

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 -LFG

RIO CHAMA STREAM SYSTEM
Section 1, Chama Mainstream

Subfile No. 194

WITHDRAWAL OF MOTION FOR SUBSTITUTION OF PARTIES

The Plaintiff State of New Mexico, *ex rel.* State Engineer hereby withdraws the *Motion for Substitution of Parties* filed September 2, 2011 (Docket No. 10550) (“Motion”). Since the September 2, 2011, Motion was filed, the Personal Representative of the Estate of Rebecca A. Serna has contacted the undersigned attorney for the State of New Mexico and provided the State with information on the heirs of Benjamin E. Serna, the probate of the Estate of Rebecca A. Serna, and the current status of the ownership of the interests of Ben E. Serna a/k/a Benjamin Serna (deceased) in the lands associated with Subfile No. 194. The State intends to refile a motion for substitution of parties using this corrected information.

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) 867-2299 facsimile

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7nd day of September 2011, 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 Rebecca A. Serna
Xavier E. Serna, PR
704 Turner NE
Albuquerque, NM 87123

Jane Serna
P.O. Box 482
Española, NM 87532

Annadelle Sanchez
P.O. Box 482
Española, NM 87532

Betty Norris
P.O. Box 482
Española, NM 87532

Leopoldo Serna
P.O. Box 482
Española, NM 87532

/s/ Ed Newville
EDWARD G. NEWVILLE