

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
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 defendant the persons named below and order the parties 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 parties. In support of this motion, the United States asserts:

1. The persons 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.¹	Defendant
ZRB-1-0189	BEVERLY MOODY PO BOX 517 RAMAH, NM 87321
ZRB-3-0194	RICHARD FRANITS 3732 OTRA VEZ COURT NW ALBUQUERQUE, NM 87107
ZRB-3-0194	JACQUELINE FRANITS 3732 OTRA VEZ COURT NW ALBUQUERQUE, NM 87107
ZRB-3-0195	STEPHEN VICTOR PO BOX 3582 ASHLAND, OR 97520
ZRB-3-0196	JAMES HOPKINS 6601 E. US HWY 60 #604 GOLD CANYON, AZ 85218
ZRB-3-0198	JUSTIN COX HC 61, BOX 4058 RAMAH, NM 87321
ZRB-3-0198	STEPHANIE COX HC 61, BOX 4058 RAMAH, NM 87321
ZRB-2-0117	SCOTT CRAWFORD 50598 W. VAL VISTA ROAD MARICOPA, AZ 85239
ZRB-2-0117	LINDA CRAWFORD 50598 W. VAL VISTA ROAD MARICOPA, AZ 85239
ZRB-2-0118	GLEN RICHARDSON 1372 N. BLACKSTONE FRESNO, CA 93703
ZRB-4-0456	JANET PLUMER PO BOX 129 VANDERWAGEN, NM 87326
ZRB-4-0457	BARBARA GORDON PO BOX 1767 GALLUP, NM 87305

¹ The United States provides Subfile Numbers in motions to join only for tracking purposes, and not to limit in any way the scope of the joinder sought.

Subfile No.¹	Defendant
ZRB-4-0458	RONALD MONTANO 3941 RUFFIN AVE SW ALBUQUERQUE, NM 87105
ZRB-4-0460	RALPH MELDRUM 29248 N 59TH ST CAVE CREEK, AZ 85331
ZRB-4-0460	SHARON MELDRUM 29248 N 59TH ST CAVE CREEK, AZ 85331
ZRB-4-0461	RONALD WEATHERFORD PO BOX 651 GANADO, AZ 86505
ZRB-4-0462	JASON HERNDON PO BOX 138 VANDERWAGEN, NM 87326
ZRB-4-0462	AMANDA HERNDON PO BOX 138 VANDERWAGEN, NM 87326
ZRB-4-0463	JOHN GLASGOW 46514 171ST STREET LANCASTER, CA 93535
ZRB-4-0465	JAMES AMSLER PO BOX 1076 TONTO BASIN, AZ 85553
ZRB-4-0466	VITO IACOBO HC 61, BOX 854 RAMAH, NM 87321
ZRB-4-0470	MICHAEL PASICH 1615 W. HWY 66 GALLUP, NM 87301
ZRB-4-0459	GERALD BACA HC 61, BOX 864 RAMAH, NM 87321
ZRB-4-0471	MICHAEL THOMPSON PO BOX 704 RAMAH, NM 87321
ZRB-4-0471	MARIANNE THOMPSON PO BOX 704 RAMAH, NM 87321

The water uses, or claims to the right to use water, of these parties 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 listed above may be diverting and using water associated with the subfile numbers indicated, or may otherwise be using or diverting surface or underground waters within the Zuni River stream system.

3. The persons listed above are being joined at this time as a result of updated ownership information obtained from county records or during the consultation process, or as a consequence of new water uses lawfully initiated after the initial hydrographic survey but senior to December 4, 2008.

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: July 13, 2009

Electronically Filed

/s/Bradley S. Bridgewater

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COUNSEL FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on July 13, 2009, I filed the foregoing *Motion To Join Additional Parties Defendant* electronically through the CM/ECF system, which caused CM/ECF participants to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

_____/s/_____
Bradley S. Bridgewater