

STATE OF NEW MEXICO
COUNTY OF HIDALGO
SIXTH JUDICIAL DISTRICT

STATE OF NEW MEXICO <i>ex rel.</i>)	No. D-623-CV 2005-00054
NEW MEXICO STATE ENGINEER,)	Honorable J.C. Robinson
)	
Plaintiff,)	ANIMAS UNDERGROUND WATER
vs.)	BASIN ADJUDICATION
)	
ROSETTE, INC., <i>et al.</i> ,)	
)	
Respondents.)	
_____)	

STATE OF NEW MEXICO’S UNOPPOSED MOTION TO EXTEND DEADLINE

COMES NOW the State of New Mexico (“State”) and hereby moves this Court to extend the deadline to May 11, 2018 to submit filings pursuant to Rule 1-053(E)(2) NMRA in response to the Special Master’s Report Recommending that the Court Grant the State of New Mexico’s Motion to Exclude Domestic and Livestock Water Rights From the Adjudication (“Report”).

The grounds for this Motion are as follows:

1. Notice of the filing of the Report was provided by the Monthly Adjudication Report filed on April 3, 2018 (as amended by the filing of the Amended Monthly Adjudication Report on April 4, 2018).
2. Pursuant to Rule 1-053(E)(2) NMRA, any filing directed to the Report must be served within ten (10) days of the notice of filing of the Report. Since notice of filing was first provided on April 3, 2018, responsive filings must be served by April 17, 2018.
3. Due to the press of work, and additional personal commitments, the undersigned counsel for the State needs additional time to determine if the State will make a filing pursuant to Rule 1-053(E)(2) NMRA, and if so, to prepare such filing.

4. Counsel for the State has conferred with counsel for J&C Victor 2006 Trust, and counsel for J&C Victor 2006 Trust does not oppose the Motion.

WHEREFORE, the State respectfully requests that the Court extend the time to May 11, 2018 for filing and serving any filing pursuant to Rule 1-053(E)(2) NMRA.

Respectfully submitted,

UTTON & KERY, P. A.
Attorney for Plaintiff State of New Mexico
317 Commercial Street, N. E.
Albuquerque, NM 87102
(505) 379-4203

Electronically Filed
By: /s/Susan C. Kery
SUSAN C. KERY
susan@uttonkery.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served to counsel of record via the Court's Odyssey File & Serve System this 10th day of April, 2018.

/s/Susan C. Kery
SUSAN C. KERY