

DISTRICT COURT
SAN JUAN COUNTY NM
FILED
2018 MAR 22 AM 9:17

STATE OF NEW MEXICO
ELEVENTH JUDICIAL DISTRICT
COUNTY OF SAN JUAN

No. CV-75-184

STATE OF NEW MEXICO,
ex rel. STATE ENGINEER,

Hon. James J. Wechsler
Presiding Judge

Plaintiff,

SAN JUAN RIVER STREAM
SYSTEM ADJUDICATION

vs.

La Plata River Section

THE UNITED STATES OF AMERICA, et al.

Defendants,

vs.

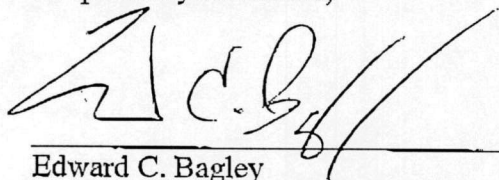
THE JICARILLA APACHE TRIBE and the
NAVAJO NATION,

Defendants-Interveners

**STATE OF NEW MEXICO'S NOTICE OF FILING AFFIDAVIT OF PUBLICATION OF
NOTICE OF PENDENCY IN THE ALBUQUERQUE JOURNAL**

The State of New Mexico hereby gives notice of its filing of the attached Affidavit of
Publication of the Notice of Pendency in the Albuquerque Journal.

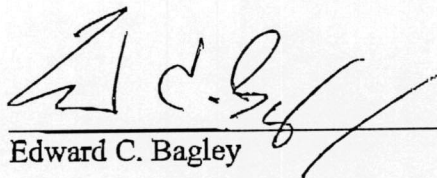
Respectfully submitted,



Edward C. Bagley
Special Assistant Attorney General
Office of the State Engineer
P.O. Box 25102
Santa Fe, New Mexico 87504-5102
(505) 827-6150
Attorney for State of New Mexico, *ex rel.* State Engineer

CERTIFICATE OF SERVICE

I certify that I have caused a copy of the above to be served by E-mail to all counsel on the Electronic Service List for D-111b-CV-7500184, wrattorny-grp@nmcourts.gov on March 22, 2018.



Edward C. Bagley

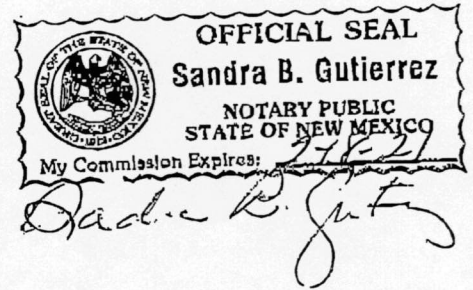
AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO

County of Bernalillo SS

Bernadette Gonzales, the undersigned, on oath states that she is an authorized Representative of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which hereto attached, was published in said paper in the regular daily edition, for 3 time(s) on the following date(s):

02/09/2018, 02/16/2018, 02/23/2018



[Signature]

Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this

23 day of February of 2018

PRICE \$356.72

Statement to come at the end of month.

ACCOUNT NUMBER 1030616

La Plata River Basin are required to submit a Notice of Claim at this time. If you claim such a right but not have been made a party to the Adjudication then you are an Unknown Claimant. Pursuant to Section VII(C) of the Scheduling Order, Unknown Claimants must file a Notice of Claim ("NOC") with the Court within sixty (60) days after the last date that this notice is published. NOC forms may be obtained from the Office of the State Engineer's website, identified above, or by contacting the State's attorney. Unknown Claimants who fail to timely file a NOC or other responsive pleading or motion in the San Juan Adjudication will be subject to a default judgment, including a default judgment determining that they have no lands with riparian, irrigation water rights within the La Plata Section and/or no right to divert surface water or groundwater for any other purpose within the La Plata Section.

Section Wide Issues: Pursuant to Section VIII of the Scheduling Order, all parties have the right to participate in the litigation of Section Wide issues and shall be bound by the Court's determination of such issues regardless of whether they choose to participate.

Name and address of State's attorney:
 Edward C. Bagley, Special Assistant Attorney General
 Office of the State Engineer
 P.O. Box 25102
 Santa Fe, New Mexico
 87504-5102
 (505) 827-7844

STATE OF NEW MEXICO
 ELEVENTH JUDICIAL DISTRICT COUNTY OF SAN JUAN
 No. CV-75-184
 Hon. James J. Wechsler
 Presiding Judge

STATE OF NEW MEXICO
 SPECIAL STATE ENGINEER
 Plaintiff

SAN JUAN RIVER STREAM SYSTEM ADJUDICATION
 vs.
 La Plata River Section

THE UNITED STATES OF AMERICA, et al.
 Defendants

THE JICARILLA APACHE TRIBE and the NAVAJO NATION
 Defendants-Intervenor

NOTICE OF PENDENCY OF SUIT TO ALL UNKNOWN CLAIMANTS OF THE RIGHT TO DIVERT SURFACE WATER FROM THE LA PLATA RIVER OR GROUNDWATER WITHIN THE LA PLATA SECTION FOR BENEFICIAL USE

GREETINGS

You are hereby notified that the State of New Mexico ("State") has filed a water rights adjudication lawsuit in the Eleventh Judicial District of New Mexico, San Juan County pursuant to NMSA 1978 §§ 72-4-15 through 72-4-17, under the caption and case number shown above. The purpose of this lawsuit, referred to as the "San Juan Adjudication," is to identify and determine all rights to use the surface and underground waters of the San Juan River Stream System within the State of New Mexico, which includes all tributary rivers of the San Juan River within New Mexico. The Court is proceeding on a river-by-river basis and is currently determining rights to divert water for beneficial use within the La Plata Section. The Court is conducting the adjudication in accordance with its April 30, 2006 Scheduling Order Governing Adjudication of Irrigation Water Rights in the La Plata Section ("Scheduling Order"), which imposes deadlines, detailed adjudication procedures, and filing requirements. A copy of the Scheduling Order and other pertinent information may be obtained from the Office of the State Engineer's website at <http://www.ose.state.nm.us/index.php> (click on "hot topics") or by contacting the State's attorney identified below. Only persons who have not already filed a Notice of Claim with the Court for the right to divert surface water from the La Plata River or to divert groundwater within the