

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

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM  
Section 7: Rito de Tierra Amarilla,  
Rio Brazos, Rutherford & Plaza Blanca,  
Cañones Creek, Village of Chama

**APPLICATION FOR ENTRY OF DEFAULT**

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer, and requests the Clerk of the Court, pursuant to F. R. Civ. P. 55(a) to enter the default of the following named defendants and each of them for failure to answer or otherwise plead; and the undersigned certifies that no answer, appearance, or other pleading has been served upon plaintiff's attorneys.

<u>Defendant</u>	<u>Subfile No.</u>	<u>proof of service filed</u>
Salvador G. Velazquez	CHRB-007-0060	November 14, 2006 (Doc. 8446)
Penelope A. Velazquez	CHRB-007-0060	November 14, 2006 (Doc. 8446)
Tommy F. Valdez, Jr.	CHCV-002-0012	January 18, 2007 (Doc. 8536)
Kathleen M. Fischer	CHCV-002-0043	May 18, 2007 (Doc. 8651)
Andrew Hurd	CHCV-003-0029B	November 14, 2006 (Doc. 8446)
Daniel Hurd	CHCV-003-0029B	July 24, 2007 (Doc. 8746)
<u>Defendant</u>	<u>Subfile No.</u>	<u>waiver of service of summons filed</u>
HeimoTrathnigg	CHTA-003-0026	February 19, 2002 (Doc. 6537)

Whitney Durrell

CHRB-007-0027A

December 4, 2003 (Doc. 7319)

Dated: July 24, 2007

Respectfully submitted,

/s/ Ed Newville

EDWARD G. NEWVILLE  
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Office of State Engineer  
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(505) 867-7444  
(505) 867-2299 facsimile

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 24th day of July, 2007 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 in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Salvador G. Velazquez  
Penelope A. Velazquez  
P.O. Box 315  
Los Ojos, NM 87551

Tommy F. Valdez, Jr.  
P.O. Box 1181  
Cortez, CO 81321

Kathleen M. Fischer  
7672 Calle Milan  
Highland, CA 92346

Andrew Hurd  
P.O. Box 745  
Chama, NM 87520

Daniel Hurd

3400 Lake Mary Rd, Apt. 20202  
Flagstaff, AZ 86001-9235

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Farmington, NM 87499

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/s/ Ed Newville  
EDWARD G. NEWVILLE