

**STATE OF NEW MEXICO  
COUNTY OF SAN JUAN  
ELEVENTH JUDICIAL DISTRICT  
COURT**

**No. D-1116-CV-7500184**

**STATE OF NEW MEXICO,  
*ex rel.* STATE ENGINEER,**  
**Plaintiff,**

**Hon. James J. Wechsler  
Judge Pro Tempore**

**v.**

**SAN JUAN RIVER  
ADJUDICATION**

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

**FILE**

**and**

**APR - 7 2016**

**JICARILLA APACHE TRIBE and  
The NAVAJO NATION**  
**Defendant-Intervenors.**

**DISTRICT COURT  
103 S. OLIVER**

**AZTEC, NEW MEXICO 87410**

**ORDER DENYING MOTION FOR RECONSIDERATION**

**THIS MATTER** having come before the Court on the motion for reconsideration of order quashing subpoena filed by Chris Velasquez, Linda Corwin, and San Juan Agricultural Water Users Association (Movants), and the Court having reviewed the motion, finds and concludes as follows:

- (1) Movants request that the Court reconsider its March 9, 2021 Order Quashing Subpoena granting the motion of the Navajo Nation to quash the subpoena for the deposition of Michael Paul Gross and canceling the notice of deposition Movants scheduled for Michael Gross;
- (2) Movants seek to take the deposition in connection with their request for voluntary recusal, or disqualification for cause, and revision of rulings under Rule 1-054(B) filed January 17, 2019;
- (3) Under the Court's Fifth Amended Case Management Plan, September 22, 2008, discovery is permitted in this adjudication only by leave of Court. After Movants' January 17, 2019 filing, the Court allowed Movants to engage in discovery for several months. It would have been proper for Movants to request to take the deposition during this time, and if Movants had so requested, the Court, in

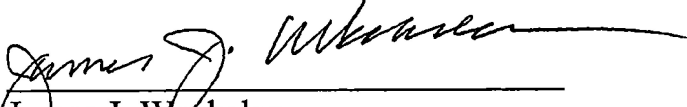
all likelihood, would have granted leave to take the deposition;

(4) On January 14, 2020, based on the parties' briefing after discovery, the Court issued an order denying Movants' request for voluntary recusal. Movants filed a motion to correct record, which the Court granted on February 27, 2020;

(5) the deposition of Michael Paul Gross, notice of which was served February 12, 2021, is not timely.

IT IS THEREFORE ordered that Movants request for reconsideration is denied.

**IT IS SO ORDERED.**

  
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James J. Wechsler  
Judge Pro Tempore