

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-1-0147
)	
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:

PATRICIA MEECH & DANIEL MEECH	Subfile No. ZRB-1-0147
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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 proof of service of summons on PATRICIA MEECH & DANIEL MEECH (Doc. No. 1525).

2. PATRICIA MEECH & DANIEL MEECH were provided the documents listed in the Declaration of Gary A. Durr (Exhibit 1) on the dates indicated.

3. With respect to Subfile ZRB-1-0147, Defendants PATRICIA MEECH & DANIEL MEECH 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 February 9, 2008, for the return of a signed Consent Order or the submission of a Request for Consultation.

4. These deadlines for Subfile ZRB-1-0147 were never extended.

5. Defendants PATRICIA MEECH & DANIEL MEECH are in default for failure to appear, answer, or otherwise defend in Subfile ZRB-1-0147 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 June 18, 2008 (Doc.No. 1788).

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

DANIEL MEECH & PATRICIA MEECH
Subfile No. ZRB-1-0147

WELL

Map Label: 8B-1-W09

OSE File No: G 1529

Priority Date: 8/5/2003

Purpose of Use: 72-12-1.1 DOMESTIC

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

S. 4 T. 09N R. 13W 1/4, 1/16, 1/64: NE SW NW

X (ft): 2,609,498 **Y (ft):** 1,470,689

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 PATRICIA MEECH & DANIEL MEECH, incorporating the terms of the Consent Order proposed for Subfile ZRB-1-0147 and in conformance with the *Zuni River Basin Adjudication Hydrographic Survey Report for Sub Areas 4 and 8*, as amended.

Dated: July 3, 2008

Electronically Filed

/s/ Bradley S. Bridgewater

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(approved 6/30/2008)

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EX REL. STATE ENGINEER

