

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

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

Plaintiff,

v.

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**

No. 66cv06639 WJ/WPL

**SIXTH MOTION TO JOIN PRE-BASIN CLAIMANTS AS
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>
BOURNE, JOHN G.	12 TANO ALTO SANTA FE, NM 87506	AAM-RG-62141
HARVEY, LEE MAUREEN	06A LOMA MANZANITA SANTA FE, NM 87506	AAM-RG-43102
HOPSON, KURT	06A LOMA MANZANITA SANTA FE, NM 87506	AAM-RG-43102
LENSSEN, JOHN L.	7A COUNTY ROAD 113 SANTA FE, NM 87506	AAM-RG-60550
MIRCHANDANI, RAJAN	3 PLANT FARM ROAD SANTA FE, NM 87506	AAM-RG-23266
SCHLESSINGER, DAVID	1735 MARKET ST STE A518 PHILADELPHIA, PA 19103	AAM-RG-34198
THORPE REV. TRUST, LORE K.	P.O. BOX 598 TESUQUE, NM 87574	AAM-RG-01454
ZIMMERMAN, NANCY	P.O. BOX 426 TESUQUE, NM 87574	AAM-RG-60554

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 30 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

JOHN G. BOURNE	12 TANO ALTO, SANTA FE, NM 87506
LEE MAUREEN HARVEY	06A LOMA MANZANITA, SANTA FE, NM 87506
KURT HOPSON	06A LOMA MANZANITA, SANTA FE, NM 87506
JOHN L. LENSSEN	7A COUNTY ROAD 113, SANTA FE, NM 87506
RAJAN MIRCHANDANI	3 PLANT FARM ROAD, SANTA FE, NM 87506
DAVID SCHLESSINGER	1735 MARKET ST STE A518, PHILADELPHIA, PA 19103
LORE K. THORPE REV. TRUST	P.O. BOX 598, TESUQUE, NM 87574
NANCY ZIMMERMAN	P.O. BOX 426, TESUQUE, NM 87574