

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

UNITED STATES OF AMERICA	)	
and	)	
STATE OF NEW MEXICO, <i>ex rel.</i> STATE	)	
ENGINEER,	)	
	)	
Plaintiffs,	)	
	)	No. 01cv00072 BB/WDS
and	)	
	)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,	)	ADJUDICATION
	)	
Plaintiffs in Intervention,	)	Subfile No. ZRB-1-0007
	)	
v.	)	
	)	
A & R PRODUCTIONS, et al.	)	
	)	
Defendants.	)	
_____	)	

**MOTION FOR DEFAULT JUDGMENT**

The Plaintiffs United States of America (“United States”) and New Mexico ex rel. State Engineer (“State”), pursuant to Fed. R. Civ P. 55(b)(2), move the Court to enter its order granting default judgment against the following defendant:

<b>KATHERINE L. BELFORD, aka KATHERINE L. CLARK</b>	<b>Subfile No. ZRB-1-0007</b>
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and as grounds therefor Plaintiffs state:

1. The Court has jurisdiction over the above-named defendant as shown by the filed service of summons on KATHERINE L. BELFORD, aka KATHERINE L. CLARK (Doc. No. 2010).

2. KATHERINE L. BELFORD, aka KATHERINE L. CLARK was provided the documents listed in the Declaration of Gary A. Durr (Exhibit 1) on the dates indicated.

3. With respect to Subfile ZRB-1-0007, Defendant KATHERINE L. BELFORD, aka KATHERINE L. CLARK was subject to the Special Master's September 8, 2005 *Amended Procedural and Scheduling Order for the Adjudication of Water Rights Claims in Sub-Areas 4 and 8 of the Zuni River Stream System* (Doc. No. 387) ("Procedural and Scheduling Order"), which established a deadline of January 10, 2006, for the return of a signed Consent Order or the submission of a Request for Consultation.

4. These deadlines for Subfile ZRB-1-0007 were never extended.

5. Defendant KATHERINE L. BELFORD, aka KATHERINE L. CLARK is in default for failure to appear, answer, or otherwise defend in Subfile ZRB-1-0007 within the time limitations imposed by the Federal Rules of Civil Procedure, applicable Procedural and Scheduling Orders, or Orders of the Court extending deadlines, as shown by the Clerk's Certificate of Default filed February 5, 2009 (Doc. No. 2097).

6. In accordance with the *Zuni River Basin Adjudication Hydrographic Survey Report for Sub Areas 4 and 8*, as amended, the right(s) of KATHERINE L. BELFORD, aka KATHERINE L. CLARK to divert and use the public waters of the Zuni River Stream System, Sub-Areas 4 and 8, should be as set forth below:

**KATHERINE L. BELFORD, aka KATHERINE L. CLARK**  
**Subfile No. ZRB-1-0007**

**WELL**

**Map Label: 8A-1-W09**

**OSE File No:** None

**Priority Date:** 12/31/1992

**Purpose of Use:** NON 72-12-1 DOMESTIC

**Well Location:** As shown on Hydrographic Survey Map 8A-1

**S. 8 T. 09N R. 14W 1/4, 1/16, 1/64:** NE NW NE

**X (ft):** 2,572,832 **Y (ft):** 1,466,842

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

**Amount of Water (ac-ft):** Historical beneficial use not to exceed 0.7 acre-feet  
per annum

**WELL**

**Map Label:** 8A-1-W15

**OSE File No:** G 1833

**Priority Date:** 12/31/1992

**Purpose of Use:** NON 72-12-1 DOMESTIC

**Well Location:** As shown on Hydrographic Survey Map 8A-1

**S. 8 T. 09N R. 14W 1/4, 1/16, 1/64:** NE NW NE

**X (ft):** 2,572,533 **Y (ft):** 1,466,562

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

**Amount of Water (ac-ft):** Historical beneficial use not to exceed 0.7 acre-feet  
per annum

WHEREFORE, the Plaintiffs request the Court to enter an order granting default judgment against KATHERINE L. BELFORD, aka KATHERINE L. CLARK, incorporating the

terms of the Consent Order proposed for Subfile ZRB-1-0007 and in conformance with the *Zuni River Basin Adjudication Hydrographic Survey Report for Sub Areas 4 and 8*, as amended.

Dated: February 10, 2009

Electronically Filed

/s/ Bradley S. Bridgewater

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(approved 2/9/2009)  
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