

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,)	Sub-areas 4 & 8
)	
v.)	Subfile ZRB-1-0135
)	
A&R PRODUCTIONS, et al.)	
)	
Defendants.)	
_____)	

MOTION FOR SUBSTITUTION OF PARTY

The Plaintiffs United States of America (“United States”) and State of New Mexico *ex rel.* State Engineer (“State”) hereby move the Court pursuant to Fed. R. Civ. P. 25(c) to issue its order substituting JOHN JACOBS, CONSERVATOR FOR THE ESTATE OF GLADIS MAY BARTLETT for defendant WESTLEY R. LOGAN in these proceedings. As grounds for this motion, Plaintiffs state as follows:

1. On February 7, 2006, counsel for the United States and the State consulted with Defendant Westley R. Logan and with representatives of the Estate of Gladis May Bartlett concerning the Consent Order offered by Plaintiffs for Subfile ZRB-1-0135.
2. Following the consultation, on March 6, 2006, Sarita Nair, counsel for John Jacobs, Conservator for the Estate of Gladis May Bartlett provided the United States with a

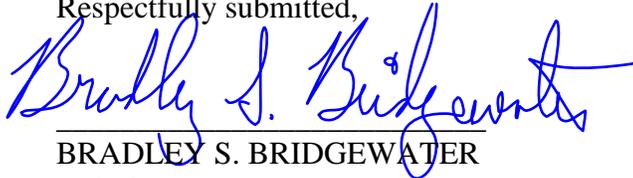
copy of a Special Administrator's Deed by which Westley R. Logan, acting as special administrator of the Estate of Silvestre Lorenzo Mirabal, Deceased, conveyed certain tracts of land previously included within Subfile ZRB-1-0135, to John Jacobs, Conservator for the Estate of Gladis May Bartlett.

3. As a result of information provided by the Defendant Westley R. Logan and the representatives of the Bartlett Estate, the United States has revised Subfile ZRB-1-0135 to include only those tracts now deeded to John Jacobs, Conservator of the Estate of Gladis May Bartlett. Counsel for both the United States and the State have now approved and signed the revised Consent Order generated in response to these changes and will serve the revised Consent Order on counsel for John Jacobs, Conservator of the Estate of Gladis May Bartlett, once the Court approves the requested substitution of party. Other tracts previously included in the subfile remain subject to on-going estate settlement proceedings and will be incorporated into one or more new subfiles once the United States is informed that they have been conveyed to new owners.

WHEREFORE, the Plaintiffs respectfully move the Court to enter its order substituting John Jacobs, Conservator for the Estate of Gladis May Bartlett for Defendant Westley R. Logan in these proceedings.

DATED: April 14, 2006

Respectfully submitted,



BRADLEY S. BRIDGEWATER

U.S. Department of Justice
999 18th St., Suite 945 North
Denver, CO 80202
(303) 312-7318

COUNSEL FOR THE UNITED STATES

(approved via telephone 4/14/2006)

EDWARD BAGLEY

Office of the State Engineer, Legal Division
P.O. Box 25102
Santa Fe, NM 87504
(505) 827-6150

COUNSEL FOR THE STATE OF NEW MEXICO
EX REL. STATE ENGINEER

CERTIFICATE OF SERVICE

I hereby certify that, on April 14, 2006, a copy of the forgoing *Motion For*

Substitution Of Party was mailed to the following persons:

Via Certified Mail With Request for Waiver of Service:

Sarita Nair
Sutin Thayer & Browne
P.O. Box 1945
Albuquerque, NM 87103

Via Regular Mail:

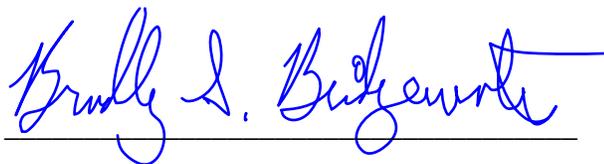
Special Master Vickie L. Gabin
U.S. District Court
District of New Mexico
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall, Data Manager
1315 Sagebrush Dr. S.W.
Los Lunas, NM 87031

Edward Bagley
Office of the State Engineer, Legal Division
P.O. Box 25102
Santa Fe, NM 87504

Sarita Nair
Sutin Thayer & Browne
P.O. Box 1945
Albuquerque, NM 87103

Westley R. Logan
51 Tierra Madre Rd.
Placitas, NM 87043



Brady L. Budgevick