

**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-SIXTH 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>
BIBB., DR. RICHARD C.	2820 JUDSON CIRCLE WICHITA FALLS, TX 76308	PM-60101
CHAVEZ, FELIX E.	P.O. BOX 623 LOS ALAMOS, NM 87544	PM-94740
CHAVEZ, GLORIA	P.O. BOX 623 LOS ALAMOS, NM 87544	PM-94740
CLEMENS, CHRISTOPHER A.	P.O. BOX 400 TESUQUE, NM 87574-0400	PM-55217
COMEAU, DENNIS	P.O. BOX 202 TESUQUE, NM 87574	PM-92724
COMEAU, LYNN	P.O. BOX 202 TESUQUE, NM 87574	PM-92724
FECK, LISA M.	1836 UPPER CHELSEA ROAD COLUMBUS, OH 43212	PM-90680
HAMMEL, PETER C.	1836 UPPER CHELSEA ROAD COLUMBUS, OH 43212	PM-90680
N.M.S.H. & T. D.	P.O. BOX 1149 SANTA FE, NM 87504	PM-80226
SENA, NANITA STEPHANIE	11 MANUEL SENA LANE SANTA FE, NM 87506	PM-92036
SIGLIN, JANICE E.	825 W END AVENUE NEW YORK, NY 10025	PM-87994
STERNBERG, JONATHAN I.	825 W END AVENUE NEW YORK, NY 10025	PM-87994
VANHEISCH, KATERYNA B.	1225 CERRILLOS ROAD SANTA FE, NM 87505	PM-74000

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 11th of Sept 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

DR. RICHARD C. BIBB.	2820 JUDSON CIRCLE, WICHITA FALLS, TX 76308
FELIX E. CHAVEZ	P.O. BOX 623, LOS ALAMOS, NM 87544
GLORIA CHAVEZ	P.O. BOX 623, LOS ALAMOS, NM 87544
CHRISTOPHER A. CLEMENS	P.O. BOX 400, TESUQUE, NM 87574-0400
DENNIS COMEAU	P.O. BOX 202, TESUQUE, NM 87574
LYNN COMEAU	P.O. BOX 202, TESUQUE, NM 87574
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