

STATE OF NEW MEXICO
COUNTY OF SAN JUAN
ELEVENTH JUDICIAL DISTRICT

DISTRICT COURT
SAN JUAN COUNTY NM
FILED
2013 MAY -6 PM 4: 53

STATE OF NEW MEXICO ex rel.,
State Engineer,
Plaintiff,

v.
UNITED STATES OF AMERICA, et al.,
Defendants,

No. CV 75-184
SAN JUAN RIVER
ADJUDICATION SUIT

v.
THE JICARILLA APACHE TRIBE and the
NAVAJO NATION,
Defendant-Interveners.

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

MARY L. MCCARTY, STEPHEN A. MCCARTY, AND THE MCCARTY TRUST
RESPONSE TO NAVAJO NATION'S MOTION TO DISMISS AND
OBJECTIONS TO THE NAVAJO NATION WATER RIGHTS SETTLEMENT
AND PROPOSED DECREES

SUMMARY

1. Name of party filing the present document: Priscilla A. Shannon
2. Title of the present document: MARY L. MCCARTY, STEPHEN A. MCCARTY, AND THE MCCARTY TRUST JOIN IN THE POTENTIALLY DISPOSITIVE MOTIONS FILED ON OR ABOUT APRIL 15, 2013 BY GARY HORNER, B SQUARE RANCH, THE COMMUNITY DITCH DEFENDANTS AND ROBERT OXFORD.
3. Number of pages of the present document:
4. Date of filing: 3 pgs

COMES NOW, Mary L. McCarty, Stephen A. McCarty and The McCarty Trust, by and through their attorney of record, Priscilla A. Shannon, and hereby join in the following motions filed by other defendants:

1. Gary L. Horner's Motion for Summary Judgment: That Is the "Settlement Motion of the United States, Navajo Nation and the State of new Mexico for Entry of Partial Final Decrees" Should Be Denied, filed April 15, 2013;
2. Defendants B Square Ranch, LLC et al.'s Motion That Settling Party Navajo Nation Waived and Relinquished Its Winter Rights When Navajo Indian Irrigation Project Was Built, filed April 15, 2013;
3. Defendant's Community Ditch Motion For Partial Summary Judgment Concerning Availability Of Water And Impacts On Other Water Users, filed April 15, 2013;
4. Community Ditch Defendants' Motion For Partial Summary Judgment Concerning The Minimum Needs Of The Navajo Reservation In New Mexico, filed April 15, 2013;
5. Community Ditch Motion For Partial Summary Judgment Concerning Availability Of Water and Impacts On Other Water Users, filed April 15, 2013;
6. Defendant's Community Ditch Motion For Partial Summary Judgment Concerning NIIP;
7. Robert E. Oxford's Dispositive Motion For Summary Judgment, filed April 12, 2013.

Mary L. McCarty, Stephen A. McCarty and The McCarty Trust assert that these motions are well taken in substance. The motions provide additional valid reasons for rejecting the proposed settlement and decrees.

RESPECTFULLY, SUBMITTED BY:



PRISCILLA A. SHANNON, ESQ.

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Attorney for Mary L. McCarty,

Stephen A. McCarty, and the

McCarty Trust

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 6, 2013, the MARY L. MCCARTY, STEPHEN A. MCCARTY, AND THE MCCARTY TRUST 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.



PRISCILLA A. SHANNON