

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

Sections 3 and 7

**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:

Jacob D. Montañó	CHCJ-003-0033A
Lawrence G. Montañó	CHCJ003-0033A CHCJ-003-0033C
Robert M. Montañó	CHCJ003-0033A CHCJ-003-0033D
Ortance Garcia	CHCJ003-0033A CHCJ-003-0033E
Isidoro Manzanares	CHTA-005-0005
Andrews Living Trust	CHRB-004-0048

and as grounds therefore plaintiff states:

1. The defendants named above are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed March 3, 2008 (Docket No.

9120).

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 Surveys for Sections 3 and 7 of the Rio Chama Stream, as amended.

Respectfully submitted,

/s/ Ed Newville

EDWARD G. NEWVILLE  
Special Assistant Attorney General  
Office of State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 867-7444

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 12th day of March, 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:

via first class mail, postage prepaid addressed as follows:

Jacob D. Montañó  
434 Reeves  
Las Cruces, NM 88005

Lawrence G. Montañó  
2609 Naramis NE  
Albuquerque, NM 87112

Robert M. Montañó  
5009 Montego Pl. NE  
Albuquerque, NM 87111

Ortance Garcia  
308 Glorieta NE  
Albuquerque, NM 87123

Isidoro Manzanares  
P.O. Box 642  
Tierra Amarilla, NM 87575  
(last known address)

Andrews Living Trust  
c/o J. Lance Andrews  
P.O. Box 97  
Tierra Amarilla, NM 87575

/s/ Ed Newville  
EDWARD G. NEWVILLE