

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-1-0007
)	
v.)	
)	
A & R PRODUCTIONS, et al.)	
)	
Defendants.)	
_____)	

MOTION TO WITHDRAW MOTION FOR DEFAULT JUDGMENT

Pursuant to D.N.M.LR-Civ. 7.9, the Plaintiffs United States of America (“United States”) and State of New Mexico ex rel. State Engineer (“State”) hereby request approval of the Court to withdraw their February 10, 2009 *Motion for Default Judgment* concerning the defendant KATHERINE L. BELFORD, aka KATHERINE L. CLARK and Subfile No. ZRB-1-0007 (Doc. No. 2101). In support of this motion, Plaintiffs assert that newly discovered documents on file with the Office of the State Engineer indicate one of the surveyed wells included in Subfile ZRB-1-0007 may be a dry hole having no water right. In light of this discovery, counsel for the Plaintiffs believe additional field verification will be required in order to appropriately resolve this subfile.

WHEREFORE, Plaintiffs respectfully move the Court to approve withdrawal of Document No. 2101, the February 10, 2009 *Motion for Default Judgment* concerning the defendant KATHERINE L. BELFORD, aka KATHERINE L. CLARK and Subfile No. ZRB-1-0007.

DATED: February 11, 2009

Electronically Filed

/s/ Bradley S. Bridgewater

BRADLEY S. BRIDGEWATER
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COUNSEL FOR THE UNITED STATES

____(approved 2/11/2009)_
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COUNSEL FOR THE STATE OF NEW
MEXICO EX REL. STATE ENGINEER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on February 11, 2009, I filed the foregoing *Motion To Withdraw 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 on such date I served the foregoing on the following non-CM/ECF Participants in the manner indicated:

Via U.S. Mail, Postage Pre-paid:

KATHERINE L. BELFORD, aka
KATHERINE L. CLARK
1108 ROMA AVE.
ALBUQUERQUE, NM 87107

_____/s/_____
Bradley S. Bridgewater