

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, Rio Brazos

Subfile No. CHRB-008-0008

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and pursuant to Fed. R. Civ. P. 25(a)(1) moves the Court to issue its order substituting the Estate of Amelia C. Pond for defendants Carlos Manzanares Jr., Fermin P. Manzanares, J. Frank Manzanares Sr., Juan J. Manzanares, Tony J. Manzanares Sr., Dilia Manzanares Martinez and Amelia C. Manzanares Pond in these proceedings, and as grounds Plaintiff states the following:

1. The disposition of the land and water rights mapped under Subfile CHRB-008-0008 is the subject of a probate proceeding in State of New Mexico Second Judicial District Court (*In the Matter of the Estate of Amelia C. Pond, a/k/a Consuelo Pond and Amelia Manzanres, Deceased*, No. PB 2001000600).

2. The State intends to submit a revised proposed Consent Order in this subfile to the Co-Personal Representatives of the Estate of Amelia C. Pond (Antonio J. Manzanares and Priscilla Hunnel) for their review and approval.

WHEREFORE the State of New Mexico requests the Court to enter its order substituting the

Estate of Amelia C. Pond for defendants Carlos Manzanares Jr., Fermin P. Manzanares, J. Frank Manzanares Sr., Juan J. Manzanares, Tony J. Manzanares Sr., Dilia Manzanares Martinez and Amelia C. Manzanares Pond in these proceedings.

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
(505) 867-7444 facsimile

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of September 2009 I filed the foregoing electronically through the CM/ECF system which caused the parties listed 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:

Estate of Amelia C. Pond
P.O. Box 307
Tierra Amarilla, NM 87575

Carlos Manzanares Jr.
P.O. Box 307
Tierra Amarilla, NM 87575

Fermin P. Manzanares
P.O. Box 307
Tierra Amarilla, NM 87575

J. Frank Manzanares Sr.
P.O. Box 307
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Juan J. Manzanares
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Tony J. Manzanares Sr.
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Dilia Manzanares Martinez
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Amelia C. Manzanares Pond
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/s/ Ed Newville
EDWARD G. NEWVILLE