

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-2-0117 |
| |) | |
| 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 defendants:

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| LINDA CRAWFORD & SCOTT CRAWFORD | Subfile No. ZRB-2-0117 |
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and as grounds therefor Plaintiffs state:

1. The Court has jurisdiction over the above-named defendants as shown by the filed service of summons on SCOTT CRAWFORD (Doc. No. 2493) and LINDA CRAWFORD (Doc. No. 2493).

2. LINDA CRAWFORD & SCOTT CRAWFORD were provided the documents listed in the Declaration of Khaleelah E. Jones (Exhibit 1) on the dates indicated.

3. With respect to Subfile ZRB-2-0117, Defendants LINDA CRAWFORD & SCOTT CRAWFORD were subject to the Special Master's September 27, 2006 *Order Granting Joint Motion to Amend Procedural and Scheduling Orders and Establish or Revise Deadlines for Defendants to Return Requests for Consultation and Submit Subfile Answers* (Doc. No. 837)("Procedural and Scheduling Order"), which established a deadline of September 20, 2009 for the submission of a Request for Consultation or the return of a signed Consent Order.

4. These deadlines for Subfile ZRB-2-0117 were never extended.

5. Defendants LINDA CRAWFORD & SCOTT CRAWFORD are in default for failure to appear, answer, or otherwise defend in Subfile ZRB-2-0117 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 January 19, 2010 (Doc. No. 2512).

6. In accordance with the *Zuni River Basin Adjudication Hydrographic Survey Report for Sub Areas 1, 2 and 3 (excluding Ramah)*, as amended, the right(s) of LINDA CRAWFORD & SCOTT CRAWFORD to divert and use the public waters of the Zuni River Stream System, Sub-Areas 1, 2 and 3 (excluding Ramah), should be as set forth below:

SCOTT CRAWFORD AND LINDA CRAWFORD
Subfile No. ZRB-2-0117

WELL

Map Label: 10B-5-W35

OSE File No: G 02719

Priority Date: 7/3/2008

Purpose of Use: 72-12-1 DOMESTIC & LIVESTOCK WATERING

Well Location: As shown on Hydrographic Survey Map 10B-5

S. 21 T. 05N R. 17W 1/4, 1/16, 1/64: NE SE NE

X (ft): 2,484,312 **Y (ft):** 1,328,622

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

Amount of Water (ac-ft per annum): 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 LINDA CRAWFORD & SCOTT CRAWFORD, incorporating the terms of the Consent Order proposed for Subfile ZRB-2-0117 and in conformance with the *Zuni River Basin Adjudication Hydrographic Survey Report for Sub Areas 1, 2 and 3 (excluding Ramah)*, as amended.

Dated: February 4, 2010

Electronically Filed

/s/ Bradley S. Bridgewater

BRADLEY S. BRIDGEWATER
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COUNSEL FOR THE UNITED STATES

_____ (approved 2/4/2010)

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COUNSEL FOR THE STATE OF NEW MEXICO
EX REL. STATE ENGINEER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on February 4, 2010, I filed the foregoing *Motion for Default Judgment* electronically through the CM/ECF system, which caused CM/ECF Participants to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

AND I FURTHER CERTIFY that a copy of the foregoing was mailed to the following parties who are not CM/ECF Participants:

Scott Crawford and Linda Crawford
50598 W. Val Vista Road
Maricopa, AZ 85239

 /s/
Bradley S. Bridgewater