

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-MV/LFG

RIO CHAMA STREAM SYSTEM
Section 3, Canjilon Creek

**MOTION FOR APPROVAL OF PROPOSED SCHEDULING AND PROCEDURAL
ORDER FOR DETERMINATION OF PRIORITY DATES AND IRRIGATION
WATER REQUIREMENTS IN THE CANJILON SUBSECTION OF
SECTION 3 OF THE RIO CHAMA STREAM SYSTEM**

The plaintiff State of New Mexico, *ex rel.* State Engineer, (“State”) respectfully requests the Court to enter its Order approving: (1) the proposed *Scheduling and Procedural Order for Determination of Priority Dates and Irrigation Water Requirements in the Canjilon Subsection of Section 3 of the Rio Chama Stream System*, (2) the form of *Notice and Order to Show Cause* (“*Notice*”) to be served on individual defendants in the Canjilon Subsection, and (3) the form of *Notice* to be published in the *Rio Grande Sun*. In support of this Motion plaintiff states the following:

1. Under the July 25, 2000, *Procedural Order for the Adjudication of Water Rights Claims in the Rio Nutrias, Rio Cebolla and Canjilon Creek Sections of the Rio Chama Stream System* (Doc. 5913), as amended August 8, 2001 (Doc. 6321), and August 28, 2002 (Doc. 6832), the adjudication of priority dates and irrigation water requirements will be initiated by the State following the completion of individual subfile activity. The only remaining elements

to adjudicate in the Canjilon Subsection for surface water irrigation use are priority dates and irrigation water requirements.

2. The State proposes the determination of the priority dates and irrigation water requirements for surface water irrigation rights in the Canjilon Subsection as described in the proposed *Scheduling and Procedural Order for Determination of Priority Dates and Irrigation Water Requirements in the Canjilon Subsection of Section 3 of the Rio Chama Stream System* attached hereto as Exhibit 1. The proposed form of *Notice* to be served on individual defendants in the Canjilon Subsection, and the proposed *Notice* to be published in the *Rio Grande Sun* are attached hereto as Exhibits 2 and 3.

WHEREFORE, the State of New Mexico respectfully requests that the Court approve the proposed *Scheduling and Procedural Order for Determination of Priority Dates and Irrigation Water Requirements in the Canjilon Subsection of Section 3 of the Rio Chama Stream System*, and the proposed form of *Notice* to be served on individual defendants and form of *Notice* for publication in the *Rio Grande Sun*.

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 23, 2014, 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