

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/LFG

RIO CHAMA STREAM SYSTEM

Section 7
Jicarilla Apache Nation

JOINT MOTION FOR EXTENSION OF TIME

Plaintiff State of New Mexico, *ex rel.* State Engineer, (State), Plaintiff-Intervenor the United States of America (United States) and Defendant Jicarilla Apache Nation (Nation) respectfully request the Court to grant an extension of time to submit a proposed Consent Order to the Court describing the water rights of the Nation in Section 7 of the Rio Chama Stream System, as required by the *Order* filed December 7, 2011 (Doc. 10660), and in support state the following:

1. The December 7, 2011 *Order* requires the State and the Jicarilla Apache Nation to submit the Jicarilla Consent Order by February 29, 2012.
2. The lands that are the subject of the Consent Order are now owned by the United States in trust for the benefit of the Jicarilla Apache Nation as part of the Jicarilla Apache Reservation. Accordingly, the United States is a necessary party to the Consent Order.
3. Representatives of the State of New Mexico, the Jicarilla Apache Nation, and the United States met in Santa Fe on January 25, 2012, to discuss the State's proposed Consent Order describing

the water rights of the Nation in Section 7 of the Rio Chama Stream System. Following these discussions, the State revised the proposed Consent Order, and the State and the Nation have scheduled a meeting later this week to discuss the State's proposals. The State and the Nation will require additional time thereafter to continue discussions of the provisions of the revised Consent Order.

4. Once the State and the Nation have reached agreement on the terms of the Consent Order, the document will have to undergo formal review within the United States Department of the Interior and the United States Department of Justice before it can be submitted to the Court.

5. In order to complete their discussions and the necessary review process, the State, the United States and the Nation request an extension of time until June 30, 2012 to complete this process and to submit a Consent Order to the Court for approval.

Respectfully submitted,

/s/ Ed Newville

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of February, 2012, I filed the foregoing electronically through the CM/ECF system which caused the parties 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