

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

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 1, Chama Mainstream

MOTION FOR EXTENSION OF TIME

The State of New Mexico, *ex rel.* State Engineer (“State”) by and through its undersigned counsel requests an extension of time to complete a hydrographic survey of the Vallecito and Rio del Oso areas in Section 1 (Chama Mainstream), and to prepare and file a proposed scheduling order for the adjudication of irrigation water uses in this area, and states the following in support of this motion.

1. The field staff and hydrographic survey division of the Office of the State Engineer have been unable to complete the required background investigation and field work on the use of water in the Vallecito and Rio del Oso areas as anticipated. It is expected that this work will not be completed until the fall of 2011.

2. The State requests an extension of time until September 30, 2011, to complete its field work on the uses of water in the Vallecito and Rio del Oso areas, and extension of time until February 28, 2012, to file a proposed scheduling order for the adjudication of irrigation water uses in these areas.

WHEREFORE, the State of New Mexico request the Court to enter an Order amending the

Interim Scheduling Order for the Adjudication of Irrigation Water Uses in the Vallecito and Rio del Oso Areas entered on November 11, 2009 (Doc. 9527) as follows:

- (1) The State of New Mexico shall complete an required field work in connection with a survey of irrigation water uses in the general area of Vallecito and the Rio del Oso no later than **September 30, 2011**.
- (2) No later than **February 28, 2012**, counsel for the State of New Mexico, *ex rel.* State Engineer shall file a proposed scheduling order for the adjudication of water rights in this area.

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28th day of September 2010, I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail

/s/ Ed Newville
EDWARD G. NEWVILLE