

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

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

Plaintiff,  
v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM  
Section 7: Rito de Tierra Amarilla

Subfile No(s).

**CHTA-005-0005**

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**ORDER GRANTING DEFAULT JUDGMENT**

THIS MATTER is before the Court upon the motion by the plaintiff, State of New Mexico, *ex rel.*, State Engineer's March 12, 2008 Motion for Default Judgment (Docket No. 9131). The Court, being fully advised, finds that the State's motion is well-taken and should be GRANTED.

The Court, being fully advised, finds:

1. The Court has jurisdiction of the parties and the subject matter herein.
2. The defendants named below have been legally served with process or have waived service of summons.
3. The defendants named below have failed to appear, answer, or otherwise defend in this cause, and are adjudged to be in default.
4. The State Engineer's hydrographic survey and report of the Rio Chama Stream System, Section 7, Rito de Tierra Amarilla (January 12, 2001) relating to the defendants' water rights have been introduced into the record, and the same are hereby incorporated and made a part of this order.
5. The water rights of the defendants named below in the above-styled and captioned cause are as follows:

**ISIDORO MANZANARES**

**Subfile No.: CHTA-005-0005**

**A. NO RIGHT (Surface Water Only)**

**Office of the State Engineer Files No(s)** NONE

**Priority:** NONE

**Source of Water:** NONE

**Purpose of Use:** NO RIGHT Case 6:09-cv-07941-BB Document 9153 Filed 04/07/2008 Page 2 of 3

**Point of Diversion:**

**Ditch:** NONE

**Location: X=** 0 **feet Y=** 0 **feet**

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Acreage:**

Within the Tierra Amarilla Grant	23.1 acres
Total	23.1 acres

As shown on the 2001 Hydrographic Survey Map CHTA- 5.

**Amount of Water:** NONE

IT IS, THEREFORE, ORDERED that the above-named defendants be and hereby are, adjudicated to have the water rights set out hereinabove, subject to the right of any other water rights claimant with standing to object prior to the entry of a final decree.

IT IS FURTHER ORDERED that the defendants, his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Section 7, except in strict accordance with the rights set forth herein or in other orders of the Court.

*Bruce D. Black*

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BRUCE D. BLACK  
UNITED STATES DISTRICT JUDGE

Recommended for approval:

*Vickie L. Gabis*

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