

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.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 7, Rito de Tierra Amarilla

**MOTION FOR DEFAULT JUDGMENT**

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

Heirs of Lucas Martinez      CHTA-002-0003  
  CHTA-003-0001

Heirs of Carlota L. Martinez      CHTA-002-0003  
  CHTA-003-0001

Heirs of Levi Martinez      CHTA-002-0003  
  CHTA-003-0001

and as grounds therefore plaintiff states:

1. Defendants Heirs of Lucas Martinez, Heirs of Carlota L. Martinez and Heirs of Levi Martinez are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed December 3, 2008 (Doc. No. 9336).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed

consent orders and in conformance with the Office of the State Engineer Hydrographic Survey for Section 7 of the Rio Chama Stream, as amended.

Respectfully submitted,

/s/ Ed Newville  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 8 day of December, 2008 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:

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