

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

UNITED STATES OF AMERICA,)	
and)	
STATE OF NEW MEXICO, <i>ex rel.</i> STATE)	
ENGINEER,)	
)	
Plaintiffs,)	
)	No. 01cv00072 BB-ACE
and)	
)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ADJUDICATION
)	
Plaintiffs in Intervention,)	
)	
v.)	
)	
A&R PRODUCTIONS, et al.)	
)	
Defendants.)	
_____)	

MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT

The United States of America (“United States”) hereby respectfully requests the Court to join as additional parties the persons or entities named below and order them to answer the United States’ Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the United States asserts:

1. The persons or entities listed below are diverting and using or may claim a right to divert and use surface or underground waters within the Zuni River stream system in New Mexico:

Subfile No.	Defendant
ZRB-2-0001	CLYDE J. AKARD TRUST 9 CROSSROADS COURT SANTE FE, NM 87506
ZRB-2-0002, ZRB-2-0003	CHARLIE H. ALLEN P.O. BOX 708 FENCE LAKE, NM 87315
ZRB-2-0003	JANE C. MARTIN P.O. BOX 708 FENCE LAKE, NM 87315
ZRB-2-0004	GERALD J. ALLEN P.O. BOX 767 FENCE LAKE, NM 87315
ZRB-2-0005	MARVIN J. ALLEN HCR 31, BOX 14 FENCE LAKE, NM 87315
ZRB-2-0006	WOODSON ALLEN TRUSTEE P.O. BOX 8 CORTARO, AZ 85652
ZRB-2-0014	EDWARD BAWOLEK & SUZAN BAWOLEK TRUST 2200 WEST SAGEBRUSH CT. CHANDLER, AZ 85224
ZRB-2-0015	DEREK OSBORNE BEATON 900 S. IDAHO RD. #52 APACHE JUNCTION, AZ 85216
ZRB-2-0016, ZRB-2-0019	JACK E. BELL P.O. BOX 726 FENCE LAKE, NM 87315
ZRB-2-0016	CAROLE E. BELL P.O. BOX 726 FENCE LAKE, NM 87315
ZRB-2-0018, ZRB-2-0019	MEDIA A. BELL P.O. BOX 726 FENCE LAKE, NM 87315
ZRB-2-0018	CHERYL ANN BRADLEY P.O. BOX 726 FENCE LAKE, NM 87315
ZRB-2-0020	ROLF J. CONNER, TRUSTEE P.O. BOX 1545 CAVE CREEK, AZ 85327
ZRB-2-0020	MARJORIE E. CONNER, TRUSTEE P.O. BOX 1545 CAVE CREEK, AZ 85327

Subfile No.	Defendant
ZRB-2-0021	DARRELL H. BOGART P.O. BOX 698 FENCE LAKE, NM 87315
ZRB-2-0021	PATRICIA D. BOGART P.O. BOX 698 FENCE LAKE, NM 87315
ZRB-2-0022	DODD H. BOGART 310 TULANE PL. N.E. ALBUQUERQUE, NM 87106
ZRB-2-0023	JOHN BOGART P.O. BOX 753 FENCE LAKE, NM 87315
ZRB-2-0025	BEULAH BRUTON P.O. BOX 765 FENCE LAKE, NM 87315
ZRB-2-0026	KENNETH BRUTON P.O. BOX 746 FENCE LAKE, NM 87315
ZRB-2-0027	MAJOR BRUTON P.O. BOX 717 FENCE LAKE, NM 87315
ZRB-2-0027	VIRGINIA BRUTON P.O. BOX 717 FENCE LAKE, NM 87315
ZRB-2-0028	WILLIAM L. BRUTON 6852 AVIANO DR. CAMARILLO, CA 93010
ZRB-2-0028	NEUSA BRUTON 6852 AVIANO DR. CAMARILLO, CA 93010
ZRB-2-0030, ZRB-2-0099	DONALD BILL CANTRELL P.O. BOX 71 SAN RAFAEL, NM 87051
ZRB-2-0030	ANGELE L. CANTRELL P.O. BOX 71 SAN RAFAEL, NM 87051
ZRB-2-0033, ZRB-2-0077	DENNIS M. NORTON HCR 31, BOX 13 FENCE LAKE, NM 87315
ZRB-2-0036	GREAT WESTERN PROPERTIES INC. 93 LINDEN ST. WILLIAMSTOWN, MA 01267

Subfile No.	Defendant
ZRB-2-0037	LEO G. DEGEEST P.O. BOX 2551 RANCHOS DE TAOS, NM 87557
ZRB-2-0037	LINDA FEDERICO-DEGEEST P.O. BOX 2551 RANCHOS DE TAOS, NM 87557
ZRB-2-0038	RONNY I. DEMARAY P.O. BOX 265 YOUNG, AZ 85554
ZRB-2-0038	MARGARET C. DEMARAY P.O. BOX 265 YOUNG, AZ 85554
ZRB-2-0040	DALE J. DUNIVIN P.O. BOX 727 FENCE LAKE, NM 87315
ZRB-2-0040	LAUREL A. DUNIVIN P.O. BOX 727 FENCE LAKE, NM 87315
ZRB-2-0042	FENCE LAKE JOINT VENTURE P.O. BOX 2201 SUN CITY, AZ 87372
ZRB-2-0044	MRS. ISABELLE GARCIA 707 W GREEN AVE GALLUP, NM 87301
ZRB-2-0045	KATHLEEN LOUISE BOGART GIBSON P.O. BOX 683 FENCE LAKE, NM 87315
ZRB-2-0048	STEVEN R. GREENE P.O. BOX 204 NAVAJO, NM 87328
ZRB-2-0048	CAROL A. GREENE P.O. BOX 204 NAVAJO, NM 87328
ZRB-2-0050	J.W. JORDAN, SUMMITT RESOURCES 5555 EAST VAN BUREN, SUITE 210 PHOENIX, AZ 85008
ZRB-2-0051	CHARLES W. HOCH 5520 W. MARCONI AVE. GLENDALE, AZ 85306
ZRB-2-0051	MARLENE HOCH 5520 W. MARCONI AVE. GLENDALE, AZ 85306

Subfile No.	Defendant
ZRB-2-0052	K & D ENTERPRISEA; C.R.O P.O. BOX 707 FENCE LAKE, NM 87315
ZRB-2-0053	CHARLOTTE ANN JASPER 8113 LA PALOMA LOOP EL PASO, TX 79907
ZRB-2-0053	EVERETTE DALE BRUNT 8113 LA PALOMA LOOP EL PASO, TX 79907
ZRB-2-0053	LARRY BRUCE BRUNT 8113 LA PALOMA LOOP EL PASO, TX 79907
ZRB-2-0053	CHARLES RUSSELL BRUNT 8113 LA PALOMA LOOP EL PASO, TX 79907
ZRB-2-0054	H.C. JOHNSON 3009 N IOWA ST CHANDLER, AZ 85224
ZRB-2-0054	BARBARA JOHNSON 3009 N IOWA ST CHANDLER, AZ 85224
ZRB-2-0055	ORLO JOE GILLASPY TRUSTEE P.O. BOX 270 TAYLOR, AZ 85939
ZRB-2-0055	RUTH VEST TRUSTEE P.O. BOX 270 TAYLOR, AZ 85939
ZRB-2-0056	DAVID JOLLY HC 31, BOX 16 FENCE LAKE, NM 87315
ZRB-2-0056	DENISE JOLLY HC 31, BOX 16 FENCE LAKE, NM 87315
ZRB-2-0057	NATASHA KASSIAN 44-20 DOUGLASTON PARKWAY APT. 6-C DOUGLASTON, NY 11363
ZRB-2-0057	ALEXANDER KASSIAN 44-20 DOUGLASTON PARKWAY APT. 6-C DOUGLASTON, NY 11363
ZRB-2-0059	LAWRENCE SIMON 2036 N. CLIFTON CHICAGO, IL 60614

Subfile No.	Defendant
ZRB-2-0061	JOSÉ M. LANDAVAZO 711 WEST GREEN GALLUP, NM 87301
ZRB-2-0061	ADRIAN LANDAVAZO 711 WEST GREEN GALLUP, NM 87301
ZRB-2-0061	ELMA E. MEADOWS 711 WEST GREEN GALLUP, NM 87301
ZRB-2-0062	FRIEDRICH G. LEPENIS CORNELL 220 SE ALBUQUERQUE, NM 87106
ZRB-2-0063	MICHAEL LIGHTRAIN P.O. BOX 69 WILLITS, CA 95490
ZRB-2-0064	WILSON LINK 5417 PURCELL NE ALBUQUERQUE, NM 87111
ZRB-2-0065	LEE LOUDEN PO BOX 211207 CRESENT VALLEY, NV 89821
ZRB-2-0066	WANDA MARIE (ROSE) MAASSEN P.O. BOX 383 GALLUP, NM 87301
ZRB-2-0068	CHITA MCAVOY HCR 31, BOX 11 FENCE LAKE, NM 87315
ZRB-2-0068	JIM MCAVOY HCR 31, BOX 11 FENCE LAKE, NM 87315
ZRB-2-0069	ELOISE MCDORMAN P.O. BOX 752 FENCE LAKE, NM 87315
ZRB-2-0069	GARY MCDORMAN P.O. BOX 752 FENCE LAKE, NM 87315
ZRB-2-0071	ROBERT MONDAY P.O. BOX 713 FENCE LAKE, NM 87315
ZRB-2-0071	LOESA WEEBOTHEE P.O. BOX 713 FENCE LAKE, NM 87315

Subfile No.	Defendant
ZRB-2-0076	MICHAEL NORTE 7849 QUINTANA NE ALBUQUERQUE, NM 87109
ZRB-2-0076	JEANETTE NORTE 7849 QUINTANA NE ALBUQUERQUE, NM 87109
ZRB-2-0077	LINDA J. NORTON HCR 31, BOX 13 FENCE LAKE, NM 87315
ZRB-2-0078	KENNETH OWENS P.O. BOX 4121 ROSWELL, NM 88202
ZRB-2-0079	GERALDINE KAYE PITTMAN HC 31, BOX 7 FENCE LAKE, NM 87315
ZRB-2-0080	ALBERT SANCHEZ 6901 BANGOR AVE. NW ALBUQUERQUE, NM 87120
ZRB-2-0080	DEBORAH SANCHEZ-GARCIA 6901 BANGOR AVE. NW ALBUQUERQUE, NM 87120
ZRB-2-0081	ELOY SANCHEZ 716 TYLER NE ALBUQUERQUE, NM 87113
ZRB-2-0081	ANGIE SANCHEZ 716 TYLER NE ALBUQUERQUE, NM 87113
ZRB-2-0082	LEONARD SCHULTZ 900 E. HWY 66 GALLUP, NM 87301
ZRB-2-0083	SFFL, LLC P.O. BOX 3834 MILAN, NM 87021
ZRB-2-0087	ROBERT A. THOMPSON HC 31, BOX 18 FENCE LAKE, NM 87315
ZRB-2-0087	GERALDINE P. THOMPSON HC 31, BOX 18 FENCE LAKE, NM 87315
ZRB-2-0088	LETA TRAVIS 3851 HWY. 85 LOS LUNAS, NM 87031

Subfile No.	Defendant
ZRB-2-0088	JIMMIE A. VANDEVER 3851 HWY. 85 LOS LUNAS, NM 87031
ZRB-2-0088	M. LLOYD MYERS 3851 HWY. 85 LOS LUNAS, NM 87031
ZRB-2-0088	COLEEN G. GREER 3851 HWY. 85 LOS LUNAS, NM 87031
ZRB-2-0088	SHERYL D. HOWES 3851 HWY. 85 LOS LUNAS, NM 87031
ZRB-2-0088	KEVIN R. CLAWSON 3851 HWY. 85 LOS LUNAS, NM 87031
ZRB-2-0088	MICHELLE UNI 3851 HWY. 85 LOS LUNAS, NM 87031
ZRB-2-0091	EDWARD ALLEN WAGNER 5412 VISTA LEJANA N.E. ALBUQUERQUE, NM 87111
ZRB-2-0091	DONNA MARIE WAGNER 5412 VISTA LEJANA N.E. ALBUQUERQUE, NM 87111
ZRB-2-0092	ROBERT R. WALLACE 620 MCKEE GALLUP, NM 87301
ZRB-2-0094	EVELYN WHITE P.O. BOX 387 ZUNI, NM 87327
ZRB-2-0095	MAURETA BELL WILSON REVOCABLE TRUST P.O. BOX 692 FENCE LAKE, NM 87315
ZRB-2-0096	LAWRENCE MARTIN 6075 DEL SOL ALAMOSA, CO 81101
ZRB-2-0096	JANELL MARTIN 6075 DEL SOL ALAMOSA, CO 81101
ZRB-2-0100	GLENN KATAHARA 2850 MAKAU ST. LIHUE, HI 96766

Subfile No.	Defendant
ZRB-2-0100	TERAL KATAHARA 2850 MAKAU ST. LIHUE, HI 96766
ZRB-2-0101	LINK RANCH, LLC 5417 PURCELL NE ALBUQUERQUE, NM 87111
ZRB-2-0102	ANGIE MAREZ HC 31, BOX 23 FENCE LAKE, NM 87315
ZRB-2-0103	GLENN MCDORMAN P.O. BOX 755 FENCE LAKE, NM 87315
ZRB-2-0103	VIRGINIA MCDORMAN P.O. BOX 755 FENCE LAKE, NM 87315
ZRB-2-0104	LAWRENCE SILVIS 7217 LUELLA ANN DR. NE ALBUQUERQUE, NM 87109
ZRB-2-0104	LAURA SILVIS 7217 LUELLA ANN DR. NE ALBUQUERQUE, NM 87109
ZRB-2-0105	WALTER GENE BELL P.O. BOX 756 FENCE LAKE, NM 87315
ZRB-2-0106	LEIGH ANN MAREZ 206 JARALES JARALES, NM 87023
ZRB-2-0106	LORI BELL 206 JARALES JARALES, NM 87023
ZRB-2-0106	JOHN BELL 206 JARALES JARALES, NM 87023
ZRB-2-0106	MICHAEL LEE BELL II 206 JARALES JARALES, NM 87023
ZRB-2-0107	MATTIE OLDFIELD P.O. BOX 1286 GRANTS, NM 87020

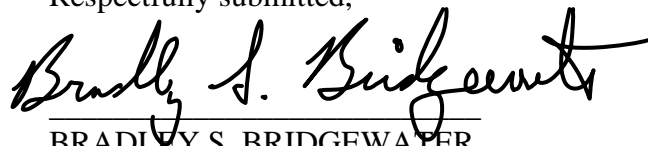
The water uses, or claims to the right to use water, of these persons or entities are subject to the laws of the State of New Mexico and the United States. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Zuni River stream system in New Mexico.

2. The persons or entities listed above are in Sub-area 9 or 10 of the Zuni River stream system and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using or diverting surface or underground waters within the Zuni River stream system.

3. For the benefit of other parties, and by way of explanation, the United States asserts that motions to add additional defendants, dismiss defendants, correct defendants' names, and take other corrective action, are parts of an on-going process made necessary by the hydrographic survey, defendants' responses, and other kinds of new information received during the course of this adjudication. The United States advances such motions primarily for the purpose of ensuring that the Court's records indicate as accurately as possible the persons or entities that are parties to this case.

DATED: January 24, 2006

Respectfully submitted,




BRADLEY S. BRIDGEWATER
U.S. Department of Justice
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COUNSEL FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I hereby certify that, on January 24, 2006, a copy of the forgoing *Motion to Join Additional Parties Defendant* was mailed to the following persons.



Bradley J. Binkley

Special Master Vickie L. Gabin
U.S. District Court
District of New Mexico
P.O. Box 2384
Santa Fe, NM 87504-2384

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Law & Resource Planning Associates, P.C.
201 Third St., NW, Suite 1750
Albuquerque, NM 87102

¹ Law & Resource Planning Associates, P.C. is the only firm or attorney to have entered an appearance on behalf of a defendant listed in this motion.