

Description	<p>D-1116-CV-75-184 United States of America Vs. Jicarilla Apache Tribe and The Navajo Nation</p> <p>State of New Mexico County of San Juan In The District Court</p> <p>United States of America, et al. Plaintiff, Vs. Jicarilla Apache Tribe and The Navajo Nation Defendant,</p> <p>Judge: James J. Wechsler Type of Proceeding: La Plata Status Conference For the Plaintiff: Various For the Defendants: Various Monitor: Loressa Paris-Chesnut</p> <p>Legend: D- Defendant Counsel Def - Defentant EX – Exhibit J – Judge M – Monitor</p>
	Date
	Location CourtRoom4

<u>1:18:53 PM</u>		IN ADDITION TO THAT ANOTHER CONSIDERATION ESPECIALLY WITH MR MCCARTYS LAND IS THAT WE ARE CONSTRAINED BY WHAT WE CAN RECOGNIZE, BY THE AMOUNT OF WATER, THAT IS THE AMOUNT OF ACERAGE THAT DECREED IN THE ECHO DITCH DECREE
<u>1:19:12 PM</u>		WE WILL HAVE TO COMPARE THE DATA THAT WE COLLECT AND IN THE CONTEXT OF THE EXTENT OF MR MCCARTYS RIGHT AS IT WAS ADJUDICATED BY THE ECHO DITCH DECREE
<u>1:19:24 PM</u>		AS YOU CAN SEE FROM MY EXPLANATION IT WILL BE A SOMEWHAT INVOLVED TECHNICAL REVIEW
<u>1:19:32 PM</u>	J	WHAT I WANT TO KNOW IS WHEN WILL I BE ABLE TO KNOW WHETHER YOU ARE REACHING RESOLUTION OR WHETHER THE CASE NEEDS TO PROCEED EITHER TO MEDIATION OR A TRIAL
<u>1:19:58 PM</u>	P	IF YOU SCHEDULE ANOTHER STATUS CONFERENCE AFTER MAY 13TH BY THEN WE SHOULD BE ABLE TO GIVE YOU SOME MORE CONCRETE INFORMATION
<u>1:20:09 PM</u>	J-D	IS THAT ACCEPTABLE TO YOU
<u>1:20:11 PM</u>	D	YES
<u>1:20:14 PM</u>	J	BOTH OF YOU HAVE HEARD ME SAY THIS EARLIER TODAY... I WOULD LIKE TO RESOLVE THIS CASE FINALLY BY THE END OF THIS YEAR. IF YOU ALL AGREE WITH THE STATE..... IF THERE IS STILL SOME DISAGREEMENT THE NEXT STEP IS EITHER MEDIATION OR I SET THE CASE FOR TRIAL WHICH WOULD PROBABLY BE LATER IN THE YEAR
<u>1:21:31 PM</u>		I WOULD LIKE TO DO THAT IF IT IS GOING TO COME TO THAT BY THE END OF THE YEAR
<u>1:21:43 PM</u>		I AM HEARING THAT IT IS DOABLE IF WE HOLD A STATUS CONFERENCE... MAYBE END OF JUNE BEGINNING OF JULY
<u>1:21:58 PM</u>		SO AT THAT POINT I AM LOOKING AT IF YOU ARE NOT ON THE ROAD TO RESOLUTION SETTING A TRIAL TOWARD THE END OF THE YEAR
<u>1:22:25 PM</u>		RECESS
<u>1:23:04 PM</u>	J- COPL	CALLS COMMISSIONER OF PUBLIC LAND SUBFILES AF-01-591, AF-01-592, AF-01-593, SJLP-006-0001, SJLP-005-0026 AND SJLP-009-0017A
<u>1:23:37 PM</u>	J-D	MR SULLIVAN CAN YOU HEAR ME?
<u>1:23:46 PM</u>	J-P	PRESENT THE STATUS PLEASE
<u>1:23:50 PM</u>	P	ON JAN 30TH 2015 WE SENT CONSENT ORDER PACKAGES TO THE STATE LAND OFFICE FOR SUBFILE 005-0026 AND 006-0001
<u>1:24:05 PM</u>		ON APRIL 16TH WE SENT A CONSENT ORDER FOR THE 3RD SUBILE 009-0017A TO THE SLO
<u>1:24:20 PM</u>		I HAVE BEEN IN REGULAR COMMUNICATION WITH MR SULLIVAN AND I KNOW THIS MATTER WAS DELAYED IN PART BECAUSE OF THE CHANGE OF ADMINISTRATION AT THE SLO
<u>1:24:33 PM</u>		SINCE I DID SEND THE 3RD CONSENT ORDER TO HIM QUITE RECENTLY WE HAVE NOT TALKED SINCE THAT TIME
<u>1:24:43 PM</u>		AT THIS POINT THE 3 SUBFILES ARE UNDER REVIEW BY THE SLO, THAT IS MY UNDERSTANDING
<u>1:24:59 PM</u>	D	I AM IN AGREEMENT WITH MR STORM IN TERMS OF HIS PRESENTATION

<u>1:25:14 PM</u>		AS FAR AS THE LAST OF THE CONSENT ORDERS THAT WAS SERVED ON US WE HAVE TO SPEND SOME TIME VISITING WITH OUR LESEE TO CONFIRM AND DO OUR DILEGENCE ON THIS AND WE SHOULD BE ABLE TO THAT RELATIVELY QUICKLY
<u>1:25:45 PM</u>		I HAVE A QUESTION FOR MR STORM, THE COVER LETTER FOR THE CONSENT ORDER REFERRS TO A MAP THAT THE PACKAGE DID NOT INCLUDE A MAP AND I WOULD BE LOOKING TO FIND OUT WHETHER THERE IS SOMETHING MISSING FROM THE PACKET
<u>1:26:13 PM</u>		THE LAST ISSUE THAT I HAVE IS THAT EACH ONE OF THESE CONSENT ORDERS SAYS THAT IT IS THE ENTIRETY OF THE WATER RIGHTS THAT YOU HAVE IN THIS PARTICULAR SECTION AND I AM TRYING TO RECONCILE THAT WHEN YOU HAVE MORE THAN ONE
<u>1:26:33 PM</u>		WE ARE BEING TOLD THAT THIS IS THE WAY THAT IT IS DONE
<u>1:26:44 PM</u>		IF I AM GOING TO HAVE SOMEBODY AT THE LAND OFFICE SIGN OFF I AM ANTICIPATING THAT THEY MIGHT ASK ME HOW YOU RECONCILE THOSE THINGS
<u>1:26:56 PM</u>		WHAT I HAVE SEEN IN THE PAST IN OTHER ADJUDICATIONS IS CONSOLIDATED SUBFILE CONSENT ORDERS WHICH THEN YOU WOULD NOT HAVE THAT CONFLICT
<u>1:27:20 PM</u>		IT IS SOMETHING THAT I WOULD LIKE TO LOOK INTO FOR PURPOSES OF BEING ABLE TO EXPLAIN TO MY CLIENT HOW THOSE THINGS GET RECONCILED
<u>1:27:36 PM</u>	J	HOW ABOUT THE 1ST 2 CONSENT ORDERS?
<u>1:27:42 PM</u>	D	I THINK WE ARE, IT LOOKS LIKE WE ARE IN AGREEMENT ON THOSE IN TERMS OF THE QUANTITY AND PRIORITY. WE WERE WANTING TO SEE THIS LAST ONE AND DO SOME FOLLOW UP JUST TO MAKE SURE...
<u>1:28:08 PM</u>		WE WOULD LIKE TO DO THEM TOGETHER WHETHER THEY ARE CONSOLIDATED OR NOT
<u>1:28:21 PM</u>		THE INDICATIONS ARE THUS FAR WITH RESPECT TO THE 2 THAT WE HAVE HAD FOR A WHILE THAT WE ARE BASICALLY OK WITH THOSE AND WE JUST HAVE SOME WORK TO DO ON THE LAST ONE
<u>1:28:45 PM</u>	P-D	MR SULLIVAN WE DID INCLUDE A MAP IN THAT THIRD CONSENT ORDER
<u>1:29:00 PM</u>	D	IT IS NOT INCLUDED IN THE PAPERS THAT I RECEIVED BUT YOU AND I CAN VISIT ON THAT
<u>1:29:23 PM</u>	P	I WILL GET IT OUT
<u>1:29:31 PM</u>		YOUR INQUIRING ABOUT THE LANGUAGE IN THE CONSENT ORDER THAT SAYS...
<u>1:29:54 PM</u>	D	POINTS OUT AREA OF CONCERN AND EXPLAINS
<u>1:30:39 PM</u>	P	THEY WILL NOT BE CONSOLIDATED EACH ORDER IS A SELF CONTAINED ADJUDICATION OF THE PARTICULAR WATER RIGHT THAT IS ENCOMPASSED BY THAT ORDER
<u>1:31:16 PM</u>	D	WE HAD A LITTLE OF DISCUSSION ABOUT THIS THE LAST TIME AND WE CAN CONTINUE TO DO THAT
<u>1:31:46 PM</u>	J	HOPEFULLY ISSUES CAN BE RESOLVED AND WE WILL PROBABLY SET IT UP FOR ANOTHER STATUS CONFERENCE BUT HOPEFULLY BY THEN YOU WILL HAVE IT ALL TAKEN CARE OF

<u>1:32:09 PM</u>		RECESS
<u>1:32:16 PM</u>	J-NM GAME AND FISH	CALLS NEW MEXICO GAME AND FISH AF-01-594, SJLP-009-0017B
<u>1:32:32 PM</u>		D NOT PRESENT
<u>1:32:34 PM</u>	P	AGAIN I HAVE BEEN IN EXTENSIVE CONTACT WITH GAME AND FISH
<u>1:32:44 PM</u>		TOOK ME LONGER THAN EXPECTED TO SUBMIT A CONSENT ORDER TO THEM
<u>1:32:50 PM</u>		SERVICE OF PROCESS WAS COMPLETED ON FEB 2ND AND AS THE RULE 4H1B REQUIRES THAT WE SERVED BOTH THE GAME AND FISH DEPARTMENT AS WELL AS THE ATTORNEY GENERAL
<u>1:33:16 PM</u>		ENGAGED IN NUMEROUS CONVERSATIONS WITH BOTH THE AG AND THE DEPT OF GAME AND FISH
<u>1:33:22 PM</u>		FINALLY ON APRIL 22ND THE STATE SERVED A PROPOSED CONSENT ORDER TO BOTH GAME AND FISH AND THE AG OFFICE
<u>1:33:36 PM</u>		I HAVE NOT COMMUNICATED WITH THEM SINCE THEM
<u>1:33:48 PM</u>	J-P	LET ME ASK YOU ABOUT, THIS IS NOT ONE THAT WAS NOT CALLED FOR TODAY
<u>1:33:54 PM</u>		AF-01-67, SJLP-002-0008A
<u>1:34:52 PM</u>	P	EXPLAINS
<u>1:35:14 PM</u>	J	ALSO WANT TO ASK YOU ABOUT 004-0033 THE NICKLES BROTHER INC
<u>1:35:23 PM</u>	P	EXPLAINS
<u>1:35:43 PM</u>		A CONSENT ORDER HAS BEEN SERVED IN THAT CASE
<u>1:36:02 PM</u>	J	ADJOURNED