

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.	)	
_____	)	

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**MOTION TO JOIN ADDITIONAL PARTY DEFENDANT**

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The United States of America (“United States”) hereby respectfully requests the Court to join as an additional party defendant the person named below and order the party 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 the party. In support of this motion, the United States asserts:

1. The person listed below is 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:

<b>Subfile No.</b>	<b>Defendant</b>
ZRB-4-0234	SPENCER JONES 417 MCKEE DRIVE GALLUP, NM 87301

The water uses, or claims to the right to use water, of this person is 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.

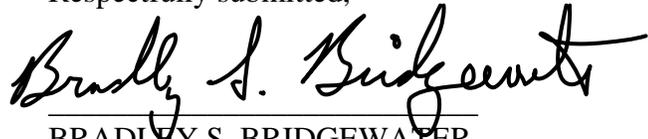
2. The person listed above has been identified by the Hydrographic Survey for Sub-areas 1, 2 & 3 (excluding Ramah) of the Zuni River stream system and may be diverting and using water associated with the subfile number listed, or may otherwise be using or diverting surface or underground waters within the Zuni River stream system.

3. Mr. Jones was omitted from the United States' October 26, 2006 *Motion to Join Additional Parties Defendant* (Doc. No. 855) due to a data processing error.

4. 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: November 29, 2006

Respectfully submitted,

A handwritten signature in black ink that reads "Bradley S. Bridgewater". The signature is written in a cursive style with a horizontal line underneath the name.

BRADLEY S. BRIDGEWATER

U.S. Department of Justice

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Denver, CO 80294

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COUNSEL FOR THE UNITED STATES

**CERTIFICATE OF SERVICE**

I hereby certify that, on November 29, 2006, a copy of the foregoing *Motion To Join Additional Party Defendant* was mailed to the following persons.

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

Edward Bagley  
Office of the State Engineer, Legal Division  
P.O. Box 25102  
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