

STATE OF NEW MEXICO
SAN JUAN COUNTY
THE ELEVENTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO, *ex rel.* STATE ENGINEER,

Plaintiff,

vs.

THE UNITED STATES OF AMERICA, *et al.*,

Defendants,

THE JICARILLA APACHE TRIBE AND THE
NAVAJO NATION,

Defendant-Intervenors.

CV-75-184

HON. JAMES J. WECHSLER
Presiding Judge

SAN JUAN RIVER
GENERAL STREAM
ADJUDICATION

Claims of the Navajo Nation
Case No. AB-07-1

**THE STATE OF NEW MEXICO'S RESPONSE TO
JOINT REQUEST FOR PRODUCTION AND POSTING OF ADDITIONAL
DOCUMENTS ABOUT THE PROPOSED SETTLEMENT**

The State of New Mexico ("the State") responds to the *Joint Request for Production and Posting of Additional Documents about the Proposed Settlement* served by Victor R. Marshall on behalf of the San Juan Agricultural Water Users Association and various other defendants as follows, and reserves and restates any objections not previously ruled upon by the Court.

RESPONSE TO REQUESTS

1. Pursuant to Rule 1-034 of the New Mexico Rules of Civil Procedure, each of the settling parties is requested to produce the following records: SEE ATTACHED LIST.

Response: In response to the request for the records on the list attached to the Joint Request, the State provides the following:

The Reclamation Contract No. 10-WC-40-384 is available for viewing and downloading on the United States Bureau of Reclamation website through the following link:

<http://www.usbr.gov/uc/rm/navajo/nav-gallup/NavStlmt/NavStlmtContract.pdf>

The Draft Environmental Impact Statement is available for viewing and downloading on the United States Bureau of Reclamation website through the following link:

<http://www.usbr.gov/uc/envdocs/eis/navgallup/DEIS/index.html>

The Hydrologic Determination dated May 23, 2007 is already posted on the OSE website under Initial Disclosures, Reports and Memoranda at

http://www.ose.state.nm.us/LAP/NNWRS/legal_nnwrs.html

and is also available at:

<http://www.usbr.gov/uc/envdocs/eis/navgallup/FEIS/vol1/attach-N.pdf>

State Engineer File Nos. 2849, 3215, 758, 2472, 2807, 2875, 2883, 2917 and 2847 are available for viewing and downloading through the New Mexico Water Rights Reporting System at the Office of the State Engineer web site at:

<http://nmwrrs.ose.state.nm.us/nmwrrs/index.html>

The Draft Environmental Impact Statement is available for viewing and downloading on the United States Bureau of Reclamation website. It can be accessed through the following link:

<http://www.usbr.gov/uc/envdocs/eis/navgallup/DEIS/index.html>

The Conjunctive Groundwater Development Plan is available for viewing and downloading through the following link:

http://www.frontiernet.net/~nndwr_wmb/PDF/NGWSP_Conjunctive_GW_Plan_march2010.pdf

The Hydrographic Survey Report is already available for viewing and downloading at the OSE website under Navajo Nation Expedited Inter Se Proceeding:

http://www.ose.state.nm.us/LAP/NNWRS/legal_nnwrs.html

The BIA Biological Assessment is already available at the OSE Website under Initial Disclosures, Reports and Memoranda at:

http://www.ose.state.nm.us/LAP/NNWRS/legal_nnwrs.html

2. Pursuant to Rule 1-030(B)(6), each settling party it requested to designate the person or persons who will testify on behalf of each of the settling parties concerning each of the matters above.

Response: Please see the Answers to Interrogatories Nos. 8 - 11 in the State's *Responses to Conoco Phillips and El Paso Natural Gas Company's Joint Requests for Admission, Interrogatories and Requests for Production to the Settling Parties*, and the Answers to Interrogatories Nos. 2 and 4 in the *State of New Mexico's Responses to Gary L. Horner's First Set of Interrogatories and First Requests for Production of Documents to the State of New Mexico* on the OSE website at:

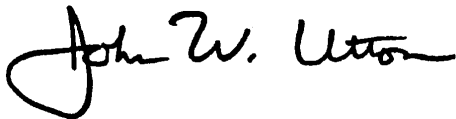
http://www.ose.state.nm.us/LAP/NNWRS/legal_nnwrs.html.

Dated September 11, 2012

STATE OF NEW MEXICO



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