

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/WDS
and)	
)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ADJUDICATION
)	
Plaintiffs in Intervention,)	
)	
v.)	
)	
A&R PRODUCTIONS, et al.)	
)	
Defendants.)	
_____)	

MOTION TO CORRECT DEFENDANT'S NAME

COMES NOW the Plaintiff United States of America (“United States”) and moves the Court to issue its order correcting the name of the defendant specified below:

FROM:	TO:
FENCE LAKE COMMUNITY ASSOCIATION P.O. BOX 715 FENCE LAKE, NM 87315	FENCE LAKE WELL CO-OP C/O VIRGINIA MCDORMAN P.O. BOX 755 FENCE LAKE, NM 87315

In support of this motion, the United States asserts:

1. On June 23, 2008, the United States filed a motion to join additional parties defendant, listing, *inter alia*, “FENCE LAKE COMMUNITY ASSOCIATION” of the record address P.O. Box 715, Fence Lake, NM 87315 and with reference to Subfile No. ZRB-2-

0031 (Doc. No. 1791). The Court granted the United States' motion on July 9, 2008 (Doc. No. 1814).

2. Through a timely Request for Consultation submitted on behalf of the Defendant, and updated County and State records, the United States has determined that the name of the defendant should be corrected to "FENCE LAKE WELL CO-OP," with an updated record mailing address of "C/O VIRGINIA MCDORMAN, P.O. BOX 755, FENCE LAKE, NM 87315."

3. 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.

WHEREFORE, the United States moves the Court to enter an order correcting the name of the defendant "FENCE LAKE COMMUNITY ASSOCIATION" to "FENCE LAKE WELL CO-OP," with an updated record mailing address of "C/O VIRGINIA MCDORMAN, P.O. BOX 755, FENCE LAKE, NM 87315."

Submitted: May 1, 2009

Electronically Filed

/s/ Bradley S. Bridgewater

BRADLEY S. BRIDGEWATER

U.S. Department of Justice

1961 Stout St., 8th Floor

Denver, CO 80294

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COUNSEL FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on May 1, 2009, I filed the foregoing *Motion To Correct Defendant's Name* 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 in the manner indicated:

Via Regular Mail:

FENCE LAKE WELL CO-OP
C/O VIRGINIA MCDORMAN
P.O. BOX 755
FENCE LAKE, NM 87315

/s/
Bradley S. Bridgewater