

HENNIGHAUSEN & OLSEN, L.L.P.

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December 7, 2017

Via First Class Mail

IRMA CORRAL
Office of the State Engineer
Hearings Unit
495 Old Santa Fe Trail
Lew Wallace Building—2nd Floor Suite 201
Santa Fe, New Mexico 87501

Re: *In the Matter of the Corrected Applications by Augustin Plains Ranch, LLC., For Permit to Appropriate Groundwater in the Rio Grande Underground Water Basin in the State of New Mexico; HU No. 17-005; OSE File Nos. RG-89943 POD 1 through POD 37*

Dear Hearing Unit Administrator:

Enclosed please find one original and three (3) copies of our firm's Unopposed Joint Motion for Telephonic Appearance At Oral Arguments on December 13, 2017 on behalf of New Mexico Farm & Livestock Bureau and Catron County Farm & Livestock Bureau. I respectfully request that it be submitted for filing and an endorsed copy be returned in the stamped, self-addressed envelope.

Thank you for your attention in this matter. If you have any questions, please do not hesitate to contact me.

Kindest regards,

HENNIGHAUSEN & OLSEN, L.L.P.



Perla Sosa

Legal Assistant to Olivia R. Mitchell Esq.

ps

Enclosure(s)

Cc: Client

All entitled parties

A.J. OLSEN

ALVIN F. JONES

ROBERT J. MCCREA

Certified Public Accountant

KENNETH B. WILSON

OLIVIA R. MITCHELL

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FRED R. HENNIGHAUSEN

1924-2017

New Mexico Board of
Legal Specialization
Certified Specialist
Natural Resources-Water Law

BEFORE THE NEW MEXICO STATE ENGINEER

IN THE MATTER OF THE CORRECTED
APPLICATION FILED BY AUGUSTIN
PLAINS RANCH, LLC., FOR PERMIT TO
APPROPRIATE GROUNDWATER IN THE
RIO GRANDE UNDERGROUND WATER
BASIN IN THE STATE OF NEW MEXICO

Hearing No. 17-005
OSE File No. RG-89943 POD 1
through POD 37

UNOPPOSED JOINT MOTION FOR TELEPHONIC APPEARANCE
AT ORAL ARGUMENTS ON DECEMBER 13, 2017

COME NOW, Protestants, New Mexico Farm & Livestock Bureau and Catron County Farm & Livestock Bureau, by and through their counsel of record Hennighausen & Olsen, L.L.P., (Alvin F. Jones, Olivia R. Mitchell) and the Pecos Valley Artesian Conservancy District, by and through its counsel of record, Hennighausen & Olsen, L.L.P. (A.J. Olsen, Jonathan E. Roehlk) to file their *Joint Motion for Telephonic Appearance at Oral Arguments on December 13, 2017*, and in support thereof state:

1. The Hearing Examiner in this matter has set oral arguments in this matter for a number of motions to be heard on December 13, 2017, beginning at 1:00 p.m., at the Catron County Courthouse, in Reserve, New Mexico.
2. Counsel for the above-named Protestants to this matter have scheduling conflicts on this date, but are available to appear by telephone for the hearing.
3. Counsel for all represented Protestants in this matter were contacted, with the following joining in the Motion: Pueblo of Sandia, Pueblo of Isleta, Navajo Nation, Pueblo of Santa Ana¹, Pueblo of San Felipe, San Augustin Water Coalition.

¹ Counsel has a scheduling conflict due to the location of the hearing.

4. Counsel for the following Protestants had no objection to the Motion: Protestants represented by the New Mexico Environmental Law Center, Cuchillo Valley Community Ditch Association, Salomon Tafoya, John & Helen A. Hand, The Hand Living Trust, Kokopelli Ranch, LLC.

5. No response was had from counsel for the remaining Protestants.

6. Counsel for the Applicant was contacted on December 6, 2017, and does not oppose this Motion.

WHEREFORE, counsel for New Mexico Farm & Livestock Bureau and Catron County Farm & Livestock Bureau, and the Pecos Valley Artesian Conservancy District respectfully request they be allowed to appear by telephone at the December 13, 2017, oral arguments in this matter.

Respectfully submitted,

HENNIGHAUSEN & OLSEN, L.L.P.

By: /s/Olivia R. Mitchell
Alvin F. Jones
Olivia R. Mitchell
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and Catron County Farm & Livestock Bureau*
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By: /s/A.J. Olsen

A. J. Olsen

Jonathan E. Reohlk

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District*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing pleading was mailed by U.S. First Class mail to the parties entitled to notice as listed on the Office of the State Engineer website at <http://www.ose.state.nm.us/HU/AugustinPlains.php>.

/s/Olivia R. Mitchell