplemental list of potential witnesses, submitted by the Community Ditch Defendant-Counterclaimants, subject to continuing supplementation
3-1-2013	Renewed Motion For extension of Time <u>Summary:</u> Renewed motion for extending deadlines for discovery and other pleadings

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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