

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

JAN 30 2004

United States,)
)
)
 Plaintiff)
)
 v.)
)
A & R Productions, et al.,)
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 Defendants)
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)
)

01CV00072BDB
Robert March
CLERK

ZUNI RIVER STREAM
SYSTEM ADJUDICATION
* * * * *
REVISED/SUBSTITUTE ORDER
GRANTING MOTION TO
DROP/DISMISS
PARTY-DEFENDANTS

This Court having reviewed the United States' motion seeking to drop/dismiss the party-defendants listed below and all papers filed in connection therewith, and good cause showing hereby GRANTS the United States' motion. All those listed below are hereby DROPPED/DISMISSED from this lawsuit:

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|---|-------------------------------------|
| 001. Kenneth A. & Pamela K. Adams | 015. Richard E. Beeler |
| 002. Donald & Yvonne Alder | 016. Lowell E. Bogart |
| 003. Gary & Philomena Allen | 017. Norman & Bessie Bolkema |
| 004. Dale R. & Teri L. Ambrose | 018. Jeffrey A. & Debra S. Bond |
| 005. Rick S. & Karen M. Anderson | 019. William & Cynthia Boyson |
| 006. Rudy Aragon | 020. Joseph H. & Susan L. Briley |
| 007. Eddie D. & Jacalyn D. Arias | 021. James P. Brunner |
| 008. Jack D. & Nancy M. Artrip | 022. David & Carolyn Bruton |
| 009. Brady & Nachegeale Dawn Ash | 023. David E. Burden |
| 010. A T & T Communications, Inc. | 024. Edward G. & Lucinda P. Burdick |
| 011. John Luis Bandera | 025. Nicholas C. Busch |
| 012. Jon Paul Barnicoat, % Louis N. & Virginia DuVall | 026. Pantaleon & Cirilia Cabrera |
| 013. Jay A. & Marty A. Barrus | 027. Alberto & Donna L. Calderon |
| 014. Mem O. Bedsworth | 028. William R. & Mary Lou Caldwell |

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029. Bruce S. Campbell
030. Janice Carter
031. Libby & Joe Chavez
032. Robert J. Charles
033. Lois J. Chedsey
034. Tracy L. Christian-Frear
035. Eric H. Christianson, Val W. Christianson
036. Corp. Presiding Bishop of Jesus Christ of LDS
037. Steven R. Clabaugh
038. Amos J. & Iva M. Cline, % Dana L. & Linda K. Scott
039. Donald & Joan Coe
040. Joseph Coia Jr. & Dorothy Coia
041. Robert & Thelma Cole
042. Kevin Lee & Rebecca Ann Coleman
043. William C. & Caroline D. Conaway
044. Conoco, Inc.
045. Walter E. Conrad
046. Joan C. Cook
047. Darlene M. Costello
048. Douglas K. & Theresia M. Cowan
049. Sarah J. Cubbage
050. L. Leon & Delva Daly
051. Lillie L. Darby
052. Jesse Furst Davidson
- ~~053. Paul & Joann Davis, % Henry & Charlotte Yazzie~~
- ~~054. Paul & JoAnn V. Davis Rev. Trust~~
055. Miles & Johanna Dawson
056. Roger & Denise DeBaere
057. Louis E. DePaul Sr., et al.
058. L.R. & Rebecca Dickerson
059. Margaret V. Dowling
060. Arnold & Margaret A. Dozier
061. Clinton Dozier
062. Sandra S. & Paul L. Drullinger
063. Virginia & Louis Duvall
064. John & Seraphine Elam
065. Fred & Brown Elkins, % Dennis & Faye Burress
066. Fred & Brown F. Elkins, et al., % Robert L. & Miriam James
067. Anthony & Thelma Ruth Farallo
068. S.R. & Elizabeth Ferguson
069. Ferrellgas
070. B. Fidel
071. Jane C. Fish
072. Alan R. Fisher & Edith L. Kreimeyer
073. Clifton & Carol Frazer
074. Darrell R. Frear
075. Hans Friederichs
076. Tom & Claudia Frye
077. Leroy Gabaldon
078. Todd M. & Connie Galts
079. GE Capital Modular Space
080. Allan M. & Margie George
081. Joseph Sr. & Jennie Gergel
082. David W. & Anita M. Glaser
083. Joc & Rose Gomez
084. Randall & Le Jean Goslar
085. Edith P. Greenup
086. Melvin F. Groten
087. Hadden Charitable Remainder Unitrust, % Ronni Hilliard Living Trust
088. Donald E. & Laura A. Hand
089. James W. & Connie Sue Hartley, % David M. Schaffer
090. Raymond & Molly Hayes
091. Dorothy J. Hansen
092. Michele M. Hellickson
093. Charles M. & Joyce Helton
094. Joseph M. Henderson
095. Jerry F. & Louise R. Herrera
096. Lucille Hicks
097. Rodney W. & Jolynn Hill
098. Phillip & Kathleen Holcomb
099. El Morro Valley Land Co., % Kenneth & Debbie Homer
100. Linda Lee Kasworm Hurley Rev. Tr., % Linda Lee Ehart
101. Charles & Imogene Hutchins
102. Michael Hyatt
103. Myron C. & Patsy R. Ingle, et al.
104. Daniel & Harriett M. Jackson
105. Karl M. & Frances H. Jacobs

106. Daniel James Jahnke
107. Parneline Jim
108. David Warren Jones
109. Nellie M. Jones, % Jerry W. Jones
110. Richard G. & Patricia W. Jordan
111. Martin J. & June Kaplan
112. William F. & Anna R. Kelleher
113. Terry L. & Maria A. Keller
114. Barry Kessler
115. John I. King
116. Michael E. & Susan Kirk
~~117. Kiwanis~~
118. Joyce & Barker S. Kozeliski (Joyce Kozeliski, Shelley Barker, Corby Turpen, & Tobe A. Turpen III)
119. Stuart L. & Virginia S. Kupferman
120. Oso Ridge Corp. % David E. Kurtz
121. Edward F. & Charlotte B. Kurtz
122. David & Vergie Kustanborter
123. Frank B. Lambson
124. Hilda Lambson
125. Judy A. Lamont
126. Alberto Landavazo
127. Roberto E. Landavazo, Carlos U. Landavazo, et al.
128. Max M. Lannin
129. Stephen Larson
130. Bonnie Jean Lash
131. Las Ruedas Construction Co. (now MacLovio Salas)
132. David L. & Ann Lewis, L.B. & Jacqueline McPheeters
133. Larry R. & Roxana Lewis
134. Helen Isaacs Locher
135. Jeffrey & Lori A. Love
136. Pete R. & Mary Lovella Luna
137. Anne E. Lowden
138. Phillip A. Lowry
139. Dennis M. & Cynthia A. Luedke
140. Richard & Karen Lynch
141. Susan Oertle Mahoney
142. James & Georganne Marable Rev. Trust
143. Gerald F. McBride, Myrrl W. McBride
144. Terry V. McClellan
145. Mary McGrane
146. Molly McGrane
147. Timothy I. & Elizabeth McGuire
148. L.B. & Jacqueline M. McPheeters
149. James H. Meisner
150. Joseph V. Mesich
151. Paul Miller Living Trust
152. Robert W. & Jane E. Milligan
153. Wallace E. & Virginia A. Mollet
154. Ronald Montano, Donna L. Montano, & Vincent Montano
155. Danny A. Montoya
156. Ken & Marti Moore
157. Robert & Vicki Morgan
158. Susan J. Morris
159. John H. & Margaret G. Naegle, % Frank G. & Rondi L. Ortiz
160. L. Eugene & Vickie M. Nelson
161. Lorne & Karen Nowosad
162. Thomas & Judith Nurenberg
163. Charles & Helen Ohler
164. William R. Olivas
165. June M. Olson
166. Alberta O'Neal
167. Joseph L. & Lisa M. O'Rourke
168. Frank & Rondi L. Ortiz
169. Robert E. & Catherine O'Sullivan
170. Bruce S. Park
171. Charlane J. Paul
172. Francis & Verna Pawlowski
173. Linda S. Pedersen
174. Catherine M., Bruce M., Daniel F., and David R. Pendery
175. Thomas E. Pettet, Terrill Pettet
176. Leo C. and Bessie R. Pollak
177. Charles & Edith Ponton
178. Presbyterian Healthcare Found., % Todd R. & Kelli A. Dean
179. Homer G. & Julienné A. Pringle
180. Robert R. & Juanita B. Proctor
181. Gerald F. & Paula Prohaska
182. John S. Pyburn

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| 183. Eugene Pyle, Jr. | 214. Billy Gene & Dorthy Fern Thornton Rev. Trust |
| 184. Dorothy O. Ramirez | 215. Blair Walton & Lou Ann L. Thurgood Rev. Trust |
| 185. Juan & Donna Lee Ramos | 216. Ange-Marie Torre, et al., % Jacqueline M. Harrison. % Mike Eskew CPA |
| 186. Pascale Maish Randolph | 217. Edward J. & Pauline Valdez |
| 187. Max & Claudia Ray | 218. George M. & Marina Van Orden |
| 188. John V.R. & Jill E. Redington | 219. Ezerquio S. & C.V. Vaquera |
| 189. Ronald G. Reeves | 220. Fernando A. Velasquez |
| 190. Reidhead Lumber Co. EPST, % Jerry Reidhead, Trustee | 221. Craig & Kathryn Walling |
| 191. James I. Rhodes. Patricia S. Rhodes | 222. Steven C. & Linda L. Ward |
| 192. Rafael Rivera & Jean Johnson | 223. James R. & Pamela L. Warren |
| 193. Jon L. & Janet Roff | 224. Dolores Watt |
| 194. Francisco & Janie Roman | 225. Robert J. & Venus D. Weir |
| 195. Joan A. Ryan | 226. Walter & Virginia Wendt |
| 196. August & Yvonne Sanchez | 227. Ray & Jacqueline C. Wenger |
| 197. Manuel & Deluvina Sanchez | 228. Philden & Judy White |
| 198. Terry Sanderlin & M. Lutz | 229. Whitewater Gospel Mission |
| 199. L. Karen & Dennis L. Sandoval | 230. Wesley T. Whitley |
| 200. Mary Sanford | 231. Christina Wieland |
| 201. Austin & Ida Saraguard | 232. Arthur & Linda Wilkinson |
| 202. Maryanne Sears | 233. Ann Elizabeth Wilkinson & Jean Wilkinson Martinis. % Scott Wilkinson |
| 203. Charles K. & Maxine K. Smith | 234. Arthur (Scott) & Linda Wilkinson |
| 204. Janice I. Spencer | 235. Brian & Rosemarie Williams |
| 205. Mindle E. & Maxine Spencer | 236. Donald & Barbara Wisley |
| 206. The Spiritual Council | 237. Sheila F. Wood |
| 207. Bronson & Karen Springstead Rev. Trust | 238. Joan Leslie Woodruff |
| 208. Bernadette Steele | 239. Robert L. & Claudia L. Wyngard |
| 209. Ronald E. & Linda L. St. Juliana | 240. Charlotte Yazzie |
| 210. Jack M. & Pauline A. Stokes, Stokes Family Trust | |
| 211. Murray J. & Shirley Suppanz | |
| 212. M. Pauline Tharp | |
| 213. George Theobald | |

Date



BRUCE D. BLACK
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on or before this 13th day of January, 2004, a true and correct copy of the foregoing was served by United States Postal Service first class, postage pre-paid mail to the following:

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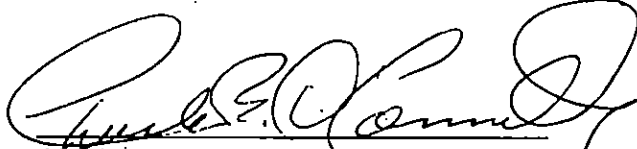
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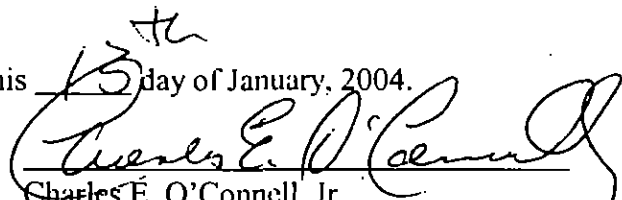


Charles E. O'Connell, Jr.
Attorney for United States

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

United States,)	01CV00072BDB/WWD(ACE)
)	
Plaintiff)	ZUNI RIVER STREAM
)	SYSTEM ADJUDICATION
v.)	* * * * *
A & R Productions, et al.,)	RE: REVISED/SUBSTITUTE
)	ORDER GRANTING MOTION
Defendants)	TO DROP/DISMISS
)	PARTY-DEFENDANTS
)	
)	
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The United States filed a motion on December 23, 2003, seeking an order from this Court to drop and dismiss some 240 landowner/defendants from this adjudication based on disclaimers of interest or other written notification indicated that they either do not use or presently claim a right to the use of surface or groundwater within the geographical boundary of the Zuni River Basin or that they do not presently hold fee title to land within that basin. See Docket No. 294. A proposed Order granting the Motion was also filed by the United States. It has come to the attention of the United States that certain defendants were listed in error or improperly identified. The United States agrees. Accordingly, for the Court's consideration, accompanying this filing is a substitute proposed Order striking the parties listed in error as well as those improperly identified.

RESPECTFULLY SUBMITTED this 15th day of January, 2004.

Charles E. O'Connell, Jr.
United States Trial Attorney