### 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/WP	Ľ
	)	
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVER BASIN	
	) ADJUDICATION	
Plaintiffs in Intervention,	)	
	)	
V.	) <b>Subfile No.</b> ZRB-5-0022	2
	)	
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. 3143.) Defendant Edd Coffey 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. 362 (waiver of service of summons filed by Edd Coffey).)
- 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).)
- 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, Edd Coffey, to divert and use the public waters of the Zuni River Stream System, Sub-area Ramah, is as set forth below:

# STOCK POND

Map Label:	3B-5-SP053				
Priority Date:	1/1/1971				
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.):		13,417		
Storage Impo	oundment Volume (ac-	ft):	0.554		
<b>Pond Location:</b> As shown on Hydrographic Survey Map 3B-5C					
<b>S</b> . 34 <b>T.</b> 11N	<b>R.</b> 16W	1/4, 1/2	<b>16, 1/64</b> NE	SE	SE

**X (ft):** 2,522,322 **Y (ft):** 1,507,470

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

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

#### **WELL**

Map Label:	3B-5-W098
OSE File No:	G 02028

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<b>Priority Date:</b>	12/31/1985			
Purpose of Use:	NON 72-12-1 LIVE	STOCK WATERING		
Well Location:	As shown on Hydro	graphic Survey Map 3E	3-5C	
<b>S</b> . 34 <b>T.</b> 11N	<b>R.</b> 16W	1/4, 1/16, 1/64 NE	SE	SE
<b>X</b> (ft): 2,522,	182 <b>Y</b> (ft): 1,507	7,590		
New Mexico S	State Plane Coordinat	e System, West Zone, I	NAD 198	83
Amount of Water:	0.023 ac-ft per annu	m		
<u>WELL</u>				
Man Label	3B 5 W117			

Map Label:	3B-5-W117
OSE File No:	G 00684
Priority Date:	6/11/1996
Purpose of Use:	72-12-1 DOMESTIC ONE HOUSEHOLD
Well Location:	As shown on Hydrographic Survey Map 3B-5E
<b>S</b> . 35 <b>T.</b> 11N	<b>R.</b> 16W <b>1/4, 1/16, 1/64</b> NW SW SW
<b>X</b> (ft): 2,522,5	<b>Y</b> (ft): 1,507,662

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, his 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

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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 Edd Coffey at the following address:

Edd Coffey P.O. Box 9 Ramah, NM 87321

IT IS SO ORDERED.

TES DISTRICT JUDGE UNI