

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

UNITED STATES OF AMERICA)	
and)	No. 01cv00072-MV/JHR
STATE OF NEW MEXICO, ex rel. STATE)	
ENGINEER,)	ZUNI RIVER BASIN
Plaintiffs,)	ADJUDICATION
v.)	
)	Subfile No. ZRB-5-0057
A & R PRODUCTIONS, et al.)	
Defendants.)	
_____)	

**NOTICE OF BRIEFING COMPLETE RE: JOINT MOTION FOR JUDGMENT ON
THE PLEADINGS**

Pursuant to D.N.M.LR-Civ. 7.4(e), the Plaintiffs United States of America and State of New Mexico (Plaintiffs) hereby certify that their motion for judgment on the pleading is ready for decision. The following have been submitted for resolution by the Court:

1. Plaintiffs' *Joint Motion for Judgment on the Pleadings and Memorandum of Points and Authorities in Support Thereof* (ECF No. 3400) (Joint Motion).

Pursuant to Local Rule D.N.M.LR-Civ. 7.4(a), Defendant's response to the Joint Motion was required to be filed within fourteen (14) calendar days, or by October 2, 2017. Defendant did not file a response. Pursuant to Local Rule D.N.M.LR-Civ. 7.1(b), "failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion."

Plaintiffs request that the Court grant their Joint Motion at this time.

Dated: October 3, 2017.

Respectfully submitted,

/s/ Edward C. Bagley

Edward C. Bagley
Office of the New Mexico State Engineer
Special Assistant Attorney General
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 827-6150
ATTORNEY FOR THE STATE OF
NEW MEXICO

/s/ Andrew "Guss" Guarino

Andrew "Guss" Guarino
Bradley S. Bridgewater
Samuel D. Gollis
U.S. Department of Justice
999 18th Street
South Terrace, Suite 370
Denver, CO 80202
(303) 844-1343
ATTORNEYS FOR THE
UNITED STATES

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of October, 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
Andrew "Guss" Guarino