

BEFORE THE NEW MEXICO STATE ENGINEER

**IN THE MATTER OF THE CORRECTED
APPLICATION FILED BY AUGUSTIN PLAINS
RANCH, LLC, FOR PERMIT TO APPROPRIATE
GROUNDWATER IN THE RIO GRANDE
UNDERGROUND WATER BASIN IN
THE STATE OF NEW MEXICO**

**Hearing No. 17-005
OSE File No. RG-89943 POD1
through POD 37**

UNOPPOSED MOTION FOR EXTENSION OF DEADLINES

COME NOW the Catron County Board of County Commissioners (the Commissioners), and John and Helen Hand and the Hand Living Trust, by and through undersigned counsel of record, and hereby request that the deadlines for Disclosure of Witnesses and Disclosure of Exhibits, and other related deadlines, set forth in the August 10, 2017 Scheduling Order, be extended as follows:

1. Applicant APR disclosure of witnesses: extended from October 27, 2017 to January 26, 2018.
2. WRD and Protestant Parties disclosure of witnesses: extended from December 22, 2017 to March 22, 2018.
3. Applicant APR disclosure of exhibits: extended from March 28, 2018 to June 28, 2018.
4. WRD and Protestant Parties disclosure of exhibits: extended from July 25, 2018 to October 25, 2018.
5. Disclosure of Rebuttal witnesses and exhibits for Applicant: extended from November 14, 2018 to February 25, 2019.
6. Motion for leave to file sur-rebuttal witnesses or exhibits (all other provisions of Paragraph 7 to remain the same): extended from December 21, 2018 to February 19, 2019.
7. Close of discovery: extended from February 13, 2019 to March 25, 2019.

The requested extension is based on the October 6, 2017 Order Adopting Briefing Schedule for Community Protestants' Motion for Summary Judgment. Briefing on the Motion for Summary Judgment will be completed on December 4, 2017. Because the Motion for Summary Judgment, if granted, will negate the need for further work on this matter, it is in the best interests of all Parties and the Hearing Officer to postpone witness and exhibit deadlines until after the briefing is completed. The requested extension also provides time for a hearing to be scheduled on the summary judgment motion. The requested extension will not impact the date of the hearing, which is set to begin on June 17, 2019.

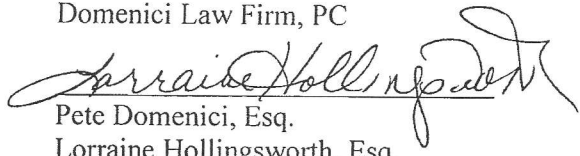
Pursuant to 19.25.2.16(B) NMAC, the Parties that are represented by counsel have been contacted regarding their positions on this Motion. The Parties that have responded to that inquiry have stated the following positions:

1. The Applicant does not oppose this Motion.
2. WRD takes no position on this Motion.
3. The following Protestants support or do not oppose this Motion: Socorro County Commission, Kokopelli Ranch, LLC, Pueblo of Sandia, Pecos Valley Artesian Conservancy District, Pueblo of Zuni, Pueblo of San Felipe, Pueblo of Santa Ana, Wildearth Guardians, New Mexico Interstate Stream Commission, NMELC Community Protestants, Navajo Nation, Pueblo of Isleta, City of Truth or Consequences, New Mexico Farm & Livestock Bureau, and Catron County Farm & Livestock Bureau.

WHEREFORE, the Catron County Board of County Commissioners requests that the deadlines for the disclosure of witnesses and exhibits be extended as requested in Paragraphs 1 to 7, above. All other dates and provisions of the Scheduling Order remain unchanged.

Respectfully submitted,

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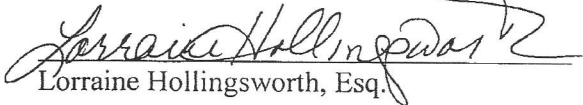
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*Attorney for John and Helen Hand and the
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by U.S. mail on all parties identified in the Parties Entitled to Notice, attached hereto, on October 18, 2017.



Lorraine Hollingsworth, Esq.