

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

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

vs.

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

THE JICARILLA APACHE TRIBE AND THE  
NAVAJO NATION,  
Defendant-Intervenors.

DISTRICT COURT  
SAN JUAN COUNTY NM  
FILED

2026 FEB 23 PM 4: 56

D-1116-CV-75-184

Hon. James J. Wechsler  
Presiding Judge

SAN JUAN RIVER GENERAL  
STREAM ADJUDICATION

Ute Mountain Ute Subproceeding

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**JOINT MOTION FOR EXTENSION OF THE DEADLINE SET FORTH IN THE  
PRELIMINARY SCHEDULING ORDER FOR THE ADJUDICATION OF WATER  
RIGHTS OF THE UTE MOUNTAIN UTE TRIBE TO MARCH 31, 2027**

The Ute Mountain Ute Tribe (“Tribe”) and the State of New Mexico (“State”) respectfully move for an extension of time until **March 31, 2027** to file the motion seeking Court approval of procedures concerning the Ute Mountain Ute Subproceedings as directed by the Court’s August 4, 2009 *Preliminary Scheduling Order for the Adjudication of the Water Rights of the Ute Mountain Ute Tribe*. In support, the Movants state the following:

1. On August 4, 2009, the Court entered its *Preliminary Scheduling Order for the Adjudication of the Water Rights of the Ute Mountain Ute Tribe*, setting the March 30, 2020, deadline to file the motion seeking Court approval of procedures concerning the Ute Mountain Ute Subproceedings. [8-4-09 ORD 8].

2. The Court has subsequently granted the Tribe and State’s requests for additional time to continue negotiations and maintain the progress made toward a potential settlement,

including the February 26, 2025, *Joint Motion for Extension of Time* to March 1, 2025. [2-26-25 ORD 1].

3. Since the initial joint motion for extension was granted on August 9, 2023, the Tribe, State, and United States (“Parties”) have continued to make progress towards resolution of the Tribe’s water rights claims in New Mexico. [8-9-23 ORD 1].

4. In February of 2023, a Federal Assessment Team was appointed to evaluate a set of factors and assess the opportunities available to define, secure and settle the Tribe’s water rights in New Mexico.

5. In April of 2024, the Federal Assessment Team was converted to a Federal Negotiation Team to further assist in the settlement process and has continued to participate in settlement discussions.

6. The Parties continue to meet regularly and allocate significant resources to technical and legal support while working towards the settlement of the Tribe’s claims. An extension of time will allow for the Parties to continue the hydrological evaluation of water use on the Tribe’s land and further the potential for collective resolution of the Tribe’s claims in the San Juan River Basin.

7. No Parties would be prejudiced by an extension of time because settlement negotiations will ultimately expedite the adjudication process, conserve both judicial and Tribal resources, and allow for a more cooperative resolution.

8. Given the large number of counsel and parties in the general stream adjudication, contacting all of them in advance of filing would not be possible, so opposition has been assumed with regard to this Motion. The Movants have contacted counsel for the United States, who do not oppose this Motion.

WHEREFORE, the Ute Mountain Ute Tribe and the State of New Mexico request an additional extension for filing the motion seeking Court approval of procedures concerning the Ute Mountain Ute Subproceedings to March 31, 2027.

Respectfully Submitted:

/s/ Nicole C. Greenspan

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*Attorneys for the Ute Mountain Ute Tribe*

## CERTIFICATE OF SERVICE

I certify that on the 23<sup>rd</sup> day of February, 2026, an electronic version of this document was filed by electronic mail to: [sicwaterfilings@nmcourts.gov](mailto:sicwaterfilings@nmcourts.gov) and served on all counsel of record on the electronic service list for D-1116-CV-7500184 by electronic mail address to: [sanjuanwater-grp@nmcourt.gov](mailto:sanjuanwater-grp@nmcourt.gov).

/s/ Miguel Muñoz  
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