

Form A, Answer to General Adjudication Complaint

STATE OF NEW MEXICO
COUNTY OF DONA ANA
THIRD JUDICIAL DISTRICT COURT

State of New Mexico ex rel.
Office of the State Engineer,
Plaintiff,
v.
Elephant Butte Irrigation District, et al.
Defendants.
No. CV 96-888
Jerald A. Valentine
District Judge
Lower Rio Grande Adjudication
Section

Sub-File Defendant: Subfile No(s): Case No(s):

ANSWER TO GENERAL ADJUDICATION COMPLAINT
Fill out one Form A for each Claimant. Please Type or Print legibly.

- 1. Please print your full name(s), address(es) and telephone number(s)
2. Please check either A or B or C and describe or explain as indicated. (You may attach additional sheets as needed.)
A. [ ] I claim water rights in the Lower Rio Grande Stream System. [Describe briefly.]
B. [ ] I claim no water rights in the Lower Rio Grande Stream System.
C. [ ] Neither A nor B describe my circumstances. The explanation of my answer to paragraph C is attached. (For example: My water rights have been sold to \_\_\_\_\_.)

Signature: \_\_\_\_\_

Note: The water right Owner must sign. Only one owner can sign each Form A. If there are other owners of a water right, each must sign a separate Form A.

CERTIFICATE OF SERVICE (Required)

I certify that the original of this document was mailed to the Court on \_\_\_\_\_ 200\_\_.

Signature: \_\_\_\_\_

**Form B, Notice of Intent to Participate**

**STATE OF NEW MEXICO  
COUNTY OF DONA ANA  
THIRD JUDICIAL DISTRICT COURT**

State of New Mexico <i>ex rel.</i>	)	
Office of the State Engineer,	)	No. CV 96-888
Plaintiff,	)	Jerald A. Valentine
v.	)	District Judge
	)	
Elephant Butte Irrigation District, <i>et al.</i>	)	Lower Rio Grande Adjudication
	)	_____ Section
Defendants.	)	
_____	)	

<b>Sub-File Defendant:</b>	<b>Subfile No(s):</b>	<b>Case No(s):</b>
_____	_____	_____

**NOTICE OF INTENT TO PARTICIPATE**

**Fill out one Form B for each Claimant. Please Type or Print legibly.**

Water Right Claimant (name) \_\_\_\_\_ hereby notifies the Court and the parties of his/her intent to participate in (check one)

- A.  Stream System Issue Number \_\_\_\_\_, or
- B.  Expedited *Inter Se* regarding (Claimant whose water right is at issue) \_\_\_\_\_  
\_\_\_\_\_, Case Number \_\_\_\_\_, Subfile Number \_\_\_\_\_

Your name: _____	Address: _____
(please print)	_____
	Telephone No: _____

**CERTIFICATE OF SERVICE (Required)**

I, the undersigned, hereby certify that a true and correct copy of the foregoing was mailed to the Court this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_. (No Notary Necessary)

Signature: \_\_\_\_\_

Form C, Response to State's Offer of Judgment

STATE OF NEW MEXICO  
COUNTY OF DONA ANA  
THIRD JUDICIAL DISTRICT COURT

State of New Mexico <i>ex rel.</i>	)	
Office of the State Engineer,	)	No. CV 96-888
Plaintiff,	)	Jerald A. Valentine
v.	)	District Judge
	)	
Elephant Butte Irrigation District, <i>et al.</i>	)	Lower Rio Grande Adjudication
	)	_____ Section
Defendants.	)	
_____	)	

Sub-File Defendant: \_\_\_\_\_ Subfile No(s): \_\_\_\_\_ Case No(s): \_\_\_\_\_

**RESPONSE TO STATE'S OFFER OF JUDGMENT/STIPULATED SUB-FILE ORDER**

Fill out one Form C for each Claimant. Please Type or Print legibly.

**I. IDENTIFICATION**

Claimant Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
\_\_\_\_\_  
Attorney, if any:  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
Telephone \_\_\_\_\_

**II. WATER RIGHT(S) DESCRIPTION**

**Note:** You must specifically object to each part of the water right description with which you disagree. Any part to which you do not object to will be adjudicated as set forth in the State's Stipulated Sub-file Order.

**A. Surface Water (Please check appropriate box(es))**

I do not object to the description of my water right in the State’s Offer of Judgment.

I object to the following elements of my water right as described in the Offer of Judgment:

1.  **Priority Date**  
Should be: \_\_\_\_\_

2.  **Source of Water**  
Should be: \_\_\_\_\_

3.  **Purpose of Use**  
Should be: \_\_\_\_\_

4.  **Point of Diversion**  
Should be: \_\_\_\_\_

5.  **Place of Use**  
Should be: \_\_\_\_\_

6.  **Location and Amount of Irrigated Acreage, if applicable**  
Should be: \_\_\_\_\_

7.  **Amount of Water (unless reserved for future determination)**  
Should be: \_\_\_\_\_

**REASONS SUPPORTING OBJECTION(S)**

**(You must explain your objection for each specific element you object to):**

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**B. Underground Water Right (Please check appropriate box(es))**

I object to the following elements of my water right as described in the Offer of Judgment/Stipulated Sub-file Order:

1.  **Priority Date**  
Should be: \_\_\_\_\_

2.  **Source of Water**

Should be: \_\_\_\_\_

3.  **Purpose of Use**

Should be: \_\_\_\_\_

4.  **Point of Diversion**

Should be: \_\_\_\_\_

5.  **Place of Use**

Should be: \_\_\_\_\_

6.  **Location and Amount of Irrigated Acreage, if applicable**

Should be: \_\_\_\_\_

7.  **Amount of Water**

Should be: \_\_\_\_\_

**REASONS SUPPORTING OBJECTION(S):** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**III. OTHER OBJECTIONS (Please check box(es) as appropriate)**

I do not own a water right.

I have a right that is not included in the Offer of Judgment.

My name is incorrect.

My address is incorrect.

Other.

Please explain: \_\_\_\_\_

\_\_\_\_\_

**IV. VERIFICATION (must be completed)**

I certify that I am the claimant filing this objection or that I am the attorney for the claimant responding and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

\_\_\_\_\_  
(Signature of claimant filing response)

\_\_\_\_\_  
(or, Attorney signing on claimant's behalf)

**(Include address and telephone number of claimant or attorney)**

**V. INSTRUCTIONS FOR MAILING**

**You should mail either Form C, Objections, or sign and mail the State's proposed Stipulated Sub-file Order.**

**A. If you disagree with the description of your water right in the State's Offer of Judgment/Stipulated Sub-file Order, you must mail Form C Response, to the Clerk of the Court within 45 (forty-five) days from the date the Offer of Judgment and the blank Form C, Response were mailed to you.**

**A large, manila envelope addressed to the Court is included for your convenience.**

**OR**

**B. If you agree with the description of your water right in the State's Offer of Judgment/Stipulated Sub-file Order, you must sign the Order, clearly print your name, address, and phone number below your signature, and mail the Order to the Office of the State Engineer within 45 (forty-five) days from the date the Offer was mailed to you.**

**A small, manila envelope addressed to the State is included for your convenience.**

**VI. CONSEQUENCES IF YOU DO NOT ANSWER THE OFFER OF JUDGMENT/STIPULATED SUB-FILE ORDER.**

**If you do not file an Objection to the Offer of Judgment/Stipulated Sub-file Order with the Court or send a signed Stipulated Sub-file Order to the State**

**within forty- five (45) days from the date the State mails the Offer, the Court will enter a Sub-file Order adjudicating your water right(s) in accordance with the description in the proposed Stipulated Sub-file Order, and pursuant to the Fifth Amended Order Regarding Stream Adjudication Procedures, filed August 15, 2008.**

CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 200 \_\_\_\_, I mailed the original of Form C to:

**Water Clerks**  
Third Judicial District Court  
201 W Picacho, Ste. A  
Las Cruces, NM 88005

\_\_\_\_\_ Signature