

DISTRICT COURT
SAN JUAN COUNTY NM
FILED

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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: CORRECTED Supplemented list of potential witnesses, submitted by the Community Ditch Defendant-Counterclaimants, subject to continuing supplementation.

NUMBER OF PAGES: 3

DATE OF FILING: March 4, 2013

**CORRECTED SUPPLEMENTED WITNESS LIST
BY COMMUNITY DITCH DEFENDANT-COUNTERCLAIMANTS**

As instructed by the court, the Community Ditch Defendant-counterclaimants hereby submit a supplemented list of potential witnesses in this case. This list is subject to continuing supplementation. In this list, the terms "including" and "include" mean "including but not limited to."

1. Those witnesses identified by the plaintiff-settling parties, including any persons identified in discovery, responding to discovery, or submitting reports.
2. Those witnesses identified by other parties to this litigation, including any persons identified in discovery, responding to discovery, or submitting reports.

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3. Those persons who supplied information for the statement of claims by the plaintiff-settling parties and supporting materials.
4. The witnesses previously identified by the Community Ditch Defendants.
5. Water users and water rights owners on the community ditches.
6. Witnesses who can testify about the matters asserted in the Answer, Objections, and Counterclaim filed by the Community Ditch Defendant-counterclaimants on October 9, 2012. This includes water users and owners who have knowledge about the San Juan River and irrigation and other uses of water from the San Juan River system, including Mike Carruthers, Jim Lukow, Jimmy Fisher, Ray Kysar, Jim Rogers, Lawrence Stock, Mike Sullivan, Carroll Crawford, Russell Smith, Mario Ulibarri, Randy Lydic, Joe Jaquez, Chris Velasquez, Fred Blackmer.
7. Bill Richardson, former governor of New Mexico. He signed the proposed agreement.
8. Bill Hume, water advisor to Bill Richardson in the Office of the Governor.
9. John Leeper.
10. John Whipple.
11. Bob Oxford, Jim Rogers, Mike Sullivan, Jim Fisher.
12. Michael Connor, head of the BOR.
13. D. L. Sanders.
14. John D'Antonio.
15. Esteban Lopez.
16. Scott Verhines.
17. Persons identified in the BOR 12/12/12 Study Report Appendix 4.

18. Persons who can rebut or support dispositive motions, which are not due until March 15, 2013.

19. Witnesses to address any issues of fact which the Court finds to be disputed after consideration of the dispositive motions.

20. Rebuttal witnesses.

Respectfully submitted,

VICTOR R. MARSHALL & ASSOCIATES, P.C.

By /s/ Victor R. Marshall

Victor R. Marshall
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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of March, 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: wnavajointerse@nmcourts.gov and to the filing list referred to in the Notice of Amended Service List filed February 25, 2013.

/s/ Victor R. Marshall

Victor R. Marshall, Esq.