

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

DISTRICT COURT  
SAN JUAN COUNTY NM  
FILED  
2014 FEB 14 AM 9:52

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
JICARILLA APACHE TRIBE,	)	
	)	
Defendant-Intervenor.	)	

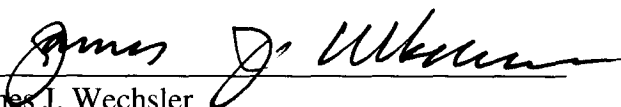
**ORDER SUBSTITUTING PARTY**

On February 10, 2014, BHP Billiton New Mexico Coal Incorporated (“BBNMC”) filed its Motion to Substitute a Party. As grounds for that Motion, BBNMC stated that it is BHP Navajo Coal Company’s (“BNCC”) successor in interest, and thus BBNMC has inherited all of BNCC’s water rights in the San Juan Basin and subject to this adjudication. BBNMC therefore requested that it substitute BNCC as a party in this case.

Having reviewed the relevant filings and the applicable law, the Court finds that substitution of BBNMC for BNCC in this case is appropriate under NMRA Rule 1-025(C).

It is therefore ordered that BHP Billiton New Mexico Coal Inc. is substituted in place of BHP Navajo Coal Company in this case.

**IT IS SO ORDERED.**

  
James J. Wechsler  
Presiding Judge