

**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**

**SEVENTEENTH 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>
LEDWITH LUCKY, CHERIE DAY	4999 CASA DRIVE #13 TARZANA, CA 91356	AAM-RG-39070
LUCKY, JOSEPH P.	4999 CASA DRIVE #13 TARZANA, CA 91356	AAM-RG-39070
LUJAN, ARMANDO	04 CASAS ESCONDIDAS SANTA FE, NM 87506	AAM-RG-26918
LUJAN, FLORINDA	04 CASAS ESCONDIDAS SANTA FE, NM 87506	AAM-RG-26918
LYONS, DEBRA P.	185 BROWNELL-HOWLAND ROAD SANTA FE, NM 87501	AAM-RG-35678
MAY, BONNIE J.	189 COUNTY ROAD 113 SANTA FE, NM 87506	AAM-RG-28934
MAY, THOMAS R.	189 COUNTY ROAD 113 SANTA FE, NM 87506	AAM-RG-28934
MOLINA, ELEAZAR	P.O. BOX 573 TESUQUE, NM 87574-0573	AAM-RG-13952
MORRISON, NANCY R.	2001 KIRBY DRIVE STE 501 HOUSTON, TX 77019	AAM-RG-27862
POWERS, MARGARET	3 ROCKING HORSE ROAD SANTA FE, NM 87506	AAM-RG-17678

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 12 of August 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**

CHERIE DAY LEDWITH LUCKY	4999 CASA DRIVE #13, TARZANA, CA 91356
JOSEPH P. LUCKY	4999 CASA DRIVE #13, TARZANA, CA 91356
ARMANDO LUJAN	04 CASAS ESCONDIDAS, SANTA FE, NM 87506
FLORINDA LUJAN	04 CASAS ESCONDIDAS, SANTA FE, NM 87506
DEBRA P. LYONS	185 BROWNELL-HOWLAND ROAD, SANTA FE, NM 87501
BONNIE J. MAY	189 COUNTY ROAD 113, SANTA FE, NM 87506
THOMAS R. MAY	189 COUNTY ROAD 113, SANTA FE, NM 87506
ELEAZAR MOLINA	P.O. BOX 573, TESUQUE, NM 87574-0573
NANCY R. MORRISON	2001 KIRBY DRIVE STE 501, HOUSTON, TX 77019
MARGARET POWERS	3 ROCKING HORSE ROAD, SANTA FE, NM 87506