

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,	)	Subfile No. ZRB-4-0352
	)	
v.	)	
	)	
A&R PRODUCTIONS, et al.	)	
	)	
Defendants.	)	
_____	)	

**MOTION TO CORRECT DEFENDANT’S NAME**

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COME NOW the Plaintiffs United States of America (“United States”) and State of New Mexico ex rel. State Engineer (“State”) and move the Court to issue its order correcting the name of the defendant specified below to read as follows:

<b>FROM:</b>	<b>TO:</b>
REED STEINBACK	ERIKA REED

In support of this motion, the Plaintiffs assert:

1. Based on information contained in county property records, the United States’ October 26, 2006 *Motion to Joint Additional Parties Defendant* (Doc. No. 855) requested joinder of two defendants associated with Subfile ZRB-4-0352: Reed Steinback and Akemi

Rush. The Court granted the United States' motion by an Order docketed November 1, 2006 (Doc. No. 857).

2. Pursuant to the Special Master's September 28, 2006 *Procedural and Scheduling Order for the Adjudication of Water Rights Claims in Sub-Areas 1, 2, and 3 (Excluding Ramah) of the Zuni River Stream System* (Doc. No. 838), the United States mailed the named defendants a proposed consent order for Subfile ZRB-4-0352 and other required service items.

3. Thereafter, Robert F. Rosebrough, an attorney, contacted Counsel for the United States by telephone, and by letter dated January 9, 2007, advising that the name Reed Steinback was an error. He indicated the subfile property is owned by Akemi Rush and by Erika Reed, whose maiden name was Steinback. The United States' hydrographic survey contractor has confirmed that Mr. Rosebrough's information is correct. The erroneous name provided in the United States' October 26, 2006 motion and on the original proposed consent order for Subfile ZRB-4-0352 was the result of an erroneous interpretation of the hyphenated last name "Steinback-Reed" in county records.

WHEREFORE, the Plaintiffs move the Court to enter an order correcting the defendant's name "REED STEINBACK" to "ERIKA REED."

Dated: January 26, 2007

Electronically Filed

/s/ Bradley S. Bridgewater

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BRADLEY S. BRIDGEWATER  
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COUNSEL FOR THE UNITED STATES

(approved via email 1/26/2007)  
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COUNSEL FOR THE STATE OF NEW  
MEXICO EX REL. STATE ENGINEER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on January 26, 2007, I filed the foregoing *Motion To Correct Defendant's Name* electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

**Edward C Bagley**

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AND I FURTHER CERTIFY that on such date I served the foregoing on the following non-CM/ECF Participants in the manner indicated:

Via first class mail, postage prepaid, addressed as follows:

Robert F. Rosebrough  
P.O. Box 840  
Gallup, NM 87305-0840

Erika Reed  
Akemi Rush  
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