

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

UNITED STATES OF AMERICA, and)	
STATE OF NEW MEXICO, ex rel. STATE)	
ENGINEER,)	
)	
Plaintiffs,)	
)	
and)	No. 01-cv-0072 MV/WPL
)	
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ZUNI RIVER BASIN
)	ADJUDICATION
Plaintiffs in Intervention,)	
)	
v.)	Subfile No. ZRB-5-0001
)	
A & R PRODUCTIONS, et al.,)	
)	
Defendants.)	

ORDER GRANTING PLAINTIFFS’ MOTION FOR DEFAULT JUDGMENT

This matter is before the Court on the joint motion for default judgment filed by the United States and the State of New Mexico on November 23, 2015. (Doc. 3140.) Defendant Audrey Morano failed to respond to the motion within the prescribed time. Accordingly, the Court finds that the motion is well-taken and is hereby granted. The Court finds:

1. The Defendant has been legally served with process or has waived service of summons. (Doc. 2156 (proof of service of summons on Audrey Morano).)
2. The Defendant has failed to comply with the applicable procedural and scheduling orders, and failed to appear, answer, or otherwise defend in this subfile action. The Defendant is in default. (See Doc. 3130 (Clerk’s Certificate of Default).)
3. The portions of the Zuni River Basin Adjudication Hydrographic Survey Report for Sub-area Ramah relating to the water rights of this subfile Defendant have been

introduced into the record and are hereby incorporated as the evidentiary basis of the water rights described herein.

4. The right of the Defendant, Audrey Morano, to divert and use the public waters of the Zuni River Stream System, Sub-area Ramah, is as set forth below:

WELL

Map Label: 3B-5-W036

OSE File No: None

Priority Date: 3/13/1994

Purpose of Use: NON 72-12-1 LIVESTOCK WATERING

Well Location: As shown on Hydrographic Survey Map 3B-5C

S. 34 T. 11N R. 16W 1/4, 1/16, 1/64 SE NE SE

X (ft): 2,522,137 Y (ft): 1,506,247

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

Amount of Water: Historical beneficial use, not to exceed 0.7 ac-ft per annum

4) The Defendant has no right to divert and use the public waters of the Zuni River Stream System, Sub-area Ramah, except as set forth in this Order and other Orders entered by the Court in this cause;


5) The Defendant, the Defendant's successors, representatives, heirs, and assigns, are enjoined from any diversion or use of the public waters of the Zuni River Stream System, Sub-area Ramah, except in strict accordance with this Order and other orders of the Court in this cause; and

6) The water right described herein is adjudicated as between the United States, the State of New Mexico, and the Defendant, subject to the right of any other water right claimant with standing to object prior to the entry of a final decree in this cause.

7) The Clerk of Court is ordered to mail a copy of this Order to Audrey Morano at the following address:

Audrey Morano
735 S. 9th St.
Canon City, CO 81212-4911

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE