

Description	<p>AF-01-217, AF-01-250, AF-01-253 MCCARTY TRUST</p> <p>State of New Mexico County of San Juan In The District Court</p> <p>State of New Mexico, ex rel. The State Engineer Plaintiff,</p> <p>vs.</p> <p>The United States of America, et al. Defendants,</p> <p>vs.</p> <p>The Jicarilla Apache Tribe and the Navajo Nation Defendant-Intervenors,</p> <p>Judge: James J. Wechsler Type of Proceeding: Scheduling Conference For the Plaintiff: Gary Storm, OSE For the Defendants: Pro Se Monitor: Loressa Paris-Chesnut</p> <p>Legend:</p> <p>EX – Exhibit J – Judge M – Monitor W – Witness P – Plaintiff Def – Defendant D – Defendant Counsel</p>
	<p>Date 11/18/2015 Location CourtRoom4</p>

Time	Spe	Note
10:12:24 AM	J	AM I MISSING ANY SUBFILES
10:12:31 AM	P	I EXPECTED YOU ADDRESS TODAY THE ONES RELATED TO THE MCCARTY TRUST
10:12:49 AM	J	CALLS MCCARTY TRUST AF-01-217 SJLP-005-0054, AF-01-250 SJLP-005-0055, AND AF-01-253 SJLP-005-0059
10:12:57 AM		MCCARTY TRUST
10:13:08 AM		WE ARE SET FOR TRIAL FOR 1-12 AND 1-13 2016
10:13:26 AM	P	TO MY KNOWLEDGE I NEVER REC NOTICE OF THAT TRIAL
10:13:43 AM	J	CAN NOT TELL YOU IF WRITTEN NOTICE WAS SENT OUT BUT WE SET THE TRIAL AT A PREVIOUS STATUS CONFERENCE IN OPEN COURT
10:13:51 AM	P	GIVES STATUS
10:15:33 AM	D	GIVES STATUS
10:15:41 AM		NEVER REC MEDIAITON DATE
10:15:47 AM		LOOKED AT ECHO DITCH DECREE AND MAPS
10:16:03 AM		IT MATCHES THE CONSENT DECREE
10:16:17 AM		WITHOUT HAVING THE ENGINEER LOOKING AT IT AND IT CONCERNS 50 ACRES
10:16:43 AM		OTHER 2 ARE MINOR ADJUSTMENTS THAT WE HAVE REVIEWED
10:17:18 AM		ECHO DECREE DOES OFFER WHAT WE ARE ASKING FOR
10:17:37 AM	J	HAVE YOU HAD OPPORTUNITY TO MEET WITH OSE STAFF
10:17:51 AM	D	NO AND THAT IS WHAT WE WOULD LIKE
10:18:07 AM	P	CAN ARRANGE THAT
10:18:17 AM		PERHAPS A MEDIATION PRIOR TO TRIAL WOULD BE A BENEFIT
10:18:29 AM	J	WONDERING IF BEFORE THAT IF A MEETING, HERE WE HAVE SOME DOCUMENTATION AS BEING ASSERTED AS DEMONSTRATING THE POSITION OF THE MCCARTY TRUST. IF COULD SIT DOWN BEFORE THE MEDIATION
10:18:57 AM	P	ONCE WE REC THE OTHER 2 OF THE MCCARTY OFFERS WE WOULD BE GLAD TO SIT DOWN WITH THEM
10:19:16 AM	J	TRY TO GET THAT DONE
10:19:22 AM	J-D	WHEN WILL YOU BE SUBMITTING THE OTHER 2 COUNTER OFFERS....DO YOU THINK MEDIATION WOULD BE BENEFICIAL
10:19:49 AM	D	I WORK FOR THE STATE NOW SO I HAVE BEEN MEETING WITH THE DEF ON THE WEEKENDS
10:20:14 AM		I WOULD LIKE TO CONTINUE WITH THAT
10:20:28 AM		WILLING TO TAKE THE LEAVE TO SIT DOWN WITH THE OSE
10:20:46 AM		BY MONDAY HE SHOULD HAVE IT TO P
10:21:03 AM	J-P	LETS TRY TO RESOLVE THE TIMING OF THIS
10:21:15 AM		IF REC OTHER COUNTER OFFERS BY END OF NEXT WEEK HOW CAN WE SET UP A MEETING THE FOLLOWING WEEK

10:21:35 AM	P	WOULD BE UP TO TECHNICAL STAFF. WITHOUT TALKING TO THEM UNABLE TO COMMIT
10:21:55 AM	J	WE COULD TAKE A RECESS TO RESOLVE THAT TO GET THIS TAKEN CARE OF
10:22:11 AM		RECESS UNTIL 10:30
10:31:27 AM	J	BACK ON THE RECORD
10:31:38 AM	P	DETERMINED THAT ANY TIME DURING DEC 7TH AND 18TH COULD ARRANGE A VIDEO CONFERENCE
10:32:04 AM	D	CONFIRMS DATES
10:32:13 AM		I AM LIMITED MONDAYS AND TUESDAYS
10:32:25 AM	J	WITHIN THAT TIME FRAME ARE YOU ABLE
10:32:33 AM	D	YES
10:32:35 AM	J	LEAVE IT TO YOU BOTH TO WORK OUT A DATE
10:32:52 AM		LIKE TO SET UP A TELEPHONIC STATUS CONFERENCE AFTER THAT
10:33:08 AM		HOW LONG AFTER MEETING TO RESOLVE ISSUES TO HAVE A STATUS CONF WITH THE COURT
10:33:27 AM	P	IF EVIDENCE PROVIDED WILL NEED SOME TIME TO EVAL, 2 WEEKS
10:33:44 AM	J	LIKE TO HAVE STATUS CONF BEFORE THE HOLIDAYS TO ASSESS IF WE ARE GOING TO TRIAL
10:34:29 AM	J-D	DO YOU THINK YOU CAN MEET EARLIER TIME FRAME
10:34:42 AM	D	I CAN BUT NEED TO CLARIFY WHERE THE CONF
10:34:58 AM	P	WE WOULD BE IN SANTA FE YOU WOULD BE IN AZTEC
10:35:12 AM		OUR TECH STAFF WOULD BE APPEARING HERE IN SANTA FE
10:35:25 AM	J	WHO WOULD BE IN THE STATE ENGINEERS OFFICE IN AZTEC
10:35:26 AM	P	THE ADJ IS BETWEEN ST AND DEF NOT BETWEEN THE STATE ENGINEER AND THE DEF AND SO THIS IS A DETERMINATION THAT IS BASED UPON OUR TECHNICAL RESEARCH
10:35:37 AM	J	SHE IS GOING TO BE PRESENTING DOCUMENTS AND A SIT DOWN IN THE SAME ROOM IS GOING TO BE MORE BENEFICIAL THAN BEING ABLE TO LOOK AT IT OVER A TV SCREEN
10:36:02 AM	D	THAT IS CORREECT PLUS ALL OF THE ISSUES. THE STATE HAS ALL OF THE RECORDS AND THEY CAN EASILY ACES THEM

<u>10:36:22 AM</u>	HY DR OG RAP HIC BU REA UC HIE F	HOPING TO HAVE DOCUMENTS THAT WE WILL BE EVALUATING IN BOTH PLACES. IF NOT FRUITFUL WE CAN SET UP AN INPERSON MEETING
<u>10:36:52 AM</u>	J-D	IF YOU CAN TRY TO SET THAT MEETING UP EARLY DURING THAT TIME FRAME IT WOULD BE BENEFICIAL
<u>10:37:13 AM</u>	D	I CAN DO THAT AND NEED TO GET WITH MR STORM ON HOW TO CONTACT ME DURING THE DAY. I AM OPEN TO ANY TIME
<u>10:37:34 AM</u>	J	IF HAVE THAT MEETING DURING WEEK OF DEC 7TH, WHY DONT WE TRY TO SET THE 18TH FOR THE STATUS CONFERENCE
<u>10:38:24 AM</u>	D	THE 9TH IS GOING TO BE GOOD FOR ME
<u>10:38:32 AM</u>	J	OK YOUR MEETING WILL BE ON THE 9TH AND STATUS CONF ON THE 18TH AT 10 AM
<u>10:38:50 AM</u>	ARI AN NE SIN GE R	DEPENDS ON AVAILABILITY OF CONFERENCE ROOMS
<u>10:39:04 AM</u>	J	OK
<u>10:39:19 AM</u>		SETTING THE 18TH AT 10 FOR STATUS CONFERENCE
<u>10:39:34 AM</u>		END