

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

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CLEARING HOUSE

UNITED STATES OF AMERICA,  
and  
STATE OF NEW MEXICO, *ex rel.*  
STATE ENGINEER,

Plaintiffs,

And

CIV No. 01 0072 BB/WWD-ACE

ZUNI INDIAN TRIBE AND  
NAVAJO NATION,

ZUNI RIVER BASIN

Plaintiffs-in-Intervention

v.

A & R Productions, *et al.*,

Defendants.

**STATE OF NEW MEXICO'S UNOPPOSED MOTION FOR AN EXTENSION OF  
TIME TO RESPOND TO THE WESTERN NEW MEXICO WATER  
PRESERVATION ASSOCIATION'S MOTION TO CERTIFY QUESTIONS**

THE STATE OF NEW MEXICO, by and through its counsel of record, hereby moves for an extension of time of fourteen (14) additional days, up to and including November 30, 2005, to respond to the Western New Mexico Water Preservation Association's ("WNMWPA") Motion to Certify Questions to the New Mexico Supreme Court (Docket No. 396), and in support thereof, states as follows:

1. The WNMWPA's Motion to Certify was served on November 2, 2005. Rule 7.5(a) of this Court's Administrative Order Establishing Motion Practice and

Procedure (Docket No.191) requires responses and supporting briefs be filed within fourteen calendar days of service of the motion, or in this case November 16, 2005.

2. A response by the State to the WNMWPA's motion will require close analysis of the six questions the WNMWPA requests be certified to the New Mexico Supreme Court.

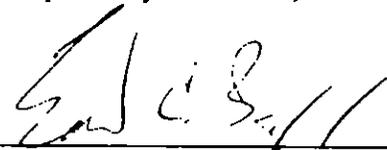
3. Due to other imminent deadlines and matters pending in other lawsuits, additional time is necessary for the State of New Mexico to respond to the matters raised in Defendants' Motion to Certify.

4. Pursuant to Rule 7.4 of this Court's Administrative Order Establishing Motion practice and Procedure, the undersigned advised counsel for the WNMWPA and counsel for the United States of this motion, and counsel expressed no objection.

5. Pursuant to this Court's Administrative Order Governing Form of Orders (Docket No. 319), a proposed order has been submitted with this motion in electronic form as well as by hard copy.

Wherefore, the State requests the Court extend the time to respond to the WNMWPA's Motion to Certify by fourteen (14) additional days, to November 30, 2005.

Respectfully submitted,

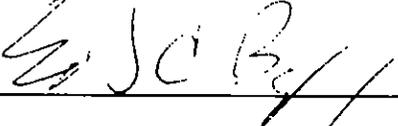


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Edward C. Bagley  
Special Assistant Attorneys General  
Attorney for the New Mexico State  
Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
Telephone: (505) 827-6150  
Fax: (505) 827-3887

Certificate of Service

I certify that on this 8th day of November, 2005, a true and correct copy of the foregoing pleading was mailed by first class mail to the attached list of counsel of record and pro se parties:

  
\_\_\_\_\_

Vickie L. Gabin  
Special Master – USDC  
P.O. Box 2384  
Santa Fe, NM 87504-2384

Robert W. Ionta  
P.O. Box 1059  
Gallup, NM 87305

Bradley S. Bridgewater  
US Dept. of Justice  
999 18th Street, Suite 945 North  
Denver, CO 80202

William G. Stripp  
P.O. Box 159  
Ramah, NM 87321

Peter B. Shoenfeld  
P.O. Box 2421  
Santa Fe, NM 87504-2421

Ted Brodrick, Pro Se  
P.O. 219  
Ramah, NM 87321

Paul Drullinger, Pro Se  
Sandra Drullinger, Pro Se  
319 E. Elm Street  
Hoppeston, IL 60942-1822

Stephen Hughes  
Michael Thomas  
NM State Land Office  
P.O. Box 1148  
Santa Fe, NM 87504-1148

David W. Gehlert  
USDOJ-ENRD  
999 18th Street, Suite 945  
Denver, CO 80202

Ann Hambelton Beardsley, Pro Se  
127 Orchard Drive  
Central, UT 84722

Kimberly J. Gugliotta, Pro Se  
158 W. William Casey St.  
Corona, AZ 85641

Dorothy C. Sanchez  
1011 4th Street, N.W.  
Albuquerque, NM 87110

Mary Ann Joca  
U.S. DOA  
Office of Gen. Counsel  
P.O. Box 586  
Albuquerque, NM 87103

David R. Lebeck, Pro Se  
Albert O. Lebeck, Pro Se  
P.O. Drawer 38  
Gallup, NM 87305

Gerald F. McBride, Pro Se  
Myrrl w. McBride, Pro Se  
2725 Aliso Dr., N.E.  
Albuquerque, NM 87110

Susan C. Kery  
Sheehan Sheehan & Stelzner  
P.O. Box 271  
Albuquerque, NM 87103

Jay F. Stein  
James C. Brockmann  
P.O. Box 5250  
Santa Fe, NM 87504-1149

Bruce Boynton  
West Law Off.  
P.O. Box 1239  
Grants, NM 87020

Jeffery A. Dahl  
Lamb, Metzgar, Lines & Dahl  
P.O. Box 987  
Albuquerque, NM 87103

Steven L. Bunch  
NM Highway & Trans. Dept.  
P.O. Box 1149  
Santa Fe, NM 87504-1149

Peter Fahmy  
Office of Regional Solicitor  
755 Parfet St., Suite 151  
Lakewood, CO 80215

Mark H. Shaw  
9700 Entrada Pl., N.W.  
Albuquerque, NM 87114-3776

Kenneth J. Cassutt  
530-B Harkle Rd.  
Santa Fe, NM 87505

Louis E. DePauli, Pro Se  
1610 Redrock Dr.  
Gallup, NM 87031

James E. Hass  
Losec, Carson & Hass  
Box 1720  
Artesia, NM 88211

William J. Cooksey  
Dubois, Cooksey & Bischoff  
2020 Fourth Street, N.W.  
Albuquerque, NM 87102

Richard w. Bowser, Pro Se  
Joan D. Bowser, Pro Se  
#5 Hawk Ridge Road  
Moriarty, NM 87035

David Candelaria, Pro Se  
12,000 Ice Caves Rd.  
Grants, NM 87020

Cullen Hallmark  
Garber & Hallmark  
P.O. Box 850  
Santa Fe, NM 87504

Gergory Mchojah  
US Dept. of Interior  
SW Regional Solicitor's Off.  
505 Marquette, NW #1800  
Albuquerque, NM 87102

**Raymond Hamilton**  
**US Attorney's Office – Dist. NM**  
**P.O. Box 607**  
**Albuquerque, NM 87103**

**Pamela William**  
**US Dept. of Interior**  
**Indian Affairs Div.**  
**1849 C. Street NW, Room 6456**  
**Washington, D.C. 20240**

**Zuni Service List**  
**CIV No. 01-00072 BDB/WDS**  
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