



required to file written motions in limine. Once briefing is complete on motions in limine (expected May 15, 2017), the Court should schedule trial (anticipated one day in duration) as soon thereafter as practical for the calendars of the Court and counsel.

**SUMMARY OF DISPUTES REMAINING BETWEEN THE PARTIES**

**Plaintiffs' remaining contentions:**

The parties and the Court have identified two disputes for trial. First, Defendants continue to claim a water right for two springs (Canyon Springs and Jaralosa Springs) designated 9C-4-SPR02 and 10A-4-SPR01. Plaintiffs believe these to be unimproved natural features and do not believe Defendants' evidence is sufficient to establish a water right associated with these water features. Second, Defendants continue to claim a water right for 10 unnamed stock ponds located on Atarque Ranch and identified in their Subfile Answer (ECF No. 2925). Plaintiffs believe these features to be natural depressions and do not believe Defendants' evidence is sufficient to establish a water right associated with these water features.

**Defendants' remaining contentions:**

Defendants believe there is sufficient evidence of improvements with regard to Jaralosa and Canyon Springs such that a water right should be recognized. Defendants believe that only 5 of the 10 depressions remain in dispute and that there is sufficient evidence of improvements which will demonstrate that there is a water right associated with those depressions.

Respectfully submitted this 22nd day of February 2017.

/s/ Andrew "Guss" Guarino

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on February 22, 2017, I filed the foregoing 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.

/s/ Andrew "Guss" Guarino