

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
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(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:

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/s/ Edward C. Bagley
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