

**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.	)	<b>Subfile No. ZRB-4-0110</b>
	)	
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. 3139.) Defendant Crossfire Cattle Co. 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 voluntarily appeared. (Doc. 248.)
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-areas 1, 2, and 3, excluding 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, Crossfire Cattle Co., to divert and use the public waters of the Zuni River Stream System, Sub-areas 1, 2, and 3, excluding Ramah, is as set forth below:

**STOCK POND**

**Map Label:** 3C-3-SP001  
**Priority Date:** 1/1/1972  
**Purpose of Use:** LIVESTOCK  
**Source of Water:** Surface Runoff  
**Point of Diversion:** Not Applicable

**Amount of Water:**

**Depth (ft):** 3.0  
**Surface Area (sq.ft.):** 6,681  
**Storage Impoundment Volume (ac-ft):** 0.276

**Pond Location:** As shown on Hydrographic Survey Map 3C-3

**S. 29 T. 12N R. 15W 1/4, 1/16, 1/64 SW NW SE**

**X(ft): 2,538,786 Y(ft): 1,542,912**

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

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

**STOCK POND**

**Map Label:** 3C-3-SP002  
**Priority Date:** 1/1/1972

**Purpose of Use:** LIVESTOCK

**Source of Water:** Surface Runoff

**Point of Diversion:** Not Applicable

**Amount of Water:**

**Depth (ft):** 6.0

**Surface Area (sq.ft.):** 21,037

**Storage Impoundment Volume (ac-ft):** 1.739

**Pond Location:** As shown on Hydrographic Survey Map 3C-3

**S. 29 T. 12N R. 15W 1/4, 1/16, 1/64 SW SW NW**

**X(ft): 2,538,482 Y(ft): 1,542,503**

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

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

**STOCK POND**

**Map Label:** 3C-3-SP003

**Priority Date:** 1/1/1997

**Purpose of Use:** LIVESTOCK

**Source of Water:** Surface Runoff

**Point of Diversion:** Not Applicable

**Amount of Water:**

**Depth (ft):** 5.0

**Surface Area (sq.ft.):** 15,910

**Storage Impoundment Volume (ac-ft):** 1.096

**Pond Location:** As shown on Hydrographic Survey Map 3C-3

S. 29 T. 12N R. 15W 1/4, 1/16, 1/64 SW NW SW

X(ft): 2,538,589 Y(ft): 1,542,862

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

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

**STOCK POND**

**Map Label:** 3C-3-SP006

**Priority Date:** 1/1/1978

**Purpose of Use:** LIVESTOCK

**Source of Water:** Surface Runoff

**Point of Diversion:** Not Applicable

**Amount of Water:**

**Depth (ft):** 5.0

**Surface Area (sq.ft.):** 134,214

**Storage Impoundment Volume (ac-ft):** 9.243

**Pond Location:** As shown on Hydrographic Survey Map 3C-3

S. 29 T. 12N R. 15W 1/4, 1/16, 1/64 SW NE SE

X(ft): 2,540,307 Y(ft): 1,543,266

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

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

**WELL**

**Map Label:** 3C-3-W002

**OSE File No:** None

**Priority Date:** 1/1/1970

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

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

S. 29 T. 12N R. 15W 1/4, 1/16, 1/64 NW SE NW

**X (ft):** 2,539,457 **Y (ft):** 1,545,138

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

**Amount of Water:** 0.090 ac-ft per annum

**WELL**

**Map Label:** 3C-3-W003

**OSE File No:** None

**Priority Date:** 1/1/1970

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

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

S. 29 T. 12N R. 15W 1/4, 1/16, 1/64 NW SE NW

**X (ft):** 2,539,488 **Y (ft):** 1,545,171

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

**Amount of Water:** 0.090 ac-ft per annum

4) The Defendant has no right to divert and use the public waters of the Zuni River Stream System, Sub-areas 1, 2, and 3, excluding Ramah, except as set forth in this Order and other Orders entered by the Court in this cause;

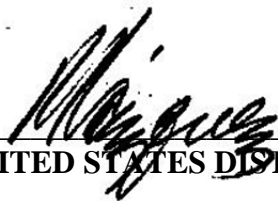
5) The Defendant, its successors, representatives, heirs, and assigns, are enjoined from any diversion or use of the public waters of the Zuni River Stream System, Sub-areas 1, 2, and 3, excluding Ramah, except in strict accordance with this Order and other orders of the Court in this cause; and

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 Crossfire Cattle Co. at the following address:

Crossfire Cattle Co.  
c/o Buster Green  
HC 60 Box 5  
Quemado, NM 87829

IT IS SO ORDERED.

  
UNITED STATES DISTRICT JUDGE