

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,	)	
	)	DECLARATION OF GARY A.
	)	DURR IN SUPPORT OF
	)	PLAINTIFF UNITED STATES'
	)	MOTION FOR DEFAULT
	)	JUDGMENT
	)	
v.	)	
	)	
A & R PRODUCTIONS, et al.	)	
	)	
Defendants.	)	
_____	)	

I, Gary A. Durr, am employed as a Paralegal Specialist with the Department of Justice and have been assigned to work in support of counsel for the United States in the above-captioned case.

A. Pursuant to the 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), defendants in the Zuni River Basin Adjudication were sent a service packet that included a proposed Consent Order, Request for Consultation form, Notice of Water Rights Adjudication, a form Answer, and if the defendant had not been served process or had not voluntarily waived

such service, a copy of the Amended 2003 Complaint, a Request for Waiver of Service of Summons, and two copies of a Waiver of Service of Summons with a prepaid return envelope. The packet also included a letter from the United States explaining the purpose of the forms and to whom and when documents were to be mailed or provided if the defendant chose to respond. The documents were mailed to the defendant's mailing address via certified mail, return receipt requested.

B. The service packet to Beulah Bruton (ZRB-2-0025), was mailed to the defendant's address of record. A copy of Postal Service Form 3811, Domestic Return Receipt was returned signed, but was undated (attached). Tracking the certified mailing with the U.S. Postal Service indicates that the packet was delivered at 11:45 AM, on February 11, 2006 (attached).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: January 17, 2008



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GARY A. DURR  
U.S. Department of Justice  
1961 Stout Street - 8<sup>th</sup> Floor  
Denver, CO 80294  
(303) 844-1359



Track & Confirm FAQs

# Track & Confirm

## Search Results

Label/Receipt Number: 7005 1160 0005 3392 4257  
Status: Delivered

Your item was delivered at 11:45 am on February 11, 2006 in FENCE LAKE, NM 87315. A proof of delivery record may be available through your local Post Office for a fee.

Additional information for this item is stored in files offline.

### Track & Confirm

Enter Label/Receipt Number.

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*2LB - 2-27-06-0025*

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Beulah Bruton</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)  <i>Beulah Bruton</i></p> <p>C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">BEULAH BRUTON  P.O. BOX 765  FENCE LAKE, NM 87315</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number  (Transfer from service label)</p>	<p style="text-align: center;">7005 1160 0005 3392 4257</p>

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540