

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-2-0030
	)	
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:

<b>ANGELE L. CANTRELL &amp; DONALD BILL CANTRELL</b>	<b>Subfile No. ZRB-2-0030</b>
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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 DONALD BILL CANTRELL (Doc. No. 1905) and ANGELE L. CANTRELL (Doc. No. 1861).

2. ANGELE L. CANTRELL & DONALD BILL CANTRELL were provided the documents listed in the Declaration of Gary A. Durr (Exhibit 1) on the dates indicated.

3. With respect to Subfile ZRB-2-0030, Defendants ANGELE L. CANTRELL & DONALD BILL CANTRELL were subject to the Special Master's December 14, 2005 *Procedural and Scheduling Order for the Adjudication of Water Rights Claims in Sub-Areas 9 and 10 of the Zuni River Stream System* (Doc. No. 436) ("Procedural and Scheduling Order"), which established a deadline of April 10, 2006, for the submission of a Request for Consultation or the return of a signed Consent Order.

4. These deadlines for Subfile ZRB-2-0030 were never extended.

5. Defendants ANGELE L. CANTRELL & DONALD BILL CANTRELL are in default for failure to appear, answer, or otherwise defend in Subfile ZRB-2-0030 within the time limitations imposed by applicable Procedural and Scheduling Orders, or Orders of the Court extending deadlines, as shown by the Clerk's Certificate of Default filed November 3, 2008 (Doc. No. 1938).

6. In accordance with the *Zuni River Basin Adjudication Hydrographic Survey Report for Sub Areas 9 and 10*, as amended, the right(s) of ANGELE L. CANTRELL & DONALD BILL CANTRELL to divert and use the public waters of the Zuni River Stream System, Sub-Areas 9 and 10, should be as set forth below:

**DONALD BILL CANTRELL and ANGELE L. CANTRELL**  
**Subfile No. ZRB-2-0030**

**STOCK POND**

**Map Label:** 10C-4-SP06

**Purpose of Use:** Livestock

**Priority Date:** 1/1/1972

**Source of Water:** Surface Runoff

**Point of Diversion:** Not Applicable

**Amount of Water:**

**Depth (ft):** 1.0

**Surface Area (sq.ft):** 849

**Storage Impoundment Volume (ac-ft):** 0.012

**Pond Location:** As shown on Hydrographic Survey Map 10C-4

**S. 27 T. 06N R. 17W 1/4, 1/16, 1/64:** NW NW NE

**X(ft):** 2,485,854 **Y(ft):** 1,356,495

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

**Dam height (if greater than 9 ft):**

WHEREFORE, the Plaintiffs request the Court to enter an order granting default judgment against ANGELE L. CANTRELL & DONALD BILL CANTRELL, incorporating the terms of the Consent Order proposed for Subfile ZRB-2-0030 and in conformance with the *Zuni River Basin Adjudication Hydrographic Survey Report for Sub Areas 9 and 10*, as amended.

Dated: November 12, 2008

Electronically Filed

/s/ Bradley S. Bridgewater

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EX REL. STATE ENGINEER

