

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*)
 State Engineer,)
)
 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. 66cv6639 WJ/WPL

SECOND MOTION TO ALLOW SERVICE BY PUBLICATION

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer, ("State") and requests the Court to enter its order allowing service by publication on the Defendants named herein, and in support of this motion the undersigned counsel for the State of New Mexico states as follows:

1. The State seeks to serve the Defendants named herein by publication pursuant to Rule 4(e)(1) of the Federal Rules of Civil Procedure and Rule 1-004(K) of the Rules of Civil Procedure for the District Court of New Mexico.

2. Attempts by the State to serve the Defendants listed below by mail or commercial carrier as provided in Rule 1-0004(E)(3) of the Rules of Civil Procedures for the District Courts of the State of New Mexico have been unsuccessful. Certified mail (restricted delivery) addressed to the Defendants named below was returned as unclaimed.

<u>Defendant</u>	<u>Well No.</u>
Richard C. Bibb, M.D.	RG-60101
David O. Whitcomb	RG-78517
Marilyn Whitcomb	RG-78517
Krisann Y. Quintana	RG-95187
Ronnie D. Quintana	RG-95187
Rick Gonzales	RG-63719
Ivana Gonzales	RG-63719
Mary Roan Govich	RG-35492
Rick T. Gonzales	RG-22285
David Sanchez	RG-12810
Sharon Krause	RG-34037 and RG-34563
Sybil Krause-Watson	RG-34037 and RG-34562
Jane S. Silverman	RG-38946
Samuel N. Silverman	RG-38946
Louise Lydia Jimenez	RG-16517
Jessica Roybal Lovato	RG-33624
Anthony Sandoval	RG-33642
David T. Fries	RG-15923
Amy P. Fries	RG-15923
Fred C. Durham	RG-35021
Charlotte Blankenship	RG-35021
Fred Trujillo	RG-32074
David M. Morton	RG-46054
Jill A. Morton	RG-46054
Robin Huntington	RG-79372
David L. Black	RG-43179
Lawrence Black	RG-43179

WHEREFORE, the Plaintiff State of New Mexico *ex rel.* State Engineer requests the Court to enter its order allowing service of process by publication upon the above-named defendants.

Respectfully submitted this 21st day of July, 2016.

Electronically Filed

/s/Edward C. Bagley_____

EDWARD C. BAGLEY
Special Assistant Attorney General
Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 827-6150

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that July 21, 2016 I filed the foregoing electronically through the CM/ECF system, which caused the parties or counsel reflected on the Notice of Electronic Filing to be served by electronic means, and to the following person(s) by United States Mail:

Richard C. Bibb, M.D.
2820 Judson Circle
Wichita Falls, TX 76308

David O. Whitcomb
11 Sunrisa del Cielo
Santa Fe, NM 87506

Marilyn Whitcomb
11 Sunrisa del Cielo
Santa Fe, NM 87506

Krisann Y. Quintana
376 County Road 84
Santa Fe, NM 87506

Ronnie D. Quintana
376 County Road 84
Santa Fe, NM 87506

Rick Gonzales
24 Arroyo Jaconita
Santa Fe, NM 87506

Ivana Gonzales
24 Arroyo Jaconita
Santa Fe, NM 87506

Mary Roan Govich
1813 Otowi Road
Santa Fe, NM 87501

Rick T. Gonzales
11 W. Gutierrez Unit 3231
Santa Fe, NM 87506

David Sanchez
11 W. Gutierrez Unit 3283
Santa Fe, NM 87506-0214

Sharon Krause
1345 Bishops Lodge Road
Santa Fe, NM 87506

Sybil Krause-Watson
1345 Bishops Lodge Road
Santa Fe, NM 87506

Jane S. Silverman
P.O. Box 821
Tesuque, NM 87574

Samuel N. Silverman
P.O. Box 821
Tesuque, NM 87574

Louise Lydia Jimenez
10 Sombra de Jose
Santa Fe, NM 87506

Jessica Roybal Lovato
P.O. Box 2104
San Juan Pueblo, NM 87566-0104

Anthony Sandoval
44 A Arroyo Nambe
Santa Fe, NM 87506

David T. Fries
1254 Avenida Morelia #701
Santa Fe, NM 87507

Amy P. Fries
1254 Avenida Morelia #701
Santa Fe, NM 87507

Fred C. Durham
58A Three Rock Road
Santa Fe, NM 87506

Charlotte Blankenship
58A Three Rock Road
Santa Fe, NM 87506

Fred Trujillo
38 County Road 117 N
Santa Fe, NM 87506

David M. Morton
1336 A Bishops Lodge Road
Santa Fe, NM 87506

Jill A. Morton
1336 A Bishops Lodge Road
Santa Fe, NM 87506

Robin Huntington
50 Big Tesuque Canyon
Santa Fe, NM 87506

David L. Black
1775 E. Palm Canyon Dr. Ste. 110
Palm Springs, CA 92264

Lawrence Black
1775 E. Palm Canyon Dr. Ste. 110
Palm Springs, CA 92264

/s/ Edward C. Bagley
Edward C. Bagley

