

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, <i>ex rel.</i> ,)	
State Engineer, <i>et al.</i> ,)	
)	
Plaintiffs,)	69cv07896 MV
)	<u>RIO PUEBLO DE TAOS</u>
)	<u>ADJUDICATION</u>
v.)	
)	69cv07939 MV
EDUARDO ABEYTA, <i>et al.</i> , and)	<u>RIO HONDO ADJUDICATION</u>
CELSO ARELLANO, <i>et al.</i> ,)	
)	(CONSOLIDATED)
Defendants.)	
)	
)	

Before Special Master Vickie L. Gabin

JOINT STATUS REPORT OF THE SETTLEMENT PARTIES ON THE PUBLIC INFORMATION PROCESS UNDER THE PROCEDURAL AND SCHEDULING ORDER FOR REVIEW OF PROPOSED SETTLEMENT AGREEMENT AND PARTIAL FINAL JUDGMENT AND DECREE ON THE WATER RIGHTS OF TAOS PUEBLO

The United States of America (“United States”), the State of New Mexico ex rel. State Engineer (“State”), Taos Pueblo (“Pueblo”), the Taos Valley Acequia Association (“TVAA”) on its own behalf and 51 of its member Acequias on their own behalves, the Town of Taos (“Town”), the El Prado Water and Sanitation District (“EPWSD”) and 12 Taos Area Mutual Domestic Water Consumers’ Associations (“MDWCAs”) (collectively the “Settlement Parties”) hereby submit this report concerning their execution of the public information process required by the Procedural and Scheduling Order for Review of Proposed Settlement Agreement and Partial Final Judgment and Decree on the Water Rights of Taos Pueblo (“Procedural Order”) [Doc 5546] filed March 11, 2013. The Settlement Parties committed at the status conference held on June 27, 2013 to file this report.

Pursuant to the Scheduling Order, the United States mailed the Notice of Expedited

Proceeding Concerning Settlement Agreement and Proposed Judgment and Decree on the Water Rights of Taos Pueblo “(Notice”) attached as Exhibit 1 to the Procedural Order to all persons on the updated list of the parties to the adjudication and other known water rights claimants on or before August 29, 2013 as described in the Certificate of Service of Notice of Expedited Inter Se Proceeding [Doc 5576] filed August 29, 2013. The State published the Notice in the *Albuquerque Journal* and *The Taos News* for four consecutive weeks in August 2013 and on October 1, 2013 filed proof of said publication with the Court [Doc 5602].

The Settlement Parties held two public meetings, one on the evening of September 17, 2013 and the other on the evening of October 8, 2013. Both meetings were held at the Town of Taos Convention Center and were advertised by multiple means. The Settlement Parties issued a joint press release on September 6, 2013 informing media outlets of the scheduled meetings. They also issued a media advisory regarding the second meeting on October 3, 2013. Public service announcements were made by five radio stations whose broadcast areas include the adjudication area. Four of these stations broadcast the announcement in both Spanish and English. The Office of the State Engineer also placed a copy of the press release containing the meeting dates, times, and location on its website.

The Settlement Parties utilized the services of Darcy Bushnell, Director of the Joe M. Stell Ombudsman Program of the Utton Center at the University of New Mexico School of Law. Ms. Bushnell assisted the Settlement Parties in planning and organizing the meetings. She facilitated both public meetings, introduced speakers, called on the members of the public who wished to ask questions or make a comment, and provided information on how to contact her at the Joe M. Stell Ombudsman Program with comments and questions. With input from Ms. Bushnell, the Settlement Parties prepared meeting agendas and handouts for the public, including

a Taos Pueblo Water Rights Settlement Timeline (a one page chronology) and a Summary of Settlement Provisions.

Each of the Settlement Parties, starting with Taos Pueblo, addressed the audience in turn to provide their perspective on the settlement benefits and the negotiation process. At the first of the two meetings, the United States explained the process for filing objections to the Proposed Settlement Agreement and Partial Final Decree. The State provided this explanation at the second meeting from which the United States was excused due to the federal government shutdown. At both meetings, hydrologist Peggy Barroll of the New Mexico Office of the State Engineer gave a slide presentation on the hydrology model associated with the Settlement Agreement. Representatives of the Settlement Parties answered questions from members of the public. The meetings were scheduled for two hours but ran as long as three hours to accommodate questions.

In addition to the two required meetings for the general public, Taos Pueblo held a meeting for the Pueblo community on the evening of September 9, 2013. Members of the Pueblo's settlement negotiation team and the federal settlement negotiation team spoke about the settlement, and the process for objections to and approval of the Settlement Agreement and entry of the Partial Final Decree, and answered questions from Pueblo members.

The Settlement Parties have established and maintained online and hard copy document repositories at the Internet addresses and locations contained in the Notice. The documents available at those websites and locations include copies of the Settlement Agreement, the proposed Partial Final Judgment and Decree, and the amended statements of claim filed by the United States and the Pueblo in 1997 as required by the Scheduling Order.

Respectfully submitted:

_____/s/_____
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APPROVED 12/04/2013

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on December 5, 2013, I filed the foregoing *Joint Status Report Of The Settlement Parties On The Public Information Process Under The Procedural And Scheduling Order For Review Of Proposed Settlement Agreement And Partial Final Judgment And Decree On The Water Rights Of Taos Pueblo* electronically through the CM/ECF system, which caused CM/ECF participants to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

I FURTHER CERTIFY that, on December 5, 2013, I caused copies of the foregoing to be mailed to the non-CM/ECF Participants listed below.

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