

**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-FOURTH 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>
DEVELOPMENT CORPORATION, NAMBE PUEBLO	33 B ARROYO CUYUMUNGUE SANTA FE, NM 87506	PM-77139
DURAN, BRUCE	COUNTY RD 84 B #59 SANTA FE, NM 87506	PM-94704
DURAN, MICHELLE	COUNTY RD 84 B #59 SANTA FE, NM 87506	PM-94704
FRAHM, KENNETH L.	419 N. GRANT AVE BOX 849 COLBY, KS 67701	PM-84658
FRAHM, SHEILA	419 N. GRANT AVE BOX 849 COLBY, KS 67701	PM-84658
HERRERA, LESLIE A.	3 CAMINITO SENA SANTA FE, NM 87506	PM-88487
HERRERA, PAUL V.	3 CAMINITO SENA SANTA FE, NM 87506	PM-88487
JADERLUND, DAVID C.	19 TANO NORTE SANTA FE, NM 87506	PM-15901X
LEELA REVOCABLE TRUST	P.O. BOX 856 TESUQUE, NM 87574	PM-94360
TORRES, FABIOLA	2243 BOYLAN CIRCLE #7 SANTA FE, NM 87507	PM-94564
ZAPATA, ISAIAS	2243 BOYLAN CIRCLE #7 SANTA FE, NM 87507	PM-94564

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 9th of April 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

NAMBE PUEBLO DEVELOPMENT CORPORATION	33 B ARROYO CUYUMUNGUE, SANTA FE, NM 87506
BRUCE DURAN	COUNTY RD 84 B #59, SANTA FE, NM 87506
MICHELLE DURAN	COUNTY RD 84 B #59, SANTA FE, NM 87506
KENNETH L. FRAHM	419 N. GRANT AVE BOX 849, COLBY, KS 67701
SHEILA FRAHM	419 N. GRANT AVE BOX 849, COLBY, KS 67701
LESLIE A. HERRERA	3 CAMINITO SENA, SANTA FE, NM 87506
PAUL V. HERRERA	3 CAMINITO SENA, SANTA FE, NM 87506
DAVID C. JADERLUND	19 TANO NORTE, SANTA FE, NM 87506
LEELA REVOCABLE TRUST	STACY WACHS, P.O. BOX 856, TESUQUE, NM 87574
FABIOLA TORRES	2243 BOYLAN CIRCLE #7, SANTA FE, NM 87507
ISAIAS ZAPATA	2243 BOYLAN CIRCLE #7, SANTA FE, NM 87507