

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, 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>Waiver of Summons Filed</u>
Herman Candelaria	CHCV-003-0022 CHCV-003-0043	January 24, 2008 (Doc. 9081)
Michael J. Roundy	CHCV-003-0022 CHCV-003-0043	February 8, 2008 (Doc. 9095)
Puanani Kauaihilo	CHCV-003-0022 CHCV-003-0043	February 8, 2008 (Doc. 9094)

Dated: January 2, 2009

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer

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Santa Fe, NM 87504-5102
(505) 867-7444 phone
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd day of January, 2009 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:

Herman Candelaria
P.O. Box 39
Chama, NM 87520

Michael J. Roundy
Puanani Kauaihilo
10404 Las Palmas St. NW
Albuquerque, NM 87114

/s/ Ed Newville
EDWARD G. NEWVILLE