

Description CV -75-184

STATE OF NEW MEXICO
COUNTY OF SAN JUAN
IN THE DISTRICT COURT

STATE OF NEW MEXICO, et rel. STATE ENGINEER
Plaintiff,
vs.

UNITED STATES OF AMERICA, et al.,
Defendant.

JICARILLA APACHE TRIBE AND NAVAJO NATION
Defendant - Intervenors

JUDGE: JAMES WECHSLER

TYPE OF PROCEEDINGS: DOCKET CALL

FOR THE PLAINTIFF: VARIOUS

FOR THE DEFENDANT: VARIOUS

MONITOR: LORESSA BACHERT

MACHINE TYPE: FTR GOLD REPORTER

LEGEND:

D - Defendant's Atty

DEF - Defendant

DEX - Direct Exam

EX - Exhibit

J - Judge

M - Monitor

P - Plaintiff's Atty

PLA - Plaintiff

W - Witness

XEX - Cross Exam

Date 6/29/2011

Location Courtroom2

Time	Speaker	Note
<u>1:12:39 PM</u>	D	COUNSEL ENTERING APPEARANCES (SMALL AMOUNT OF TIME NOT RECORDED DURING ENTRY OF APPEARANCES, RECORDING PANEL CLOSED UNEXPECTEDLY)
<u>1:13:00 PM</u>	J	HERE TODAY TO HAVING A DOCKET CALL TO CALL A NUMBER OF THE CASES THAT ISSUES HAVE BEEN RAISED IN, REJECTIONS HAVE BEEN FILED, IN ORDER TO DETERMINE THE STATUS OF THE CASE...SO THAT WE CAN MOVE FORWARD AND ULTIMATELY HAVE THE CASE ADJUDICATED IF THAT IS WHAT NEEDS TO BE DONE
<u>1:13:13 PM</u>	J	ASKS IF DARCY BUSHNELL IS IN THE COURTROOM, SHE IS NOT. EXPLAINS HER ROLE AS OMBUDSMAN.
<u>1:14:12 PM</u>		HERE TO CALL THE CASES IN WHICH THERE ARE ISSUES, IN WHICH OBJECTIONS/REJECTIONS HAVE BEEN FILED TO THE PROPOSED CONSENT ORDER
<u>1:14:30 PM</u>		TO MOVE THE CASES ALONG
<u>1:14:46 PM</u>	AF-01-30	CALLS CASE DAVID J MCFARLAND LISA ANNE MCFARLAND AND BETTY LYNN TOWLE AF-01-30
<u>1:15:23 PM</u>	J-P	MR STORM DO YOU HAVE INFORMATION REGARDING THIS CASE
<u>1:15:34 PM</u>	GARY STORM	I HAVE BEEN IN TOUCH WITH THESE PEOPLE. AT THE MOMENT THE OWNERSHIP HAS YET TO BE ESTABLISHED, HAVE BEEN IN TOUCH OF THE SELLER AND THE BUYER AND BETWEEN THE TWO OF THEM I AM TRYING TO GET A TITLE INSTRUMENT TO ESTABLISH WHO THE OWNER IS

Time	Speaker	Note
<u>1:16:16 PM</u>	J-P	DO YOU HAVE ANY IDEA WHY THEY ARE NOT PRESENT TODAY
<u>1:16:21 PM</u>	P-J	ONE OF THEM LIVES IN FLORIDA AND MR MCFARLAND I BELIEVE THEY LIVE IN FARMINGTON AND I CAN NOT TELL THEM WHY THEY ARE NOT HERE TODAY.
<u>1:16:58 PM</u>	J	WELL LETS PROCEED TO THE NEXT CASE, IT APPEARS THAT CASE IS MOVING ALONG. WHEN WOULD YOU ANTICIPATE RESOLVING THE OUTSTANDING ISSUES
<u>1:17:09 PM</u>	P-J	MY INTENTION IS TO CALL THEM AGAIN
<u>1:17:41 PM</u>	AF-01-67	THE NEXT CASE IS , AND I HAVE A SERIES OF CASES LISTED HERE NO THIS IS JUST A SINGLE CASE THE SAN JUAN COAL C/O MARIA O'BRIEN AF-01-67
<u>1:18:00 PM</u>	MARIA OBRIEN -SJ COAL CO	MR STORM AND I HAVE BEEN CONFERRING ON THE FINAL RESOLUTION OF THIS SUBFILE. I BELIEVE WE HAVE REACHED A PATH TO RESOLUTION AND JUST NEED SOME ADDITIONAL TIME TO DO THAT. IT WAS JUST A MATTER OF A VERY SMALL AMOUNT OF ACERAGE THAT HAD NOT BEEN ACCOUNTED FOR IN THE SUBFILE ORDER. THEY NEED TO VERIFY THAT AND WE JUST NEED TIME TO WORK THROUGH IT.
<u>1:18:43 PM</u>	J	HOW MUCH TIME DO YOU ANTICIPATE
<u>1:18:55 PM</u>	O'BRIEN -J	WE HAD TALKED ABOUT THAT ... I WOULD WANT MR STORM TO SPEAK WITH THAT BECAUSE IT IS ON THE STATES END

Time	Speaker	Note
<u>1:19:02 PM</u>	GARY STORM	LOOKING TOWARD THE TRANSFER OF THE WATER RIGHT FROM A TEMPORARY PLACE OF USE TO ITS ORIGINAL PLACE OF USE, THIS WILL REQUIRE FOR THE SJ COAL CO TO FILE FOR THE CHANGE OF PLACE OF USE
<u>1:19:43 PM</u>		GIVEN THE STATES RESOURCES AND MY EXPERIENCE WITH THE AMOUNT OF TIME IT WOULD TAKE TO BE APPROVED, IT IS AT LEAST 3 MONTHS
<u>1:20:10 PM</u>		THE NEXT STEP IS FOR SJCOAL CO TO APPLY FOR THE TRANSFER OF THIS PARTICULAR WATER RIGHT TO ITS ORIGINAL PLACE OF USE
<u>1:20:14 PM</u>	J-D	DO YOU THINK THAT IS THE NEXT STEP
<u>1:20:32 PM</u>	MARIA OBRIEN	THAT IS ONE PATH WE TALKED ABOUT....THE INITIAL THOUGHT WAS TO APPLY TO HAVE IT REVERT BACK. WE HAVE THE TRANSFER DOCUMENTS PREPARED AND READY FOR SUBMISSION
<u>1:21:31 PM</u>	J	OK WE WILL CHECK ON IT IN A FUTURE TIME
<u>1:21:42 PM</u>	AF-01-68, 168, 218, 339, 452, AND 476	CALLS SERIES OF CASES INVOLVING SJ COUNTY, AF-01-168, AND 218, 339,452, 476, (AND 68) AND I GUESS THAT IS IT. MR SAWYER

Time	Speaker	Note
<u>1:21:49 PM</u>	JOE SAWYER - SJ COUNTY	WE HAVE MET WITH THE ATTORNEY FOR THE STATE ENGINEER. SJ COUNTY HAS 6 CLAIMS AS YOU JUST STATED. WE ARE PROVIDING THE STATE ENGINEERS OFFICE WITH ADDITIONAL INFORMATION. I WOULD ANTICIPATE THAT WE WOULD BE ABLE TO GET THAT INFORMATION TO THE OSE IN THE NEXT FEW WEEKS, POSSIBLY 3 WEEKS FROM NOW. THE REST I WOULD LEAVE TO MR STORM
<u>1:22:44 PM</u>	STORM	I MET WITH MR SAWYER, WE DETERMINED THAT IN ORDER TO EVALUATE THE CLAIMS OF THE COUNTY OF SAN JUAN WE NEED TO LOOK AT THE DOCUMENTS THAT CONVEYED THESE PARTICULAR PROPERTIES TO THE COUNTY OF SAN JUAN. ONCE WE GET THOSE IT WILL BE THE RESPONSIBILITY OF THE TECHNICAL STAFF TO REVIEW THAT DATA...AND AT THAT TIME WE WILL BE ABLE TO BEGIN MAKING AN ASSESSMENT OF THE LEGAL ISSUES THAT ARE RAISED BY THAT PARTICULAR GROUP OF SUBFILES, SPECIFICALLY SJ COUNTY IS CLAIMING A RIGHT UNDER THE 40 YR PLAN
<u>1:23:37 PM</u>	J-P	WHAT WOULD YOU ANTICIPATE THE TIME PERIOD TO REVIEW THE DOCUMENTS AND MAKE YOUR LEGAL ASSESSMENT

Time	Speaker	Note
<u>1:23:49 PM</u>	P-J	IF I COULD MAKE A GENERAL COMMENT REGARDING ALL OF YOUR, I PRESUME YOU WILL ASK WITH EACH SUBFILE, HOW LONG IT WILL TAKE TO RESOLVE EACH SUBFILE, ALL OF MY ESTIMATES ARE IN THE CONTEXT OF MY WORK THAT I AM DOING IN THE CARLSBAD IRRIGATION DISTRICT. RIGHT NOW WE ARE IN THE PROCESS OF PREPARING THE PARTIAL FINAL DECREE, AND IT IS AN EXTREMELY LARGE PROJECT OF NECESSITY. WORKING ON THE CARLSBAD FINAL DECREE WILL TAKE PRECIDENT.
<u>1:24:17 PM</u>	P	AS MR. SAWYER SAID IT WILL TAKE ABOUT 3 WEEKS FOR HIM TO GET ME THE TITLE INSTRUMENTS AND THEREAFTER THIS IS A MUCH MORE COMPLEX CASE THAN MANY OF THE OTHERS, THIS COULD TAKE SEVERAL MONTHS AFTER THAT TO PROPERLY REVIEW AND ASSESS IT
<u>1:25:05 PM</u>	J	JUST A NOTE FOR CLAIMANTS PRESENT, HE IS ONLY WORKING PART TIME IN THE SAN JUAN ADJUDICATION. TRACEY HOFMANN WAS WORKING FULL TIME.
<u>1:25:34 PM</u>		BECAUSE OF THE FUNDING DIFFICULTIES, OSE HAS NOT BEEN ABLE TO REPLACE MRS. HOFMANN
<u>1:26:04 PM</u>		WE DO NOT HAVE A FULL TIME ATTNY WHO HAS BEEN ASSIGNED THIS ADJUDICATION BY THE OSE. THIS WILL RESULT IN SOME DELAYS
<u>1:26:25 PM</u>		I HAVE BEEN EXPRESSING THAT I AM NOT HAPPY ABOUT IT AT ALL

Time	Speaker	Note
<u>1:26:49 PM</u>	J	NOTING THAT DARCY BUSHNELL HAS ENTERED THE ROOM, IS THE OMBUDSMAN FROM UNM AND CAN ANSWER QUESTIONS
<u>1:27:55 PM</u>	DARCEY BUSHNELL - OMBUDSMAN	HAS CARDS WITH CONTACT INFORMATION AND OFFERS THEM TO THOSE IN COURT
<u>1:28:17 PM</u>	J AF-01-69	CALLS THOMAS C TALLEY AND SUZANNE TALLEY AF-01-69
<u>1:28:22 PM</u>	J-P	MR. STORM I SEE THAT THERE WAS A REJECTION FILED AND THE STATE SENT A NEW CO IN MAY
<u>1:28:35 PM</u>	P-J	YES THAT IS CORRECT
<u>1:28:37 PM</u>	J	HAVE YOU HEARD FROM THE TALLEYS SINCE THEN
<u>1:28:39 PM</u>	P-J	YES WE HAVE, THEY SENT ANOTHER REJECTION DATED THE 23RD OF JUNE
<u>1:28:46 PM</u>	J	DO YOU KNOW WHY THEY ARE NOT PRESENT TODAY
<u>1:29:05 PM</u>	P	THEY LIVE IN DURANGO, CO SO THAT MAY BE WHY THEY DID NO APPEAR
<u>1:29:10 PM</u>	J	IS THERE ANY ACTION THAT YOU WANT THE COURT TO TAKE
<u>1:29:26 PM</u>		HAVE NOT HAD THE OPPORTUNITY TO REVIEW THE GROUNDS FOR THEIR OBJECTION AND I WOULD LIKE TO HAVE THAT OPPORTUNITY BEFORE ANY FINAL DETERMINATION WAS MADE
<u>1:29:33 PM</u>	J	OK SO YOUR ARE NOT ASKING FOR A DEFAULT OR ANY OTHER ACTION AT THIS TIME
<u>1:29:37 PM</u>	P	NOT AT THIS TIME
<u>1:29:48 PM</u>	J AF-01-80 AND 82	CALLS CASE JAMES CURTIS WALTERS AF-01-80 (ALSO AF-01-82)
<u>1:30:01 PM</u>	D - JAMES CURTIS WALTERS	STATES NAME, ALSO GO BY CURT
<u>1:30:09 PM</u>	J-D	WHAT IS THE STATUS OF YOUR CASE

Time	Speaker	Note
1:30:13 PM	D-J	THE STATUS IS THAT I WISH NOT TO SELL MY, I WISH NOT TO LET THE STATE TAKE THE WATER THAT I HAVE FOR PROPERTY THAT I HAVE USED CONTINUOUSLY FOR THE LAST 40 YEARS. I HAVE 3 PIECES OF PROPERTY. I THINK WE HAVE THE RIGHT TO KEEP THE WATER ON THIS PROPERTY, WE HAVE USED IT CONTINUOUSLY.
1:30:46 PM	J	HAVE YOU HAD THE OPPORTUNITY TO MEET WITH THE OSE
1:30:54 PM	D	I HAVE TALKED WITH MR STORM ON THE PHONE ONLY
1:31:11 PM	J-P	ASKS P WHAT ACTION HE WILL BE TAKING
1:31:23 PM	P	HAVE CONVERSED WITH CURT. IT APPEARS THAT IF HE CAN SHOW... WE ARE FINDING IRRIGITABLE AREA OF 1.4 ACRES BUT WE ARE NOT FINDING SIGNS OF IRRIGATION SO WE NEED TO COMMUNICATE AND PROBABLY DO A FIELD CHECK
1:31:51 PM	J-P	WHEN WOULD YOU BE ABLE TO DO THAT FIELD CHECK
1:31:55 PM	P	DOES NOT WANT TO COMMIT FOR THE TECHNICAL PERSON SINCE HE IS NOT HERE, BUT SINCE HE IS NOT HERE, AS SOON AS I GATHER A MEANINGFUL NUMBER OF FIELD CHECK ASSIGNMENTS HE SAID HE WOULD SPEND THE WEEK UP HERE MEETING WITH THEM
1:32:17 PM	J	GOOD THIS IS THE TIME WHEN IT WOULD MAKE SENSE TO BE DOING IT
1:32:24 PM	J-D	ASKS D IF HE AGREES A FIELD CHECK IS A APPROPRIATE TO MOVE THE CLAIM FORWARD

Time	Speaker	Note
<u>1:32:32 PM</u>	J-D	WOULD AGREE THAT A FIELD CHECK WOULD BE APPROPRIATE
<u>1:32:34 PM</u>	D-J	YES IF YOU THINK IT IS NECESSARY
<u>1:32:46 PM</u>	D	YES WOULD LIKE TO JUST MENTION THAT BROTHER AND MOTHER ARE HERE AND HE HAS IRRIGATED THIS PROPERTY FOR ME AND I HAVE ARIAL PHOTOGRAPHS FOR THE LAST 20 YEARS WHEN THE PROPERTY HAS BEEN IN MY NAME
<u>1:33:08 PM</u>	J	HAVE YOU PROVIDED THOSE DOUCMENTS TO THE OSE
<u>1:33:12 PM</u>	D	NO BUT I WILL BE HAPPY TO
<u>1:33:17 PM</u>	J-P	ASKS P TO ARRANGE A TIME FOR EXCHANGE OF INFORMATION
<u>1:33:42 PM</u>	J	SO THE TWO OF YOU WILL BE IN CONTACT
<u>1:34:19 PM</u>	P-AUDIENCE	WOULD LIKE TO MAKE STATEMENT FOR THE BENEFIT OF EVERYONE HERE, STATES POSITION IS NOT TO TAKE AWAY A WATER RIGHT. WHAT OUR RESPONSIBILITY IS, IS TO RECOGNIZE WATER RIGHTS, THAT IS WATER THAT HAS BEEN PUT TO BENEFICIAL USE.
<u>1:34:35 PM</u>		IF WE MAKE A DETERMINATION, AND YOU DISAGREE WITH IT, WE ARE VERY INTERESTED IN HEARING WHETHER OR NOT YOU DISAGREE WITH OUR DETERMINATION. BUT ALSO THE BURDEN WILL ALSO WILL SHIFT TO YOU TO PROVIDE US WITH EVIDENCE AND PROOF OF HOW OUR DETERMINATION IS INCORRECT. IT HAPPENS ALL THE TIME

Time	Speaker	Note
<u>1:34:55 PM</u>		NONE OF US HAVE ANY PERSONAL STAKE IN WHETHER OR NOT YOU HAVE A WATER RIGHT, WE ARE SIMPLY TRYING TO MAKE AS IT WERE A SCIENTIFIC DETERMINATION IN THE CONTEXT OF THE LAW AS TO HOW MUCH WATER EACH PERSON IS ENTITLED TO USE
<u>1:35:23 PM</u>		PLEASE IF YOU HAVE INFORMATION OF WHICH WE ARE NOT AWARE OF, PLEASE MAKE SURE YOU COMMUNICATE WITH US AND PROVIDE IT TO US
<u>1:35:36 PM</u>	J	ANY QUESTION ABOUT WHAT MR. STORM WAS JUST DISCUSSING
<u>1:35:37 PM</u>		ALSO ENCOURAGES TO CONTACT DARCY BUSHNELL THE OMBUDSMAN WHO IS GREAT HELP TO US AS WELL
<u>1:35:56 PM</u>	J	MOVING DOWN THE LIST
<u>1:36:03 PM</u>	AF-01-78, 88, 113, AND 131	CALLS PATRICK M WALTERS AND JOLENE H WALTERS AF-01-78, AF-01-88, AF-01-113, AND AF-01-131
<u>1:36:32 PM</u>	D - PATRICK MASON WALTERS, JOLENE HELEN WALTERS	PARTIES STATE NAMES. OUR CASE IS THAT NUMEROUS TIMES I HAVE CONTACTED THE STATE TO COME UP AND SEE WHAT I HAVE GOING ON ON THE PLACE. TRACY HOFMANN WOULD NOT RETURN MY CALLS. SHE HAS NOT COME UP TO THE FARM, THEY WERE THERE ONE TIME. THEY WERE DOING THINGS FOR OTHER PEOPLE THAT THEY WERE NOT DOING FOR ME.
<u>1:37:15 PM</u>		I AM MORE THAN WILLING TO MEET WITH THEM. I HAVE THE MOST COMPLICATED WATER SYSTEM IN THE LA PLATA VALLEY

Time	Speaker	Note
<u>1:37:23 PM</u>		I HAVE TRANSFERED WATER FROM ONE AREA TO ANOTHER, COMINGLED WATER, HAVE TAKEN IT OUT OF ONE DITCH AND PUT IT IN ANOTHER AND PUMPED IT ACROSS THE RIVER. YOU CAN NOT ABSORB ALL OF THIS THAT I HAVE DONE WITH WATER OVER THE TELEPHONE
<u>1:37:48 PM</u>		THEY NEED TO COME MEET WITH ME
<u>1:38:03 PM</u>	J-D	DO YOU HAVE DOCUMENTATION THAT YOU HAVE NOT PROVIDED TO THE OSE
<u>1:38:04 PM</u>	D	YES
<u>1:38:09 PM</u>	J	ASKS BOB OXFORD TO STATE HIS NAME
<u>1:38:22 PM</u>	BOB OXFORD	STATES NAME. I HELP 2 OR 3 CLIENTS IN LA PLATA. THIS IS ONE OF THE MORE COMPLICATED ONES. IT WENT THROUGH A COURT CASE IN 1988, THE STATE HAS NOT PICKED UP THAT COURT CASE. IT WENT THROUGH A HEARING FIRST WITH THE STATE ENGINEER AND THEN A COURT CASE. MR STORM AND I HAVE TALKED. THERE IS A FILE THAT THEY NEED TO GET INTO ... AND DEAL WITH HIS UNDERGROUND WATERWRIGHT DECLARATION.
<u>1:38:52 PM</u>	J	THANK YOU MR. OXFORD
<u>1:38:56 PM</u>	J-P	MR STORM DID YOU WANT TO GIVE THE STATES POSITION
<u>1:39:06 PM</u>	P	YES, I HAVE BEEN IN TOUCH WITH MR. OXFORD ABOUT THIS CASE. I HAVE NOT TALKED WITH MR. WALTERS AND I AM NOT AFRAID OF BEING BITTEN
<u>1:39:14 PM</u>		MR. OXFORD HAS BEEN EXTREMELY HELPFUL.

Time	Speaker	Note
<u>1:39:37 PM</u>		IF MR WALTERS WANTS ME TO CALL HIM AS WELL, I WILL. I AGREE IT IS A COMPLEX CASE.
<u>1:39:52 PM</u>	P	RECOGNIZING THE CONSEQUENCES OF THE COURT ACTION THAT MR. OXFORD REFERRED TO, THAT IS SOMETHING THAT HAS TO BE REVIEWED BY MY TECHNICAL STAFF
<u>1:40:04 PM</u>	J	WILL YOU SCHEDULE THIS PROPERTY FOR A FIELD CHECK
<u>1:40:07 PM</u>	P	YES IT SOUNDS LIKE IT VERY WELL MAY BE NECESSARY
<u>1:40:24 PM</u>	P	IT LOOKS LIKE WE ARE ALREADY RECOGNIZING 20.4 ACRES
<u>1:40:43 PM</u>	J	ASKS D AND MR. OXFORD IF THERE ARE DOCUMENTS THAT NEED TO BE EXCHANGED AT THIS TIME
<u>1:40:55 PM</u>	ROBERT OXFORD	BELIEVE THAT THEY ARE ALL IN THE STATE ENGINEER RECORDS, I TOLD MR. STORM THE FILE NUMBERS. WE DOES NOT BELIEVE THAT IT OUR CASE TO SUPPLY ALL THOSE DOCUMENTS SINCE THEY ARE IN THE STATE ENGINEER RECORDS
<u>1:41:20 PM</u>		BELIEVE THERE WAS A FIELD CHECK APPROX. A YEAR AGO. DO NOT KNOW WHY THAT WAS NOT INCORPORATED INTO THE FILE TO MAKE A NEW OFFER OF CONSENT BUT THE TRANSFER INVOLVED A DITCH THAT WAS NO LONGER IN SERVICE. SO THE OFFER THAT CAME OUT THE FIRST TIME DID NOT INCLUDE THAT DITCH, AND YOU GET TO INCLUDE YOUR PRIORITY ON THE ORIGINAL DITCH WHEN YOU MOVE A WATER RIGHT TO A NEW DITCH

Time	Speaker	Note
<u>1:42:07 PM</u>	J	HAS THERE BEEN CHANGES SINCE THE FIELD CHECK THAT WAS DONE A YEAR OR SO AGO
<u>1:42:28 PM</u>	OXFORD	NO
<u>1:42:48 PM</u>	J	DO YOU RECALL WHO THE TECHNICIAN WAS
<u>1:42:50 PM</u>	OXFORD	YES, IT WAS THE ONE THEY HAVE RIGHT NOW, CHRIS RODRIGUEZ
<u>1:43:06 PM</u>	J	MR. STORM DO YOU KNOW ANYTHING ABOUT THAT FIELD CHECK
<u>1:43:09 PM</u>	P	I HAVE A RECORD OF IT HERE IN THE FILE, ASKS D IF THERE IS AN APPROXIMATE NUMBER OF ACRES THAT THEY ARE OFF. HOW MUCH MORE ACERAGE DO YOU THINK YOU ARE ENTITLED TO?
<u>1:43:38 PM</u>	D	THERE ARE 3 DIFFERENT CASES, 3 DIFFERENT BUNCHES OF WATER. EXPLAINS
<u>1:44:42 PM</u>	P	I AM AWARE OF THESE PROBLEMS, I HAVE BEEN ALERTED TO THEM AND WE WILL WORK THROUGH THEM
<u>1:45:27 PM</u>	J	ASKS THAT BOTH PARTIES MAINTAIN CONTACT AND WORK TOWARD RESOLVING
<u>1:45:38 PM</u>	J	I DO HAVE ONE OTHER QUESTION, MR. WALTERS MAYBE YOU CAN RESPOND TO THIS. AF-01-88 WAS ORIGINALLY FILED UNDER THE NAME OF ROBERT ECHOLS WHO HAS NEVER BEEN DISMISSED FROM THE CASE. WHO IS MR. ECHOLS AND HOW DID THAT COME ABOUT
<u>1:46:10 PM</u>	D	EXPLAINING PURCHASE OF PROPERTY FROM BROTHER AND MR. ECHOLS
<u>1:46:21 PM</u>	J	SO SHOULD MR. ECHOLS BE PART OF THIS CASE?

Time	Speaker	Note
<u>1:46:24 PM</u>	D	NO, HE IS PAID OFF AND HAS NOTHING TO DO WITH THE PROPERTY ANY MORE
<u>1:46:31 PM</u>	J	MR. STORM IF YOU ARE IN AGREEMENT DO YOU WANT TO FILE SOMETHING IN ORDER TO REMOVE MR ECHOLS
<u>1:46:39 PM</u>	P	ONE OF THE PERPLEXITIES WE ARE DEALING WITH RIGHT NOW IN OUR OFFICE IS WHAT TO DO WITH INDIVIDUALS WHO ARE NO LONGER PARTIES TO THE ADJUDICATION, THERE IS NO PROVISION IN THE SCHEDULING ORDER OR THE CASE MANAGEMENT PLAN FOR THE DISMISSAL OF PARTIES
<u>1:47:13 PM</u>		NOT CERTAIN WHAT TRACEY HOFMANN HAD DONE IN THE PAST
<u>1:47:28 PM</u>	J - COURT CLERK	LORESSA DO YOU WANT TO ADDRESS THAT
<u>1:47:30 PM</u>	LORESSA BACHERT - COURT CLERK	WE STILL NEED TO WORK ON THAT PROCEDURE, BUT I DO NEED SOME TYPE OF PAPER TRAIL TO ADDRESS THAT PARTY
<u>1:47:42 PM</u>	P	SO DO WE, I GUESS I CAN TALK TO YOU LATER ABOUT THAT LATER
<u>1:47:50 PM</u>	J	THANK YOU VERY MUCH
<u>1:47:58 PM</u>	AF-01-217	CALLS CASE MCCARTY, AF-01-217
<u>1:48:19 PM</u>	PRISCILLA SHANNON ON BEHALF OF STEPHEN MCCARTY	HAVE NOT FORMALLY ENTERED, JUST ENTERED TODAY
<u>1:48:25 PM</u>		I THINK I CAN STATE WHAT I KNOW ABOUT MR MC CARTY'S POSITION. BASICALLY THERE IS A DISAGREEMENT AS TO THE ADJUDICATED ACERAGE

Time	Speaker	Note
1:48:58 PM		STATE ENGINEER DID COME OUT AND ATTEMPT SURVEY THE ACERAGE BUT LEFT, THEY FELL IN THE DITCH. MR. MCCARTY HAS A FAIRLY COMPLICATED CASE, HE IS CLAIMING 305 ACRES, WHEREAS THE STATE IS STATING THAT THE STATE.. THERE IS A HUGE DIFFERENCE.
1:49:58 PM		I HAVE NOT NOT HAD CHANCE TO TALK TO MR STORM, OTHER THAN JUST TO MAKE APPEARANCE TODAY. MY UNDERSTANDING MR. MCCARTY WAS TOLD AT THE LAST HEARING THAT HE NEEDED AN ATTORNEY AND THAT IT THERE WOULD BE SOME KIND OF MEDIATION TO GO OVER WHAT THE DISPUTE IS
1:50:48 PM	STEPHEN MCCARTY	I ASKED THE STATE TO COME OUT, THERE IS A HUGE DISCREPENCY IN WHAT WE BELIEVE IS THE AMOUNT OF LAND AND WHAT IS BEING IRRIGATED. THEY BROUGHT AN AIRPLANE IN AND TOOK A PICTURE AND STARTED FROM THERE. DID NOT GET FINISHED BECAUSE THEY BACKED UP INTO THE HILTON DITCH
1:51:09 PM	J	SOUNDS LIKE THAT IS THE NEXT STEP
1:51:19 PM	P	THIS IS ONE FILE THAT I HAVE NOT HAD THE OPPORTUNITY TO REVIEW, ASKS FOR ATTNY CARD
1:52:04 PM	D	SENT TRACY HOFMANN PACKET OF WHAT I BELIEVED TO BE THE CONDITIONS OF THE LAND AND WHERE THE DITCHES ARE, EXPLAINING LAYOUT OF PROPERTY TO P

Time	Speaker	Note
<u>1:53:25 PM</u>	D	DISCUSSING PROPERTY WITH P, SHOWING MAP, AND EXPLAINING WHERE SURVEY ENDED
<u>1:53:44 PM</u>	P	HOW MANY ACRES APPX. ARE YOU CLAIMING
<u>1:53:56 PM</u>	D	CLAIMING 305 ACRES ON MAIN PROPERTY
<u>1:54:14 PM</u>	J	SUGGESTING FIELD CHECK BE COMPLETED
<u>1:55:04 PM</u>	AF-01-122, 135, 136	CALLES NICKLES BROTHERS INC C/O DONALD NICKLES PRESIDENT, 3 CASES UNDER THAT NAME AF-122,135,136
<u>1:55:32 PM</u>	ROBERT OXFORD	WERE GOING DOWN THE PROCESS W TRACY HOFMANN AND GETTING FIELD CHECKS, 8-9 PIECES OF PROPERTY. FAMILY OWNS PROPERTY. EXPLAINING
<u>1:57:48 PM</u>	J AF-01-137, 495, 488, 206, AND 210 <i>AF-01-208</i> <i>dg</i>	IN ADDITION TO THE CASES JUST CALLED UNDER NICKLES BROTHERS INCORP. I HAVE 2 CASES UNDER CHARLES DONALD NICKLES (AF-01-137 AND AF-01-495), AND I HAVE 1 CASE UNDER THE NAME OF THELMA FAYE NICKLES AND LLOYD L NICKLES (AF-01-488), AND ANOTHER 2 UNDER THELMA FAYE NICKLES (AF-01-206 AND AF-01-210). ARE YOU TALKING ABOUT ALL OF THESE CASES WHEN YOU ARE DESCRIBING THE PROPERTY MR. OXFORD
<u>1:58:41 PM</u>	DONALD NICKLES	YES, CO-MINGLING, EXPLAINING
<u>1:59:20 PM</u>	ROBERT OXFORD	MAYBE SHOULD HAVE TAKEN EACH PIECE SEPERATE
<u>2:00:26 PM</u>	J	WHOSE NAME SHOULD BE ON THAT PETITION
<u>2:00:38 PM</u>	OXFORD	NOT SURE
<u>2:01:01 PM</u>		NEED TO GET THE PERSON THAT IS LIVING THERE AND PAYING FOR THAT PROPERTY
<u>2:01:42 PM</u>	J	WHAT ABOUT THE 2 UNDER THE NAME THELMA FAYE NICKLES

Time	Speaker	Note
<u>2:01:57 PM</u>		ARE LLOYD AND FLOYD STILL INVOLVED IN THIS SUBFILE
<u>2:04:10 PM</u>	P	DO YOU KNOW THE CASE NUMBER OF THE SUBFILE THAT HAS THE REAL ESTATE CONTRACT
<u>2:04:13 PM</u>	OXFORD	I BELIEVE THAT IS 495
<u>2:04:25 PM</u>	P	MR OXFORD IS CORRECT, IT HAS BEEN THE POLICY OF THE STATE TO ADJUDICATE A WATER RIGHT TO THE SELLER BUT WE ALSO NOTIFY THE BUYER
<u>2:04:49 PM</u>		THIS IS 9 SUBFILES AND I HAVE BEEN IN CONTACT WITH THEM, WE HAVE NOT TALKED IN GREAT DETAIL ABOUT ANY OF THESE SUBFILES YET. THE STATUS IS THAT I AM IN COMMUNICATION WITH THE CLAIMANT
<u>2:05:05 PM</u>	J	IT SOUNDS TO ME THAT SOME OF THESE CAN BE RESOLVED RATHER QUICKLY
<u>2:05:17 PM</u>		WHAT WOULD NEED TO BE DONE ON THE MORE DIFFICULT ONES MR. OXFORD
<u>2:05:22 PM</u>	OXFORD	FIELD CHECKS HAVE BEEN DONE ON ALL OF THEM, IT IS JUST A MATTER OF SETTING DOWN WITH THE ATTORNEY
<u>2:05:52 PM</u>	J	DO YOU HAVE THAT FIELD CHECK AVAILABLE MR. STORM
<u>2:06:10 PM</u>	OXFORD	ACTUALLY IT WAS MR. DICKEY...
<u>2:06:23 PM</u>	P	I HAVE A FIELD CHECK HERE IN ONE OF THE FILES
<u>2:06:28 PM</u>	OXFORD	I THINK IF WE HAD HALF A DAY WE COULD MAKE A LOT OF PROGRESS
<u>2:06:38 PM</u>	J	HOPEFULLY YOU CAN FIND TIME MR STORM TO GET THESE RESOLVED
<u>2:07:09 PM</u>		WHO IS FLOYD
<u>2:07:11 PM</u>	OXFORD	IT IS LLOYD, THERE IS NOT A FLOYD

Time	Speaker	Note
<u>2:07:49 PM</u>	J	CALLS FORWARD THELMA NICKLES
<u>2:07:58 PM</u>		DO YOU HAVE ANYTHING THAT YOU WISH LIKE TO ADD
<u>2:08:09 PM</u>	THELMA NICKLES	NOT AT THIS TIME
<u>2:08:27 PM</u>	J	I HAVE AF-01-488, 206, AND 210
<u>2:09:41 PM</u>	J AF-01-148	CALLS HEIDI AND JACOB RUYBALID AF-01-148
<u>2:09:54 PM</u>	LORESSA - P	IF 206 IS INDEED JUST THELMA, IT IS ALSO A CASE WHERE WE WILL NEED TO DO SOME PARTY WORK FOR THE FLOYD AND LLOYD THAT WERE ALSO ON THE PETITION.
<u>2:10:32 PM</u>	J	ASKS P TO ADDRESS CLAIM
<u>2:10:42 PM</u>		HAVE NOT HAD OPPORTUNITY TO REVIEW CLAIM IN DETAIL
<u>2:10:54 PM</u>		WE HAVE SENT THEM MAILINGS THAT HAVE BEEN RETURNED UNCLAIMED
<u>2:11:08 PM</u>		SOME OF THESE INSTANCES WE HAVE BEEN SERVING THE WRONG PEOPLE
<u>2:11:22 PM</u>	J	ASKS DARCY IF SHE HAS ANY INFORMATION ON FILE
<u>2:11:30 PM</u>	DARCY BUSHNELL - J	I DO NOT HAVE ANY INFORMATION ON THIS FILE BUT HAVE MADE A NOTE OF IT AND WILL BE LOOKING UP THESE FOLKS
<u>2:11:45 PM</u>	J-P	IF YOU DETERMINE THERE HAS BEEN PROPER SERVICE A DEFAULT MAY BE CONSIDERED
<u>2:12:10 PM</u>	P	IF WE HAVE BEEN SEEKING THE CORRECT PEOPLE A DEFAULT WOULD BE APPROPRIATE
<u>2:12:26 PM</u>	J AF-01-159	CALLS THE MICHAEL D LENOCKER AND MARSHA L LENOCKER
<u>2:12:56 PM</u>	P	HAVE BEEN IN REPEATED CONTACT WITH MR AND MRS. LENOCKER CLAIMING WATER BANKING, TOLD HIM NEEDED DOCUMENTATION. SPOKE TO WIFE ON 23RD

Time	Speaker	Note
<u>2:14:15 PM</u>	P	IT HAS BEEN DOING ON FOR QUIT A WHILE, I WOULD LIKE TO GIVE THEM ONE MORE SHOT THEN SEEK A DEFAULT
<u>2:14:32 PM</u>	J AF-01-520, 521, AND 174	CALLS LEOTA M TRUBY 3 SUBFILES AF-01-520, 521, AND 174
<u>2:14:48 PM</u>	D	LEOTA MARIE TRUBY
<u>2:14:58 PM</u>	OXFORD	THIS ONE HAS A NEW APPLICATION TO TRANSFER WATER
<u>2:16:02 PM</u>		SOME RIGHTS PLACED IN A WATER BANK
<u>2:16:25 PM</u>	J	IS THERE ANYTHING THAT YOU OR MRS. TRUBY NEEDS TO DO AT THIS POINT
<u>2:16:31 PM</u>	OXFORD	NO I AM REALLY JUST WAITING ON THE OSE FOR A NEW CONSENT ORDER
<u>2:16:58 PM</u>	P	TRANSFER WAS MADE AND WE ARE IN THE PROCESS OF REVIEWING THE TRANSFER
<u>2:17:18 PM</u>		THE ONE ISSUE THAT WOULD EFFECT HOW THIS WOULD UNFOLD IS THAT IS WOULD HAVE TO BE PUBLISHED
<u>2:17:58 PM</u>	J	IF YOU MAKE THAT DETERMINATION WHEN WOULD THAT HAPPEN
<u>2:18:14 PM</u>	P	THE TRANSFER HAS BEEN APPLIED FOR, I HAVE TO TALK IT OVER WITH MY MANAGERS.... I WILL PURSUE IT.
<u>2:18:49 PM</u>	OXFORD	WE DO NOT BELIEVE THAT THE DITCH WILL OBJECT TO THE TRANSFER...
<u>2:19:17 PM</u>	J	ANY QUESTIONS MRS. TRUBY
<u>2:19:26 PM</u>	J AF-01-176	CALLS CASE MONTOYAS, ELLIS, DUNCANS, AND ROME, AF-01-176
<u>2:20:10 PM</u>	P	HAVE RECEIVE SIGNED SIGNED CONSENT ORDERS FROM ALL PARTIES

Time	Speaker	Note
<u>2:20:25 PM</u>		STILL ONE ISSUE, ELLIS' WERE SUPPOSED TO SIGN IN THEIR CAPASITY AS TRUSTEES AND ALSO ON BEHALF OF THE TRUST. THEY DID NOT SIGN ON BEHALF OF THE TRUST SO WE HAVE SENT THEM A NEW CO.
<u>2:20:50 PM</u>	J AF-01-261	CALLS STANLEY HARRIS AF-01-261
<u>2:21:20 PM</u>		MR HARRIS IS NOT PRESENT
<u>2:21:27 PM</u>		WE SCHEDULED AND DID THE FIELD CHECK. FIELD TECH REVIEWING THE RESULTS.
<u>2:22:09 PM</u>		THE FIELD CHECK RAISED SOM COMPLICATIONS THAT HE HAS BEEN STRUGGLING WITH
<u>2:22:40 PM</u>	J AF-01-275	CALLS ALLEN G. TACKITT TRUST C/O BARBARA N MCSMITH AF-01-275
<u>2:23:27 PM</u>	P	ANOTHER FILE I HAVE NOT REVIEWED, SHOWING HISTORY OF MAIL BEING RETURNED AS UNDELIVERABLE
<u>2:24:06 PM</u>	DARCY BUSHNELL	WILL HELP
<u>2:24:33 PM</u>	J	SHOWS THAT SERVED BY PUBLICATION AND CLERKS CERT OF DEFAULT ENTERED... IF YOU SATISFY YOURSELF THAT THE MAILING HAS BEEN APPROPRIATE, MAYBE THE BEST THING WOULD BE TO FILE A MTN FOR DEFAULT
<u>2:24:43 PM</u>	AF-01-181	CALLS VINCENT EARL JAMES AF-01-181
<u>2:24:55 PM</u>		NOT PRESENT
<u>2:25:15 PM</u>		SAME INFORMATION, SERVED BY PUBLICATION AND CLERKS CERT OF DEFAULT ENTERED
<u>2:25:34 PM</u>	P	THAT IS WHAT I AM SHOWING AS WELL, I WILL WORK WITH MRS BUSHNELL TO DETERMINE SERVING CORRECT PEOPLE AND MOTION FOR DEFAULT
<u>2:26:19 PM</u>	J	I DO NOT KNOW IF WE NEED A MOTION ON THOSE, WELL LETS MAKE A MOTION

Time	Speaker	Note
<u>2:26:45 PM</u>	J AF-01-278	CALLS CLIFFORD ALLEN PISTOLE AF-01-278
<u>2:27:04 PM</u>	D	CLIFFORD ALLEN PISTOLE, JUST RECEIVED INFORMATION, THINK THEY WERE SENDING TO WRONG ADDRESS IN LAS VEGAS
<u>2:27:06 PM</u>	J	VERIFIES CURRENT ADDRESS
<u>2:27:17 PM</u>		DID YOU FILE A REJECTION
<u>2:27:20 PM</u>	D	NO I DID NOT
<u>2:27:25 PM</u>	J	DID YOU RECEIVE YOUR CONSENT ORDER
<u>2:27:27 PM</u>	D	I RECEIVED SOME PAPERWORK BUT HAVE NOT HAD A CHANCE TO TALK TO ANYBODY OR HAVE IT REVIEWED, I WILL WORK WITH THE STATE ENGINEER WITH WHAT EVER HE NEEDS
<u>2:28:00 PM</u>	P	D CALLED ME THE OTHER DAY AND LONG HISTORY OF DOCUMENTS BEING RETURNED UNDELIVERABLE, THERE IS A CERTIFICATE OF DEFAULT. AS LONG AS WE MAINTAIN COMMUNICATION I WOULD NOT RECOMMEND DEFAULT AT THIS TIME
<u>2:28:29 PM</u>	P	URGE D TO MAINTAIN CONTACT W ME ESPECIALLY IF YOU BELIEVE YOU HAVE A WATER RIGHT
<u>2:28:32 PM</u>	D	I AM PRETTY SURE THAT WE DO IT SHOULD HAVE TRANSFERRED WITH THE LAND
<u>2:28:36 PM</u>	P	WE ARE SHOWING NO RIGHT FOR YOU AT THIS TIME
<u>2:28:51 PM</u>	J	I AM IF YOU HAVE DOCUMENTATION PLEASE PROVIDE THAT
<u>2:29:01 PM</u>	D	I DO NOT KNOW IF IT TRANSFERED MY MOM DEEDED ME THE LAND
<u>2:29:22 PM</u>	J	YOU MIGHT TRY THE COUNTY CLERKS OFFICE

Time	Speaker	Note
<u>2:29:35 PM</u>	P	IF YOU HAVE A TITLE INSTRUMENT, A DEED, YOU CAN TAKE IT TO THE OSE
<u>2:30:14 PM</u>	J AF-01-296	CALLS CASE NEDRA A JOE AND ROBERT JOE JR AF-01-296
<u>2:30:49 PM</u>	D	WERE IN DISCUSSIONS W MR STORM ON MONDAY WERE TOLD WE HAVE NO WATER RIGHTS. WE DO NOT AGREE WITH THAT. WOULD LIKE TO PROVIDE DOCUMENTATION
<u>2:31:10 PM</u>	J	SO YOU WILL TRACK IT DOWN A PROVIDE IT TO MR STORM
<u>2:31:24 PM</u>	P	YES I DID SPEAK W MR JOE THE OTHER DAY, I EXPLAINED THAT THE BURDEN IS ON HIM TO ESTABLISH THAT THERE IS A WATER RIGHT
<u>2:31:54 PM</u>	J AF-01-299	CALLS BRADLEY P CHESSER AND TERESA CHESSER AF-01-299
<u>2:32:17 PM</u>		I SEE THAT THEY WERE SERVED BY PUBLICATION AND CLERKS CERT OF DEFAULT WAS ENTERED. 2 NOTICES OF HEARING WERE RETURNED AT 2 DIFFERENT ADDRESSES.
<u>2:33:01 PM</u>	P	THIS IS A SUBFILE THAT I NEED TO WANT TO MAKE SURE WE ARE AFTER THE RIGHT PEOPLE. EXPLAINS
<u>2:33:21 PM</u>	J AF-01-335	JEFFERY W STOCKTON AND CINDY L STOCKTON AF-01-335
<u>2:33:45 PM</u>		SHOW HERE THAT SERVED BY PUBLICATION, CLERKS CERT OF DEFAULT ENTERED, 6/21/2011 STATE MAILED CINDY STOCKTON A CO BUT I DO NOT KNOW WHAT HAPPENED W JEFFERY STOCKTON
<u>2:34:06 PM</u>	P	THEY SIGNED A CO AND FILED IT W THE COURT
<u>2:34:18 PM</u>	J AF-01-345	CALLS CASE WILLIAM EARLEY AND MARQUITA EARLY AF-01-345
<u>2:34:24 PM</u>		NOTE THAT SERVED BY PUBLICATION AND CLERKS CERT OF DEFAULT ENTERED

Time	Speaker	Note
<u>2:34:50 PM</u>	P	DO NOT HAVE IN MY FILE THE CLERKS CERT OF DEFAULT WILL HAVE TO MAKE A NOTE OF THAT AND FIND IT
<u>2:35:09 PM</u>	J	IF DEFAULT IS APPROPRIATE YOU WILL FILE A MOTION
<u>2:35:23 PM</u>	J AF-01-373	CALLS JOHN EDWARD AND EMILY S RASCOE AF-01-373
<u>2:35:34 PM</u>	EMILY S RASCOE	PRESENT
<u>2:35:42 PM</u>		STILL WAITING FOR SOMEONE FROM THE OSE TO COME OUT AND DO AN INSPECTION OF MY PROPERTY
<u>2:36:29 PM</u>	P	I HAVE BEEN IN COMMUNICATION WITH MS. RASCOE BUT I DO NOT HAVE ANY RECORD OF A FIELD CHECK, SO I WILL PUT IT ON THE LIST
<u>2:37:07 PM</u>	D	NEEDS A COUPLE WEEKS NOTICE SO CAN SCHEDULE TIME OFF WORK
<u>2:37:18 PM</u>	J	ANYTHING ELSE
<u>2:37:26 PM</u>	D	NO
<u>2:37:29 PM</u>	J AF-01-378	CALLS MARK E ALLENBAUGH AND DOVIE J ALLENBAUGH AF-01-378
<u>2:37:46 PM</u>		I HAVE NOTE THAT SERVED BY NOTICE OF PUBLICATION AND CLERKS CERT OF DEFAULT ENTERED, BUT NOTICE WAS RETURNED WITH WRONG ADDRESS
<u>2:38:21 PM</u>	P	HAVE AMENDED CLERKS CERTIFICATE OF DEFAULT BUT WOULD LIKE TO WORK W MRS BUSHNELL BEFORE MTN FOR DEFAULT
<u>2:38:39 PM</u>	J AF-01-384	CALLS CHRIS LAWING AND JOY PALM LAWING AF-01-384
<u>2:38:54 PM</u>		SAME NOTE ON THIS ONE, PUBLICATION AND CLERKS CERT
<u>2:39:01 PM</u>	P	HISTORY OF MAILINGS BEING RETURNED, BUT NO COPY OF CLERKS CERT SO WILL HAVE TO LOOK FOR IT

Time	Speaker	Note
<u>2:39:08 PM</u>	J	IF YOU DETERMINE THAT THERE HAS BEEN PROPER SERVICE YOU WILL FILE A MOTION FOR DEFAULT
<u>2:39:23 PM</u>	J AF-01-395	CALLS ROBERT G AND VIRGINIA A BUTTES SAME NOTATION ON THAT ONE MR STORM
<u>2:39:56 PM</u>	P	DID YOU SAY THAT YOU ARE SHOWING...
<u>2:40:01 PM</u>	J	JUDGE REPEATS
<u>2:40:17 PM</u>	P	MAILINGS RETURNED UNDELIVERABLE DO NOT HAVE CERT OF DEFAULT
<u>2:40:37 PM</u>	J	I HAVE A NUMBER OF THESE TO GO THROUGH BUT RATHER THAN ANY OF YOU WAITING AROUND IF YOUR CASE HAS NOT BEEN CALLED YET PERHAPS I CAN SAVE SOME TIME IF WE JUST GO AROUND THE ROOM AND THOSE THAT ARE HERE WHOSE CASE HAS NOT BEEN CALLED THEN YOU CAN STAY OR LEAVE.
<u>2:41:36 PM</u>	D	AUDIENCE MEMBER ASKS IF SISTER, GERALDINE SEATON WILL BE CALLED DURING HEARING
<u>2:41:39 PM</u>	J	DO NOT HAVE HER ON LIST
<u>2:42:19 PM</u>	D	RICHARD L KANNARD AND MADELLA E KANNARD
<u>2:42:35 PM</u>	J AF-01-449, AF-01-450, AND AF-01-470	AF-01-449 AND AF-01-450 AND AF-01-470
<u>2:42:44 PM</u>	D	FIRST OF ALL THESE PARCELLS ARE ALL THE SAME. AT ONE TIME WERE THINKING OF SUBDIVIDING.
<u>2:43:07 PM</u>		A REPRESENTATIVE OF THE OSE CAME OUT AND WE SHOWED HIM THE CHANGE OF OWNERSHIP
<u>2:43:58 PM</u>		THESE DOCUMENTS WERE ORIGINATED BY THE OSE SO THEY SHOULD HAVE THEM

Time	Speaker	Note
<u>2:44:01 PM</u>		ALL WE WANT IS FOR THE OSE TO AFFIRM THE THE 1982 HYDROGRAPHIC SURVEY THAT THERE IS A VALID WATER RIGHT
<u>2:44:22 PM</u>	J	I HAVE A NOTE THAT YOU HAVE FILED A PLEADING IN RESPONSE TO THE PACKET THAT YOU RECEIVED
<u>2:44:37 PM</u>	D	THAT IS NOT CORRECT
<u>2:44:42 PM</u>	P	I HAVE BEEN IN COMMUNICATION WITH BOTH OF THEM
<u>2:45:12 PM</u>		TALKING ABOUT THE HYDROGRAPHIC SURVEY, IT IS JUST A STARTING POINT
<u>2:45:49 PM</u>		INITIAL PROBLEM WAS THAT WE HAD PROBLEM CONTACTING THE KANNARDS
<u>2:46:14 PM</u>		I HAVE A CHANGE OF OWNERSHIP FROM OBRIEN TO KANNARDS
<u>2:46:31 PM</u>		ONE OF THE PROBLEMS IS THAT THE DITCH IS REFUSING TO GIVE YOU WATER
<u>2:46:47 PM</u>		THIS IS NOT SOMETHING THAT WE ADDRESS IN OUR OFFICE
<u>2:47:01 PM</u>		I AM GOING TO HAVE THE TECH REVIEW THIS IN OUR OFFICE
<u>2:47:14 PM</u>	J	IF YOU HAVE ANY OTHER DOCUMENTATION PLEASE PROVIDE THAT TO THE OSE
<u>2:48:00 PM</u>	D	AS I SAID THERE WAS A GUY OUT AND TOOK PICTURES
<u>2:48:36 PM</u>	P	WE DID DO A FIELD CHECK ON MAY 25TH
<u>2:48:49 PM</u>	J	THANK YOU I APPRECIATE YOU PATIENCE FOR WAITING AROUND
<u>2:49:06 PM</u>	JONATHAN M SORRELL AND JACKIE SORRELL AF-01-461	STATES NAME

Time	Speaker	Note
<u>2:49:19 PM</u>	J	I SEE THAT YOU HAVE BEEN SERVED BY PUBLICATION AND A CLERKS CERTIFICATE OF DEFAULT ENTERED. APPARENTLY THERE WAS A WRONG ADDRESS. WHAT IS YOUR ADDRESS
<u>2:49:30 PM</u>	D	IT IS P.O. BOX 1084 FRUITLAND, NM 87416
<u>2:49:48 PM</u>	J	HAVE YOU FILED A RESPONSE
<u>2:49:49 PM</u>	D	NO BECAUSE OF THE VARIOUS ADDRESSES AND I SEPERATED FROM JACKIE
<u>2:50:24 PM</u>	J	ASKS P TO SEE THAT D GETS A COPY OF THE PACKET
<u>2:50:39 PM</u>	P	CERTAINLY, I WILL DO SO. I APPRECIATE YOU COMING IN TODAY. RIGHT NOW WE FIND THAT YOU HAVE NOT WATER RIGHT.
<u>2:50:47 PM</u>	D	AGREES THAT HE HAS NO WATER RIGHT
<u>2:50:58 PM</u>	P	WILL NEED TO ADJUDICATE THAT YOU HAVE NO WATER RIGHT, WILL BE SENDING CO PACKAGE FOR YOUR TO SIGN
<u>2:51:19 PM</u>	J	GOING TO BACK ROW ON LEFT SIDE OF COURTROOM
<u>2:51:31 PM</u>	STEVE JOHNSON AND JEANNE JOHNSON AF-01-403	AF-01-403
<u>2:51:45 PM</u>	J	I HAVE A NOTE THAT YOU WERE SERVED A PACKET IN 2008 BUT DID NOT FILE A RESPONSIVE PLEADING
<u>2:52:12 PM</u>	D	WE FILED A REJECTION AT THE SCHOOLHOUSE WHEN WE MET AND THEY LOST OUR FILE. THEY HAVE BEEN OUT 2 OR 3 TIMES BUT WE STILL HAVE NOT RECEIVED A CO
<u>2:52:35 PM</u>	P	WE DID DO A FIELD CHECK ON 5/25, TECH IS IN THE PROCESS OF REVIEWING IT
<u>2:53:15 PM</u>	D	WOULD BE NICE TO GET IT TAKEN CARE OF
<u>2:53:41 PM</u>	CHARLES SCHOFIELD AF-01-419	AF-01-419.

Time	Speaker	Note
<u>2:54:10 PM</u>	D	DISCUSSING HIS WATER RIGHTS
<u>2:54:51 PM</u>		BOUGHT WATER RIGHT FROM PICKERING PLACE
<u>2:55:52 PM</u>		HAVE USED WATER SINCE 1970
<u>2:56:01 PM</u>		MAY 25TH OSE DID FIELD CHECK WATER RIGHT WAS APPROVED
<u>2:57:13 PM</u>	P	WE DID A FIELD CHECK AND THE FIELD CHECK IS BEING REVIEWED
<u>2:58:03 PM</u>	D	EXPLAINING ACERAGE
<u>2:58:16 PM</u>	P	MAKING NOTE AND WILL BE IN CONTACT
<u>2:59:25 PM</u>	MIKE WILLIAMS AF-01-588	AF-01-588
<u>2:59:46 PM</u>	J	WHAT IS THE STATUS OF YOUR CLAIM
<u>2:59:57 PM</u>	D	SENT SOME MORE PAPERWORK THAT THEY WANTED ME TO FILL OUT AND BRING BACK TO THE COURT
<u>3:00:34 PM</u>	DARCEY BUSHNELL	NEED TO VISIT WITH D AND WILL GET IT WORKED OUT
<u>3:01:13 PM</u>	P	MY RECORD INDICATES THAT THE WILLIAMS FILED AN OBJECTION
<u>3:01:34 PM</u>	J	WILL BE ON CONTACT WITH EACH OTHER
<u>3:01:55 PM</u>	J	WHEN YOU ARE READY WE WILL GO THROUGH THE REST OF THE LIST
<u>3:02:12 PM</u>	AF-01-410	CALLS JESS AND SHARON SPROUT AF-01-410 SEEING NO ONE PRESENT, WHAT IS THE STATUS
<u>3:03:03 PM</u>	P	WHAT I AM SHOWING IS THAT I KNOW THAT THE COURT IS SHOWING AN OBJECTION BUT I DO NOT HAVE A COPY
<u>3:03:42 PM</u>	J	IF YOU WANT TO FILE A MOTION FOR DEFAULT, DISCUSSING FTA SANCTIONS
<u>3:04:12 PM</u>	AF-01-428	CALLS LEO AND DIANA REDHORSE AF-01-428, NO ONE PRESENT

Time	Speaker	Note
<u>3:04:47 PM</u>	P	LONG HISTORY OF UNDELIVERABLE MAIL WILL MOTION FOR DEFAULT IF UNABLE TO LOCATE
<u>3:05:13 PM</u>	J AF-01-438	CALLS ANDREW AND KIM M FINE, AF-01-438, NO ONE PRESENT
<u>3:05:31 PM</u>	P	ANDREW RETURNED A SIGNED CO BUT WIFE DID NOT
<u>3:05:49 PM</u>	J AF-01-447	CALLS JOHN E AND LANA K MEDINA, AF-01-447, NOT PRESENT
<u>3:06:39 PM</u>	P	CURRENT OWNER IS TRUE OWNER OF PROPERTY
<u>3:07:02 PM</u>	J AF-01-455	CALLS RANDY J AND BARBARA L LASSITER, AF-01-455, NOT PRESENT
<u>3:07:37 PM</u>	P	UNABLE TO LOCATE THE RIGHT PERSON FOR THIS PROPERTY
<u>3:08:24 PM</u>	J AF-01-472	CALLS TIERRA LA PLATA LLC AF-01-472, NEW CO SENT
<u>3:09:03 PM</u>	P	HAVE BEEN IN CONTACT W MR. BAYLESS
<u>3:09:15 PM</u>		ON 26TH HE SAID HE WAS REVIEWING THE CO AND WOULD GET BACK TO ME
<u>3:09:38 PM</u>	J	PLEASE FOLLOW UP
<u>3:09:45 PM</u>	AF-01-485	CALLS JAMES D AND TENA JOSLIN, AF-01-485 NOT PRESENT
<u>3:10:06 PM</u>	P	THEY LIVE IN THE STATE OF WASHINGTON
<u>3:10:20 PM</u>		MY INTENT W REJECTIONS IS TO CONTACT TO SEE IF IT CAN BE RESOLVED
<u>3:10:35 PM</u>	J AF-01-486	CALLS WEST COAST EQUITY AF-486
<u>3:11:01 PM</u>	P	HONESTLY DO NOT KNOW WHO THE OWNER OF THE PROPERTY IS
<u>3:11:30 PM</u>		SJC CAN SEARCH ONLINE FOR TITLE INSTRUMENTS
<u>3:11:43 PM</u>	J AF-01-524	CALLS BRIAN C CAGE AF-01-524 NOT PRESENT
<u>3:11:57 PM</u>		NTC OF HEARING WAS RETURNED

Time	Speaker	Note
<u>3:12:35 PM</u>	P	HISTORY OF MAIL BEING RETURNED
<u>3:12:43 PM</u>	J AF-01-525	CALLS SPECHT AF-01-525 NOT PRESENT
<u>3:12:59 PM</u>		SERVED BY PUB. CLERKS DEFAULT ENTERED
<u>3:13:21 PM</u>	P	DO NOT SHOW CLERKS CERT SO WILL SEEK THAT OUT
<u>3:13:33 PM</u>	J AF-01-552	CALLS EUGENE J MARTIN JR AF-01-552 NOT PRESENT
<u>3:14:00 PM</u>		SERVED BY PUB, CLERKS CERT OF DEFAULT ENTERED
<u>3:14:32 PM</u>	P	FILE SEEMS TO BE INCOMPLETE, NOT MUCH HISTORY IN THIS ONE. WILL REVIEW IT AND SEE IF AFTER THE RIGHT PERSON
<u>3:15:23 PM</u>	CELINA JONES	MENTIONS
<u>3:15:29 PM</u>	J AF-01-504	RITA MARTINEZ AF-01-504 NEW CO SENT
<u>3:15:54 PM</u>	P	HAVE BEEN IN COMMUNICATION W HER
<u>3:16:28 PM</u>		TRYING TO CONFIRM HER CLAIM
<u>3:16:46 PM</u>	P	MENTIONS HOGUE
<u>3:18:53 PM</u>	J	DO UNDERSTAND CONSTRAINTS
<u>3:19:21 PM</u>	J	MRS BUSHNELL FOR YOU WORK
<u>3:19:35 PM</u>	DARCEY BUSHNELL	WAS AT MEETING IN CROWNPOINT
<u>3:19:46 PM</u>	J	ADJOURNED