

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the	)	
relation of State Engineer,	)	
	)	
Plaintiff,	)	
	)	69cv07941-BB
-v-	)	
	)	RIO CHAMA STREAM SYSTEM
ROMAN ARAGON et al.,	)	
	)	Sections 3, 5 and 7
Defendants.	)	
_____	)	

ORDER FOR FURTHER PROCEEDINGS

THIS MATTER is before the Special Master following the March 10, 2008, general status conference for Sections 3, 5 and 7 in the Rio Chama Stream System adjudication. Having heard the comments of counsel, and being otherwise fully advised in the premises, I find that further proceedings should be scheduled in this case as follows:

1. Section 5 - Final Determination of Priority Dates and Irrigation Water Requirements. Mr. Ed Newville, counsel for the State of New Mexico, ex rel. State Engineer (State) and Ms. Mary Humphrey, counsel for the Rio Gallina-Rio Capulin Acequia Association, have been discussing proceedings to complete the adjudication of the water rights claims in Section 5. Mr. Newville presented a draft motion and order regarding the further proceedings. No later than **March 16, 2008**, the Special Master and Data Manager shall review the draft and provide comments.

2. Newly Discovered Evidence. No later than **April 9, 2008**, Mr. Newville and Mr. Fred Waltz, counsel for acequias in Section 1, shall report to the Special Master the outcome of their discussions regarding Mr. Waltz's proposal to supplement the evidence presented in the 1996 hearings on disputed priority dates for three community acequias.

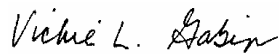
3. Federal Claims under the Wild and Scenic Rivers Act. Mr. David Gehlert, counsel for

the United States of America (United States), reported on the parties' progress in reaching an agreement on a proposed decree for the United States' claims. See February 6, 2008, Joint Status Report (Docket No. 9087). Mr. Gehlert and Ms. Arianne Singer, counsel for the State, shall submit a draft of the agreed-upon decree at the next general status conference currently set for **June 16, 2008**.

4. Section 4 - Customs in the El Rito Section. The State's January 28, 2008, Motion for Extension of Time (Docket No. 9083) in which to take a position on the April 23, 2007, Motion for Declaration of Water Allocation Customs filed by the El Rito Ditch Association (No. 8629) was taken under advisement by Order entered February 6, 2008 (No. 9085). Mr. Newville and Ms. Humphrey, counsel for the El Rito Ditch Association, submitted a letter describing their work so far on the matter, and requested that the matter be discussed further on **June 16**.

5. Historical Reports for Sections 3 & 7. Mr. John Utton, counsel for the Asociación de Acéquias Nortenas de Rio Arriba (Acéquias), reported on the progress of the Acéquias' experts' historical reports for Sections 3 and 7, and estimated completion times. No later than **March 31, 2008**, Mr. Utton shall file an appropriate motion to amend the latest existing deadlines for historical reports which are found in the December 27, 2006, Order Granting Joint Motion to Amend Priorities Schedule (No. 8523).

IT IS SO ORDERED.

  
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SPECIAL MASTER