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Attorneys for Intervenor Atkinson Trading Co., Inc.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF APACHE

IN CHAMBERS (X) IN OPEN COURT ()

SPECIAL MASTER JOHN E. THORSON
Presiding

) Date:

IN RE THE GENERAL ADJUDICATION)

OF ALL RIGHTS TO USE WATER IN) **RESPONSE TO MOTION TO**

THE LITTLE COLORADO RIVER) **INTERVENE**

SYSTEM AND SOURCE)

_____) CIVIL NO. 6417-34-1

COMES NOW Intervenor Atkinson Trading Company, Inc., ("ATC") by and through its attorneys, William J. Darling & Associates, P.A., and Van Wyck & Vandemoer, P.L.L.C., and in response to the Motion to Intervene filed herein by the United States of America states as follows:

1. ATC does not object to the intervention of the United States in this matter.
2. ATC would, however, request further clarification of the United States' position in this matter, due to the fact that the attorney signing the Motion, Bradley S. Bridgewater, has represented in the negotiations in the remainder of the water adjudication that he represents the Indian Resources Section of the U.S. Department of Justice and is dealing only with water rights held in trust by the U.S. for the Navajo Nation. But, in the Motion to Intervene, he also referred to claims of the National Park Service, which has previously been represented in this adjudication by separate counsel, Andrew F. Walch, of the ENRD Division of the Department of Justice. Due to the potential for confusion and conflicts of interest because of the multiplicity of the United States' interests in this matter, ATC requests that Mr. Bridgewater more specifically identify the party or parties on whose behalf he has filed the Motion to Intervene.

WHEREFORE, Intervenor Atkinson Trading Company, Inc., respectfully requests further clarification of the role of the United States in this matter, and for such other and further relief as the Court deems just and appropriate in the circumstances.

WILLIAM J. DARLING & ASSOCIATES, P.A.

By _____

WILLIAM J. DARLING

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Attorneys for Intervenor ATC

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On April 1, 1999, the original of
the foregoing was Federal Expressed
to the Clerk, Apache County Superior
Court, for filing. Also, copies were
mailed to those parties appearing on
the Court approved mailing list for this
case (Attachment A).

WILLIAM J. DARLING & ASSOCIATES, P.A.

intervene.rsp

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Attachment A

Court Approved Mailed List

Atkinson Trading Co.

c/o Van Wyck & Vandermoer

Robert B. Van Wyck

702 N. Beaver

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U.S. Department of Justice

Indian Resources Section

Attention: Bradley S. Bridgewater

Suite 945, North Tower

999 18th Street

Denver, CO 80202

Navajo Nation Department of Justice

Attention: Stanley M. Pollack

PO Box 2010

Window Rock, AZ 86515-2010

Navajo Nation

c/o Greene, Meyer & McElroy

Attention: Scott B. McElroy

1007 Pearl Street, Suite 200

Boulder, CO 80302

John E. Thorson, Special Master

Arizona General Stream Adjudication

1501 W. Washington, Suite 228

Phoenix, AZ 85007

Department of Water Resources

Adjudications Division

500 North Third Street

Phoenix, AZ 85004-3903

Atkinson Trading Company

PO Box 339

Cameron, AZ 86020

Documents filed with:

Clerk of the Superior Court

Apache County

Attention: Water Case, Civil No. 6417-34-1

PO Box 667

St. Johns, AZ 85936