

Pursuant to the terms of the Scheduling and Procedural Order entered by the Court on October 2, 2003, you have until March 31, 2004 to file with the Court and serve on the attorneys listed below, a statement setting forth with particularity the grounds for your objection to the entry of the proposed Partial Final Decree, together with a statement setting forth with particularity objections to: the Negotiating Parties' legal authority to enter the agreements contained in such Decree or the Settlement Agreement incorporated therein, or how your water rights will be adversely affected by the priority, amount, purpose, periods and place of use, together with other conditions as set forth in the proposed Partial Final Decree. Said Statements of Objection also shall include, to the extent available to you, a summary of the evidence you will present in support of the objection.

The Court will hold a scheduling and prehearing conference on April 15, 2004 to review all Statements of Objection that have been filed and to: establish a pretrial scheduling order; clarify, simplify and consolidate the issues presented; consolidate hearings on all issues where possible; establish a schedule and procedures for discovery; and, address such other matters as may aid in disposition of the objections. The Court also will establish a schedule for hearings so that determinations can be made on the Objections as expeditiously as possible.

At such hearings, persons filing Statements of Objections shall bear the initial burden to make a *prima facie* showing how their water rights will be adversely affected by entry of the Partial Final Decree. Upon such a showing, the CID, PVACD, U.S. and State (collectively, the "Negotiating Parties") shall have the burden of overcoming such a *prima facie* case by a preponderance of the evidence that such persons will not be adversely affected by entry of the Partial Final Decree. If the Court determines that entry of the proposed Partial Final Decree will adversely affect valid water rights of a person making such a *prima facie* case, the Court will afford the Negotiating Parties an opportunity to propose terms or conditions in the Partial Final Decree which would prevent or ameliorate such effect without further notice to water rights claimants on the Pecos River, other than those who have filed an Objection that has not otherwise been dismissed for failure to comply with the procedures set forth in the Court's October 2, 2003 Scheduling and Procedural Order.

Any person who files a Statement of Objection who does not fully comply with the procedural requirements governing the hearing of all objections filed with the Court are subject to having their objections dismissed.

STATEMENTS OF OBJECTION MUST BE FILED WITH THE CLERK OF THE COURT AND SERVED ON THE COUNSEL FOR THE NEGOTIATING PARTIES AT THE ADDRESSES SET FORTH BELOW.

Bee J. Clem, District Court Clerk
 Fifth Judicial District Court
 P.O. Box 1776, Roswell, NM 88202-1776
 1597 South Main, Roswell, NM 88203
 ATTN: Pecos River Stream System Water Rights Adjudication - Statement of Objection