

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

STATE OF NEW MEXICO
State Engineer, *ex rel.*

Plaintiff,

v.

No. 66cv06639 WJ/WPL

R. LEE AAMODT,
et al.,
Defendants.

and
UNITED STATES OF AMERICA,
PUEBLO DE NAMBE,
PUEBLO DE POJOAQUE,
PUEBLO DE SAN ILDEFONSO,
and PUEBLO DE TESUQUE,
Plaintiffs-in-Intervention

THIRTY-SEVENTH MOTION TO JOIN ADDITIONAL PARTIES
DEFENDANT

The State of New Mexico, *ex rel.* State Engineer (“State”) hereby respectfully requests the Court to join as additional parties defendant the person or persons or entities named below and order them to answer the State’s Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against the party. In support of this motion, the State asserts:

1. The persons or entities listed below are diverting and using or may claim a right to divert and use a domestic well and the underground waters within the Nambé, Pojoaque, and Tesuque stream system in New Mexico:

<u>Name</u>	<u>Address</u>	<u>Subfile(s)</u>
BRUCE FRAHM TRUST	1553 COUNTY ROAD T COLBY, KS 67701-9526	PM-84658
CASH, TIM	24A COUNTY ROAD 84B SANTA FE, NM 87506	PM-42540
EDMUNDS, MATTHEW R.	69 N SHINING SUN SANTA FE, NM 87506-8738	PM-92885
EDMUNDS, TANYA C.	69 N SHINING SUN SANTA FE, NM 87506-8738	PM-92885
ESTATES WELL #3 ASSOC., BISHOPS LODGE	229 W. 60TH ST. APT. 16P NEW YORK, NY 10023- 7512	PM-51671
GOMEZ, TONY S.	10 AVENIDA DE CLOTILDE SANTA FE, NM 87506	PM-93037
JANICE FRAHM TRUST	1553 COUNTY ROAD T COLBY, KS 67701-9526	PM-84658
LAW, AARON L.	P.O. BOX 754 ESPANOLA, NM 87532	PM-92777
LAW, ROSE MARIE C.	P.O. BOX 754 ESPANOLA, NM 87532	PM-92777
ORTIZ, GABRIEL	67 FEATHER ROAD SANTA FE, NM 87506	PM-50254
ORTIZ, MONICA J.	67 FEATHER ROAD SANTA FE, NM 87506	PM-50254
QUINTANA, KRISANN Y.	376 COUNTY ROAD 84 SANTA FE, NM 87506	PM-95187
QUINTANA, RONNIE D.	376 COUNTY ROAD 84 SANTA FE, NM 87506	PM-95187
RIVAS, AMANDA	349 B COUNTY ROAD 84 SANTA FE, NM 87506	PM-39289
RIVAS, THOMAS	349 B COUNTY ROAD 84 SANTA FE, NM 87506	PM-39289
WHITCOMB, DAVID O.	11 SONRISA DEL CIELO SANTA FE, NM 87506	PM-78517
WHITCOMB, MARILYN	11 SONRISA DEL CIELO SANTA FE, NM 87506	PM-78517

2. The water uses, or claims to the right to use water, of these persons or entities are subject to the laws of the State of New Mexico and the United States. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Nambé, Pojoaque, and Tesuque stream system in New Mexico;

3. The persons or entities listed above may be diverting and using water associated with the subfile number listed, or may otherwise be using or diverting the underground waters within the Nambé, Pojoaque, and Tesuque stream system;

4. For the benefit of other parties, and by way of explanation, the State 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 court process and procedures, the hydrographic survey, defendants' responses and other kinds of new information received during the course of this adjudication. The State 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.

Electronically Filed

/s/ Edward C. Bagley
EDWARD C. BAGLEY

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Attorney for the State Of New Mexico, *ex rel.*
State Engineer

CERTIFICATE OF SERVICE

I hereby certify that on the 17th of Dec. 2015 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF participants attached as Exhibit A via first class mail, postage prepaid.

/s/ Edward C. Bagley
EDWARD C. BAGLEY

Exhibit A

BRUCE FRAHM TRUST	1553 COUNTY ROAD T, COLBY, KS 67701-9526
TIM CASH	24A COUNTY ROAD 84B, SANTA FE, NM 87506
MATTHEW R. EDMUNDS	69 N SHINING SUN, SANTA FE, NM 87506-8738
TANYA C. EDMUNDS	69 N SHINING SUN, SANTA FE, NM 87506-8738
BISHOPS LODGE ESTATES WELL #3 ASSOC.	229 W. 60TH ST. APT. 16P, NEW YORK, NY 10023-7512
TONY S. GOMEZ	10 AVENIDA DE CLOTILDE, SANTA FE, NM 87506
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GABRIEL ORTIZ	67 FEATHER ROAD, SANTA FE, NM 87506
MONICA J. ORTIZ	67 FEATHER ROAD, SANTA FE, NM 87506
KRISANN Y. QUINTANA	376 COUNTY ROAD 84, SANTA FE, NM 87506
RONNIE D. QUINTANA	376 COUNTY ROAD 84, SANTA FE, NM 87506
AMANDA RIVAS	349 B COUNTY ROAD 84, SANTA FE, NM 87506
THOMAS RIVAS	349 B COUNTY ROAD 84, SANTA FE, NM 87506
DAVID O. WHITCOMB	11 SONRISA DEL CIELO, SANTA FE, NM 87506
MARILYN WHITCOMB	11 SONRISA DEL CIELO, SANTA FE, NM 87506