

Memorandum

October 15, 2008

To: Attorneys of Record in the Lower Rio Grande Adjudication

From: Jerald A. Valentine, Presiding Judge

Re: October 15, 2008 Monthly Report.

The Court made a error in a date. The Monthly Report has been corrected as follows:

September 12: State's Motion for Extension of Time to Request Approval of State's Consumptive Irrigation Water Requirements and Farm Delivery Requirements.

The OSE legal staff previously notified the Court that the OSE would be negotiating with irrigation water right owners that were not covered by the Settlement Agreement between the OSE and the Pecan Growers' Association to attempt settlement regarding the Consumptive Irrigation Requirement (CIR) and the Farm Delivery Requirement (FDR) of irrigation water users in the stream system. The OSE staff advised the Court that they will request the Court to designate this matter as a stream system issue. The OSE proposed enlargement of the deadline.

The Court granted the State's Motion for Extension of Time to submit this to the Court to not later than March 1, 2009.