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,))) No. 01cv00072 BB-WDS
and ZUNI INDIAN TRIBE, NAVAJO NATION,) ZUNI RIVER BASIN) 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 abovecaptioned case.

A. Pursuant to the Procedural and Scheduling Order for the Adjudication of Water Rights Claims in Sub-area 7 of the Zuni River Stream System (Doc. No. 561), 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

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Document 1663-2

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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 Charles W. Davis and Wanda J. Davis (ZRB-3-

0045), was mailed to the defendants' address of record, and the return receipt indicates the packet

was received on June 5, 2006. A copy of Postal Service Form 3811 is attached to this

Declaration.

I declare under penalty of perjury under the laws of the United States of America

that the foregoing is true and correct.

Dated: March 20, 2008

GARY A. DURR

U.S. Department of Justice 1961 Stout Street - 8th Floor

Denver, CO 80294

(303) 844-1359

216-3-0045	
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailplece, or on the front if space permits. Article Addressed to: 	A signature A Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from them (S. Yes If YES, enter delivery endress below:
CHARLES W DAVIS WANDA J DAVIS 26 CR 114	("Tipl U & S000
ESPINOLA, NM 87532	3. Service Type Discription Mail Registered Result in Service Type
	4. Restricted Delivery? (Extra Fee) Yes .
2. Article Number 7005 1140 0005 3392 7500 (Transfer from service label)	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540	