

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 DISMISS PARTIES DEFENDANT

The Plaintiffs United States of America (“United States”) and State of New Mexico *ex rel.* State Engineer (“State”) hereby move the Court to dismiss SARAH RENOUD and RHETT RENOUD as parties defendant from this action. As grounds for this motion, the movants assert as follows:

1. Sarah Renoud and Rhett Renoud were joined as defendants in this matter by the Court’s November 1, 2006 *Order Granting Motion to Join Additional Parties Defendant*. (Doc. No. 857) which granted the United States’ joinder motion (Doc. No. 855). The United States’ motion was based on information obtained from county records indicating the Renouds were the owners of the property involved in Subfile No. ZRB-4-0341. However, documentation recently provided by these defendants, corroborated by updated county ownership records,

indicates they had no interest in Subfile ZRB-4-0341 at the time of their joinder. The United States has filed a separate motion to join, *inter alia*, the Renouds' successors-in-interest (Doc. No. 1907).

2. The Hydrographic Survey of the Zuni River Stream System has not identified Sarah Renoud or Rhett Renoud to be potential claimants of any water rights within the scope of this adjudication other than those involved in Subfile ZRB-4-0341.

WHEREFORE, the Plaintiffs respectfully move the Court to enter its order dismissing SARAH RENOUD and RHETT RENOUD as parties defendant from this action.

DATED: October 14, 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

(approved 10/14/08)
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 October 14, 2008, I filed the foregoing *Motion To Dismiss 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.

AND I FURTHER CERTIFY that on such date I served the foregoing on the following non-CM/ECF Participants via first class mail, postage prepaid:

Sarah Renoud
Rhett Renoud
217 E. Flower
Ulysses, KS 67880

_____/s_____
Bradley S. Bridgewater