

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

STATE OF NEW MEXICO, *ex rel.*
State Engineer,

Plaintiff,

vs.

D-1116 CV75-184
Hon. James J. Wechsler

UNITED STATES OF AMERICA, *et al.*,

Defendants.

JICARILLA APACHE TRIBE and the
NAVAJO NATION,
Defendant-Intervenor.

AB-07-1
Claims of the Navajo Nation

**ORDER STRIKING COMMUNITY DITCH DEFENDANTS'
FEBRUARY 5, 2013 FILING OF EXHIBIT**

The United States and the Navajo Nation have filed objections to the filing of an exhibit by the Community Ditch Defendants. The Community Ditch Defendants filed the exhibit titled, "Allocation of Water Under Colorado River Compacts," on February 5, 2013. The Community Ditch Defendants tendered the exhibit to the Court at a discovery conference conducted on February 4, 2013, in support of the Community Ditch Defendants' opposition to the United States' January 2, 2013 motion for protective order. The Court reviewed the exhibit in connection with the argument on the motion.


The Court has previously advised the parties that "notices that provide the Court with extraneous information or report events beyond the scope of this proceeding may create unnecessary confusion and will not be considered by the Court." *Order Denying the Navajo Nation's Motion to Strike*, entered November , 2012.

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The exhibit at issue was not attached to any pleading or request for relief. It was not filed pursuant to any court rule or order. It is not evidence in this proceeding. Without any such connection, it is extraneous information that has the potential to create confusion in the record.

The exhibit filed on February 5, 2013 is hereby STRICKEN.

IT IS SO ORDERED.


James J. Wechsler
Presiding Judge