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DISTRICT COURT
SAN JUAN COUNTY NM
FILED

2023 NOV 27 PM 4: 42

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

STATE OF NEW MEXICO,
ex rel. STATE ENGINEER,

Plaintiff,

vs.

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

Defendants,

vs.

THE JICARILLA APACHE TRIBE and
THE NAVAJO NATION,

Defendant-Interveners.

D-1116-CV-75-184
Honorable James J. Wechsler
Judge Pro Tempore

SAN JUAN RIVER BASIN
ADJUDICATION

La Plata River Section

Court No. AF-01-449
Subfile No. SJLP-008-0114-A

Court No. AF-01-450
Subfile No. SJLP-008-0114-B

Court No. AF-01-470
Subfile No. SJLP-009-0016

**ORDER DISMISSING THE OBJECTION BY RICHARD KANNARD TO THE GLOBAL
MOTION TO CORRECT ERRONEOUS JACKSON DITCH POINTS OF DIVERSION IN
ONE-HUNDRED-EIGHTY-SIX CONSENT ORDERS IN THE LA PLATA
ADJUDICATION**

THIS MATTER having been reviewed by the Court on the State's *Motion to Dismiss the Objection by Richard Kannard to the Global Motion to Correct Erroneous Jackson Ditch Points of Diversion in One-Hundred-Eighty-Six Consent Orders in The La Plata Adjudication*, filed by the State of New Mexico *ex rel.* State Engineer (State), and having been heard by the Court, and the Court, being fully advised in the premises, FINDS:

1. Mr. Kannard first objected to the *Global Motion to Correct Erroneous Jackson Ditch Points of Diversion in One-Hundred-Eighty-Six Consent Orders in The La Plata Adjudication* [Jackson Ditch Motion] by leaving a phone message on June 28, 2023, for the State's Attorney.

2. Thereafter, Mr. Kannard submitted a *Claimant's Objection to Global Motion on Jackson Ditch Points of Diversion* which was filed on July 21, 2023.

3. The State's Attorney attempted numerous times to contact Mr. Kannard by telephone, E-Mail, and United States Postal Service. Mr. Kannard never responded.

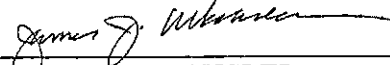
4. The State filed its motion to dismiss the objection on October 26, 2023. Mr. Kannard has not filed a response.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that:

1. The State's *Motion to Dismiss the Objection by Richard Kannard to the Global Motion to Correct Erroneous Jackson Ditch Points of Diversion in One-Hundred-Eighty-Six Consent Orders in The La Plata Adjudication* is hereby granted.

2. Richard Kannard's *Claimant's Objection to Global Motion on Jackson Ditch Points of Diversion* filed July 21, 2023, is hereby dismissed.

IT IS SO ORDERED.



JAMES J. WECHSLER
Judge Pro Tempore

Respectfully Submitted By:

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