

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 entity and 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 entity and 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:

Subfile¹	Defendant
ZRB-1-0187	WANDA WALLACE HC 61, BOX 5031 RAMAH, NM 87321
ZRB-1-0187	JAMES THOMAS HC 61, BOX 5031 RAMAH, NM 87321
ZRB-2-0031	FENCE LAKE COMMUNITY ASSOCIATION P.O. BOX 715 FENCE LAKE, NM 87315
ZRB-2-0114	ANDRE PITMAN P. O. BOX 1751 GRANTS, NM 87020
ZRB-2-0114	MARTHA PITMAN P. O. BOX 1751 GRANTS, NM 87020
ZRB-3-0182	MARSHALL ROBIN PO BOX 673 FENCE LAKE, NM 87315
ZRB-3-0182	SHERYL ROBIN PO BOX 673 FENCE LAKE, NM 87315
ZRB-3-0183	HARVEY RUDD 800 CALLE DEL RIO BLOOMFIELD, NM 87413
ZRB-3-0183	AUDREY RUDD 800 CALLE DEL RIO BLOOMFIELD, NM 87413
ZRB-4-0443	CONNIE GALTS, TRUSTEE OF THE GALTS FAMILY LIVING TRUST 2445 E VISTA DRIVE PHOENIX, AZ 85032
ZRB-4-0443	TODD GALTS, TRUSTEE OF THE GALTS FAMILY LIVING TRUST 2445 E VISTA DRIVE PHOENIX, AZ 85032
ZRB-4-0444	TIMOTHY TERRELL PO BOX 191 RAMAH, NM 87321

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.

ZRB-4-0444	CHRISTINA TERRELL PO BOX 191 RAMAH, NM 87321
ZRB-4-0445	DANIEL THOMAS 11301 W HILDALGO AVENUE TOLLESON, AZ 85353
ZRB-4-0445	SHARON THOMAS 11301 W HILDALGO AVENUE TOLLESON, AZ 85353
ZRB-4-0446	ROBERT MCBRIDE 21056 E. EXCELISIOR AVENUE QUEEN CREEK, AZ 85242
ZRB-4-0446	DONNA MCBRIDE 21056 E. EXCELISIOR AVENUE QUEEN CREEK, AZ 85242
ZRB-4-0447	RICHARD KNOWLES HC 61 BOX 810 RAMAH, NM 87321
ZRB-4-0447	CLAIRE KNOWLES HC 61 BOX 810 RAMAH, NM 87321
ZRB-4-0448	ARTHUR RAPTON 13017 N. 18TH PLACE PHOENIX, AZ 85022
ZRB-4-0448	CHERYL RAPTON 13017 N. 18TH PLACE PHOENIX, AZ 85022
ZRB-4-0449	RICHARD ANTOSH 5389 W. WINDING DESERT DRIVE MARANA, AZ 85653
ZRB-4-0449	PAMELA ANTOSH 5389 W. WINDING DESERT DRIVE MARANA, AZ 85653

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 entity and 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 entity and persons listed above are being joined at this time as a result of updated ownership information obtained during the consultation process or from county records, or as a result of new water uses initiated since the initial hydrographic survey of the Zuni River Basin.

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: June 23, 2008

Electronically Filed

/s/Bradley S. Bridgewater

BRADLEY S. BRIDGEWATER
U.S. Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294
(303) 844-1359

COUNSEL FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on June 23, 2008, 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