

**Monthly Stream System Issue and Expedited *Inter Se* Report
August 1, 2007**

Lower Rio Grande Basin Adjudication

State of New Mexico ex rel. Office of the State Engineer

vs.

Elephant Butte Irrigation District, et al., No. CV - 96 - 888

Third Judicial District

The Case Management Order Authorizing Notice by a Monthly Report was filed Mar. 19, 2007.

Case Management Orders currently in effect:

1. Case Management Order Authorizing Notice by a Monthly Report, filed Mar. 19, 2007.
2. Fourth Amended Order Regarding Stream Adjudication Procedures, Revised March 19, 2007. (This Order is being interpreted into Spanish).

Pending Status Conferences:

Sept. 5, 2007 1:30 pm

Agenda: The Office of the State Engineer will:

1. Report the status of sub-files entered.
2. Report regarding the joinder of water claimants.
3. Explain the internal mechanics of preparing Offers of Judgments and resources needed for prompt preparation and service of Offers of Judgment once all parties have been joined.
4. Discuss address and ownership update.
5. Explain prioritization and allocation of OSE resources for the Lower Rio Grande Basin Adjudication.

Last Status Conference of 2007:

November 9, 2007 at 1:30 pm

Status Conferences for 2008

Wednesday, February 13, 2008 at 1:30 pm

Wednesday, May 21, 2008 at 1:30 pm

Wednesday, September 24, 2008 at 1:30 pm

Thursday, December 10, 2008 at 1:30 pm

Matters of Interest:

- A. When all parties have been joined, anticipated to be by the end of March 2008, the Court will begin scheduling hearings to address stream system issues and threshold issues.
- B. The Supreme Court has provisionally adopted some but not all of the proposed stream adjudication rules for one year. See New Mexico Bar Bulletin, Vol. 46, No. 26, June 25, 2007. Other proposed adjudication remain under consideration.
- C. Pursuant to the Fourth Amended Order Regarding Stream Adjudication Procedures, Revised March 19, 2007, the Office of the State Engineer has commenced joinder of all who claim the right to use waters of the Lower Rio Grande who have not yet been joined. Approximately one half of water right claimants who had not been previously joined before the filing of the Fourth Amended Order are now parties.
- D. Inaccuracies in the Court's data base have been discovered. and the Court is working to correct them. Correction of these problems should allow the Court to more accurately identify the names and addresses of claimant parties of record.

Claimant Parties not represented by attorneys are reminded that Court Rules require you to keep the Court informed of any changes of address or ownership.

- E. The Joe M. Stell Water Ombudsman Program being developed by the Utton Transboundary Resources Center is continuing to develop the Program. The Utton Center invites suggestions to improve the program.

Claimants may contact the Ombudsman program for information and assistance in responding to the summons and general adjudication complaint at 1-877-277-8740

- F. The Court has been advised that there will be a Joint Meeting of the Water and Natural Resources Committee and the Courts and Correction Committee at 10:00

am on September 24, 2007 at the Ruidoso Convention Center in Ruidoso, New Mexico. Judicial Officers have been invited to speak.