

DISTRICT COURT
SAN JUAN COUNTY NM
FILED

2013 JAN 31 PM 1:31

STATE OF NEW MEXICO
COUNTY OF SAN JUAN
ELEVENTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO, <i>ex rel.</i> State Engineer,)	
)	CV-75-184
)	
Plaintiff,)	JAMES J. WECHSLER
)	Presiding Judge
vs.)	
)	SAN JUAN RIVER
UNITED STATES OF AMERICA, <i>et al.</i> ,)	ADJUDICATION
)	
Defendants,)	CLAIMS OF THE NAVAJO NATION
)	Case No. AB-07-1
THE JICARILLA APACHE TRIBE AND THE NAVAJO NATION,)	
)	
Defendant-Intervenors.)	

NAME OF PARTY: BHP Navajo Coal Company and Enterprise Field Services, LLC

DESCRIPTIVE SUMMARY: Motion Requesting Permission to Appear Telephonically at the Court's February 4, 2013 Discovery Conference

NUMBER OF PAGES: 2

DATE OF FILING: January 31, 2013

**BHP NAVAJO COAL COMPANY AND ENTERPRISE FIELD SERVICE LLC'S
MOTION REQUESTING PERMISSION TO APPEAR TELEPHONICALLY ON
FEBRUARY 4, 2013 DISCOVERY CONFERENCE**

COMES NOW, BHP Navajo Coal Company ("BNCC") and Enterprise Field Services, LLC ("Enterprise"), and hereby requests the Court to grant permission for undersigned counsel to appear by telephone at the Discovery Conference set for February 4, 2013, in Aztec, New Mexico. As grounds for this motion, counsel states that none of

the referenced entities have propounded any discovery requests or otherwise objected to, or filed any motions regarding discovery. However, BNCC and Enterprise have desire to monitor the hearing. Also, due to other scheduled matters the undersigned counsel is unable to travel to Aztec or Santa Fe for the hearing.

WHEREFORE, BNCC and Enterprise respectfully requests that this Court allow BNCC and Enterprise to appear telephonically at the hearing on February 4, 2013.

Respectfully submitted,

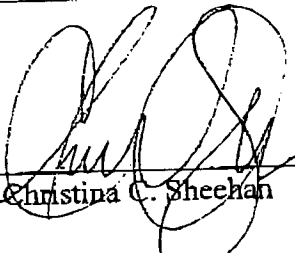
**MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.**

By: 
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of BHP Navajo Coal Company and Enterprise Field Service LLC's Motion Requesting Permission to Appear Telephonically on February 4, 2013 Discovery Conference was served on all parties via e-mail transmission by e-mailing to wnavajointerse@nmcourts.gov on this 18th day of October, 2012.


Christina C. Sheehan