

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

**TENTH MOTION TO JOIN PRE-MORATORIUM 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>
BRITO, LINDA	44 COUNTY ROAD 84 SANTA FE, NM 87506	AAM-RG-03076
GONZALES, DEVEN T.	11 W. GUTIERREZ UNIT 3231 SANTA FE, NM 87506	AAM-RG-22285
GUTIERREZ, AUDRE	51 SHINING SUN NORTH SANTA FE, NM 87506	AAM-RG-21351
MAASSEN, LARRY W.	29 CALLE DE LOS ALAMOS SANTA FE, NM 87506	AAM-RG-33376
MAASSEN, MARY BETH	29 CALLE DE LOS ALAMOS SANTA FE, NM 87506	AAM-RG-33376
MCKENZIE, J. STEPHEN	11 W. GUTIERREZ UNIT 3777 SANTA FE, NM 87506	AAM-RG-17729
MERRIGAN, DOROTHY J.	133 STATE ROAD 503 SANTA FE, NM 87506	AAM-RG-18893
MERRIGAN, TIMOTHY	133 STATE ROAD 503 SANTA FE, NM 87506	AAM-RG-18893
NEAL, CRISTELLA TRUJILLO	42 COUNTY RD. 84B SANTA FE, NM 87506-7215	AAM-RG-26152
NEAL, DAVID A.	42 COUNTY RD. 84B SANTA FE, NM 87506-7215	AAM-RG-26152
TRUJILLO, MARY ANN	3 TRUJILLO LANE SANTA FE, NM 87506	AAM-RG-27231
VALENCIA, JOHN E.	441 COUNTY ROAD 84 SANTA FE, NM 87506	AAM-RG-32708
VALENCIA, MONA S.	441 COUNTY ROAD 84 SANTA FE, NM 87506	AAM-RG-32708

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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State Engineer

CERTIFICATE OF SERVICE

I hereby certify that on the 16 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

LINDA BRITO	44 COUNTY ROAD 84, SANTA FE, NM 87506
DEVEN T. GONZALES	11 W. GUTIERREZ UNIT 3231, SANTA FE, NM 87506
AUDRE GUTIERREZ	51 SHINING SUN NORTH, SANTA FE, NM 87506
LARRY W. MAASSEN	29 CALLE DE LOS ALAMOS, SANTA FE, NM 87506
MARY BETH MAASSEN	29 CALLE DE LOS ALAMOS, SANTA FE, NM 87506
J. STEPHEN MCKENZIE	11 W. GUTIERREZ UNIT 3777, SANTA FE, NM 87506
DOROTHY J. MERRIGAN	133 STATE ROAD 503, SANTA FE, NM 87506
TIMOTHY MERRIGAN	133 STATE ROAD 503, SANTA FE, NM 87506
CRISTELLA TRUJILLO NEAL	42 COUNTY RD. 84B, SANTA FE, NM 87506-7215
DAVID A. NEAL	42 COUNTY RD. 84B, SANTA FE, NM 87506-7215
MARY ANN TRUJILLO	3 TRUJILLO LANE, SANTA FE, NM 87506
JOHN E. VALENCIA	441 COUNTY ROAD 84, SANTA FE, NM 87506
MONA S. VALENCIA	441 COUNTY ROAD 84, SANTA FE, NM 87506