

ELEVENTH JUDICIAL DISTRICT
COUNTY OF SAN JUAN
STATE OF NEW MEXICO

STATE OF NEW MEXICO ex rel.
State Engineer,

Plaintiff

v.

THE UNITED STATES OF AMERICA,
et al.,

Defendants

and

THE JICARILLA APACHE NATION and
THE NAVAJO NATION,

Defendants-Intervenors.

CV-75-184-1

SAN JUAN RIVER GENERAL
STREAM ADJUDICATION

**AMENDED ORDER DENYING MOTION FOR LIMITED DISCOVERY
CONCERNING 2007 BOR HYDROLOGIC DETERMINATION**

The San Juan Agricultural Water Users Association and Hammond Conservancy District filed a Motion for Limited Discovery Concerning 2007 BOR Hydrologic Determination on October 2, 2007. Several parties filed briefs on the motion, and oral argument was presented at the November 29, 2007 status conference.

A similar motion was filed on October 24, 2003 by the San Juan Agricultural Water Users Association requesting the same form of discovery, requested in the motion of October 2, 2007. The Court denied the motion at the November 14, 2003 hearing. The proposed Order was overlooked and not presented to the Court for signature until December 26, 2007. The Order was signed denying the Motion *nunc pro tunc* November 14, 2003. The Court's findings in both motions were the same. Therefore, the Court adopts the same findings in the *nunc pro tunc* Order and makes them part of the within Order. The December 26, 2007 Order is attached hereto, and made a part hereof by reference.

The United States and the Navajo Nation also objected to the motion for reason that the matters sought to be discovered were outside the permissible scope of discovery in this adjudication.

The Court makes no findings with respect to those objections at this time. The rights of all parties to participate in discovery or to object to such discovery are reserved.

NOW, THEREFORE, IT IS ORDERED that the Motion for Limited Discovery concerning 2007 BOR Hydrologic Determination is Denied.

ROZIER E. SANCHEZ
District Judge *pro tempore*