

**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

THIRTY-FIFTH 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>
CASH, HARVEY B.	369 MONTEZUMA AVENUE #106 SANTA FE, NM 87501	PM-57042
CASH, JO BETH M.	369 MONTEZUMA AVENUE #106 SANTA FE, NM 87501	PM-57042
FINK, MARK	GENERAL DELIVERY LITTLETON, CO 80130-9999	PM-85231
HART, ANGELIQUE	1530 BISHOPS LODGE ROAD SANTA FE, NM 87506	PM-55767
HEILBRON JR., ROY	1530 BISHOPS LODGE ROAD SANTA FE, NM 87506	PM-55767
LUJAN, MICHAEL BRIAN	27262 B I-25 E FRONTAGE ROAD SANTA FE, NM 87508	PM-50824
MLD LLC	COUNTY ROAD 84 B #59 SANTA FE, NM 87506	PM-69620
PLUMLEE, DANIEL L.	5518 KEMPER CT DALLAS, TX 75220	PM-94660
PLUMLEE, ELIZABETH R.	5518 KEMPER CT DALLAS, TX 75220	PM-94660
ROMERO, GLORIA A.	GENERAL DELIVERY LITTLETON, CO 80130-9999	PM-85231
ROMERO, NANCY R.	1704 STATE ROAD 502 SANTA FE, NM 87506	PM-63600
ROMERO, ROBERT D.	1704 STATE ROAD 502 SANTA FE, NM 87506	PM-63600

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 31st of July 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

HARVEY B. CASH	369 MONTEZUMA AVENUE #106, SANTA FE, NM 87501
JO BETH M. CASH	369 MONTEZUMA AVENUE #106, SANTA FE, NM 87501
MARK FINK	GENERAL DELIVERY, LITTLETON, CO 80130-9999
ANGELIQUE HART	1530 BISHOPS LODGE ROAD, SANTA FE, NM 87506
ROY HEILBRON JR.	1530 BISHOPS LODGE ROAD, SANTA FE, NM 87506
MICHAEL BRIAN LUJAN	27262 B I-25 E FRONTAGE ROAD, SANTA FE, NM 87508
MLD LLC	COUNTY ROAD 84 B #59, SANTA FE, NM 87506
DANIEL L. PLUMLEE	5518 KEMPER CT, DALLAS, TX 75220
ELIZABETH R. PLUMLEE	5518 KEMPER CT, DALLAS, TX 75220
GLORIA A. ROMERO	GENERAL DELIVERY, LITTLETON, CO 80130-9999
NANCY R. ROMERO	1704 STATE ROAD 502, SANTA FE, NM 87506
ROBERT D. ROMERO	1704 STATE ROAD 502, SANTA FE, NM 87506