

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

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

04 AUG 17 PM 3:57

CLERK-ALBUQUERQUE

LION'S GATE WATER AND
WILLIAM M. TURNER,
ITS TRUSTEE, ACTING IN HIS OFFICIAL
CAPACITY AND NOT INDIVIDUALLY,

PLAINTIFF,

CIV - 04 - 0929 MCA

Civ: No. _____

v.

GALE NORTON, SECRETARY OF THE
U.S. DEPARTMENT OF INTERIOR,
ACTING IN HER OFFICIAL CAPACITY
AND NOT INDIVIDUALLY,

DEFENDANT.

**COMPLAINT AND PETITION FOR PRELIMINARY AND PERMANENT
INJUNCTION, DECLARATORY JUDGEMENT, AND WRIT OF MANDAMUS**

Plaintiff, William M. Turner, Trustee for Lion's Gate Water, a Canadian, express business trust and real party in interest, ("Plaintiff") pursuant to FRCP Rule 1-017 and the Doctrine of Privity, hereby sues the Honorable Gale Norton, Secretary of the United States Department of Interior and for its Complaint against Defendant hereby state and alleges as follows:

INTRODUCTION

This is an action for a writ of mandamus, declaratory judgement, and injunctive relief declaring that the Defendant must contract with the Plaintiff and for such further relief based upon such judgment as may be necessary or proper and enjoining, permanently and *pendente lite*, any contract between the Secretary of Interior pursuant to the provisions of 43 U.S.C. 1524(f) with any other entity not now qualified to contract under existing law.

