

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.

69cv0794-BB

RIO CHAMA STREAM SYSTEM
Section 7: Village of Chama

Subfile No. CHCV-001-0009A

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and pursuant to Fed. R. Civ. Pro. 25(c) moves the Court to issue its order substituting Debra K. Zimbelman for defendants J. F. Koontz and Ella D. Koontz in these proceedings and as grounds states the following:

1. J. F. Koontz and Ella D. Koontz have conveyed their interest in the land and water rights under subfile CHCV-001-0009A to Debra K. Zimbelman by deed dated August 10, 2007.

WHEREFORE the State requests the Court to enter its order substituting Debra K. Zimbelman for defendants J. F. Koontz and Ella D. Koontz in these proceedings.

Dated: February 23, 2009

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 phone
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 23rd day of February, 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:

Debra K. Zimbelman
2 Ronnie Road
Golden, CO 80403

/s/ Ed Newville
EDWARD G. NEWVILLE