

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	07-cv-00681-BB
ET AL.,)	
)	
PLAINTIFFS,)	
)	
)	ZUNI RIVER BASIN
)	ADJUDICATION
v.)	
)	
)	
STATE OF NEW MEXICO)	
COMMISSIONER OF PUBLIC)	
LANDS, ET AL.,)	
)	Subproceeding 1
DEFENDANTS.)	Zuni Indian Claims
)	

MOTION FOR LEAVE TO FILE ANSWER

COMES NOW, the Ramah Water and Sanitation District (“Ramah”), by and through its counsel of record, Law & Resource Planning Associates, P.C., and hereby files this Motion pursuant to Fed. R. Civ. P. 6(b), for leave to file an Answer in 07-cv-00681 BB (“Zuni Subproceeding”) after the deadline.

As grounds therefore, the Defendant states as follows:

1. Defendant is a party in the underlying Zuni Basin Adjudication and, as a defendant, was entitled to file a Notice of Intent to Participate in the Zuni Subproceeding;
2. Defendant filed a Notice of Intent to Participate in the Zuni Subproceeding. *See* Doc. No. 16.
3. A non-lawyer representative of the Defendant was present at the status conference held on November 27, 2007. *See* Doc. No. 151.

4. The Court ordered that, as an entity, Ramah must be represented by counsel and cannot have a non-lawyer represent the entity in these proceedings. *See* Doc. No. 151.

5. Ramah has just retained counsel to represent it in this proceeding.

6. Ramah did not appreciate that it needed to retain counsel and file an Answer by January 31, 2008.

7. Ramah's failure to timely file an Answer is the result of excusable neglect in that it has had difficulty in scheduling a membership meeting to discuss the retention of counsel and the progress of the adjudication.

8. A copy of the proposed Answer that will be filed by Ramah is attached hereto as Exhibit A.

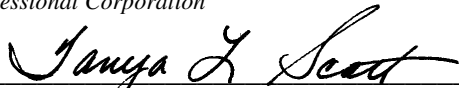
9. No party will be prejudiced by the granting of this Motion as this Subproceeding has barely commenced.

10. Counsel for plaintiffs been contacted and none objected to this Motion.

WHEREFORE, Ramah Water and Sanitation District respectfully requests that the Court enter an Order allowing it to file the attached Answer after the deadline.

Respectfully submitted,

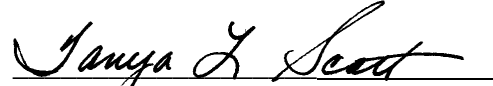
LAW & RESOURCE PLANNING ASSOCIATES,
A Professional Corporation

By: 

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on March 3, 2008, I filed the foregoing pleading electronically through the CM/ECF system, which caused the parties or counsel reflected on the Notice of Filing to be served by electronic means.



Tanya L. Scott