

**STATE OF NEW MEXICO
COUNTY OF HILDALGO
SIXTH JUDICIAL DISTRICT COURT**

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

v.

**CV 2005-0054
Hon. JC Robinson**

**ROSETTE, INC., *et al.*
Defendants.**

**Animas Underground
Basin Adjudication**

**SPECIAL MASTER’S SCHEDULING ORDER FOLLOWING
DECEMBER 14, 2016 SCHEDULING CONFERENCE AND NOTICE
OF APRIL 19, 2016 SCHEDULING CONFERENCE**

THE ANIMAS UNDERGROUND BASIN ADJUDICATION came before me in my capacity as Special Master for a Rule 1-016 Scheduling Conference on December 14, 2016. Ms. Susan Kerry, *Esq.* and Ms. Laurie Knowles, *Esq.* appeared for the State of New Mexico, *ex rel* State Engineer, (the “State”). Mr. Dalva Moellenberg, *Esq.* appeared for Pyramid Peak Mining, LLC. Mr. D. L. Sanders, *Esq.* appeared by telephone for Lighting Dock Geothermal HI-01 LLC.

A cursory review of the Court’s files revealed to me that there had been a significant hiatus in the State’s efforts to adjudicate subfiles. That hiatus prompted me to order that the State file a report summarizing the status of its adjudication efforts. *See* Scheduling Order filed July 8, 2016. The State filed its Final Report on October 11, 2016 and I reviewed the report with the State at the December 14, 2016 Scheduling Conference. I am satisfied that much of the hiatus resulted from the inevitable disruption caused by two changes in counsel for the State in little more than a year. I am also satisfied that the State’s new counsel understands the importance the Court places on completing this adjudication in a fair, expeditious and efficient manner.

At the Scheduling Conference, the State expressed its belief it could serve, on average, eight adjudication packets a month, commencing in January of 2017. If the State in fact serves eight adjudication packets a month, all subfile claimants identified by the Hydrographic Survey will have been served by the fall of 2017. The State's proposal that it serve eight adjudication packets a month represents a reasonable and achievable goal, and I plan to measure the State's future progress in this adjudication against that goal. Accordingly,

IT IS ORDERED THAT a Rule 1-016 Scheduling Conference is set for April 19, 2017 at 10:00 am at the Court of Appeals Courtroom, 237 Don Gaspar Ave, Santa Fe, NM 87501. Except for the State of New Mexico, the parties may participate in the Scheduling Conference by telephone. To participate by telephone, dial 641-715-3580 and at the prompt enter Access Code 637-943.

The State shall ensure that it has filed the monthly reports required by paragraph B.4 of the April 22, 2014 Procedural Order prior to the Scheduling Conference

IT IS SO ORDERED



Stephen E. Snyder
Special Master