### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

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)	
)	No. 01cv00072 BB
)	ZUNI RIVER BASIN
)	ADJUDICATION
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### NOTICE OF FILING PROOF OF SERVICE OF SUMMONS

The United States of America ("United States") hereby states that pursuant to Fed. R. Civ. P. 4(e) the following defendants were served with process in the above-captioned matter.

<u>Defendant</u>	Subfile No.	Date of Service
Nancy Vandiepen Angele L. Cantrell Doreen E. Forlow Yvonne H. Costello Michael Costello	ZRB-4-0395 ZRB-2-0030 ZRB-4-0301 ZRB-3-0040 ZRB-3-0040	September 1, 2008 September 1, 2008 August 26, 2008 August 26, 2008 August 26, 2008

Dated: September 15, 2008

Electronically Filed

/s/ Bradley S. Bridgewater

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

COUNSEL FOR THE UNITED STATES

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on September 15, 2008, I filed the foregoing Notice of Filing Proof of Service of Summons 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.

Bradley S. Bridgewater

Filed 09/15/2008

Page 4 of 18

◆AO 440 (Rev. 8/01) Summons in a Civil Action

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District of

New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

A. & R. PRODUCTIONS, et al., Defendants.

CASE NUMBER: 01cv00072-BB

TO: (Name and address of Defendant)

Nancy Vandiepen P.O. Box 862 Ramah, NM 87321

### YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

**BRADLEY S. BRIDGEWATER** United States Department of Justice Environment and Natural Resources Division 1961 Stout Street - 8th Floor Denver, CO 80294

an answer to the complaint which is served on you with this summons, within twenty (20) of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Monday, August 13, 2007

CLERK

(By) DEPUTY CLERK

<del> </del>	R	RETURN OF SERVICE	
Service o	of the Summons and complaint was made by me(1)	DATE	
NAME OF S	SERVER (PRINT)	TITLE	
Check	one box below to indicate appropriate method	d of service	
	Served personally upon the defendant. Place v	where served:	
	Left copies thereof at the defendant's dwelling discretion then residing therein.	house or usual place of abode with	h a person of suitable age and
	Name of person with whom the summons and	complaint were left:	
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### IN THE UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Hearing Date:

Plaintiff/Petitloner

CAUSE NO: 01CV00072-BB

A. & R. PRODUCTIONS, ET AL.,

AFFIDAVIT OF SERVICE OF:

SUMMONS AND AMENDED COMPLAINT

Defendant/Respondent

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the 1st day of September, 2008, at 1:50 PM, at the address of 7209 MESA DE ARENA NW, ALBUQUERQUE, Bernalillo County, NM 87120; this affiant served the above described documents upon NANCY VANDIEPEN, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with NANCY VANDIEPEN, NAMED DEFENDANT, A white female approx. 55-65 years of age 5'6"-5'8" in height weighing 120-140 lbs with brown hair.

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this 4th day of September, 2008.

Milton Rodriguez, NM

SUBSCRIBED AND SWORN to before me this 4th day of September, 2008

New Mexico.

N/1187/92 Residing at:

My Commission Expires:

FOR: U S Dept of Justice - Denver ORIGINAL PROOF OF

**REF: Nancy Vandiepen** SERVICE Tracking #: 5657769 SEA

My Commission Expires

OFFICIAL SEAL CARMELA MARTIN **Notary Public** State of New )

## UNITED STATES DISTRICT COURT

District of

New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

A. & R. PRODUCTIONS, et al., Defendants.

CASE NUMBER: 01cv00072-BB

TO: (Name and address of Defendant)

Angele L. Cantrell P.O. Box 128 San Rafael, NM 87051

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

**BRADLEY S. BRIDGEWATER** United States Department of Justice Environment and Natural Resources Division 1961 Stout Street - 8th Floor Denver, CO 80294 Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Wednesday, August 08, 2007

CLERK

(By) DEPUTY CLERK

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# IN THE UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Hearing Date:

Plaintiff/Petitioner

CAUSE NO: 01CV00072-BB

vs.

A. & R. PRODUCTIONS, ET AL.,

AFFIDAVIT OF SERVICE OF: SUMMONS AND AMENDED COMPLAINT

Delendant/Respondent

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the 1st day of September, 2008, at 12:07 PM, at the address of 613 FOX Lane SE, ALBUQUERQUE, Bernallilo County, NM 87123; this affiant served the above described documents upon ANGELE L. CANTRELL, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with ANGELE L. CANTRELL, NAMED DEFENDANT, A white female approx. 55-65 years of age 5'6"-5'8" in height weighing 120-140 lbs with blonde hair.

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this 4th day of September, 2008.

Milton Rodřigůez, NM

SUBSCRIBED AND SWORN to before me this 4th day of September, 2008

NOTABY PUBLIC in and for the State of New Mexico

Residing at: <u>P.O. 130X 13505, 1480</u>, NM 87/92

My Commission Expires: \_

FOR: U S Dept of Justice - Denver

ORIGINAL PROOF OF SERVICE OFFICIAL SEAL
CARMELA MARTIN
Notary Public
State of New Mexico
My Commission Expires 5/2/09



Tracking #: **5657775** SEA

### United States District Court

District of

New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

A. & R. PRODUCTIONS, et al., Defendants.

CASE NUMBER: 01cv00072-BB

TO: (Name and address of Defendant)

Doreen E. Forlow 1066 Claremont Dr. Brentwood, CA 94513

### YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

**BRADLEY S. BRIDGEWATER** United States Department of Justice Environment and Natural Resources Division 1961 Stout Street - 8th Floor Denver, CO 80294 Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Monday, August 13, 2007

**CLERK** 

(By) DEPUTY CLERI

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	Name of person with whom the summons and o	complaint were left:
	Other (specify):	
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# IN THE UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Hearing Date:

Plaintiff/Petitioner

CAUSE NO: 01CV00072-BB

VS.
A. & R. PRODUCTIONS, ET AL.,

AFFIDAVIT OF SERVICE OF:
SUMMONS AND AMENDED COMPLAINT

Defendant/Respondent

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the 26th day of August, 2008, at 8:53 AM, at the address of 1066 CLAREMONT Drive, BRENTWOOD, Contra Costa County, CA 94513; this affiant served the above described documents upon DOREEN E. FORLOW, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with DOREEN E. FORLOW, NAMED DEFENDANT, A white female approx. 45-55 years of age 5'6"-5'8" in height weighing 140-160 lbs with brown hair.

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this 2nd day of September, 2008.

EDWIN M. BLAMA, Rep. # 690, CONTRA COSTA, CA

BERNIE R. CONNEELY
Commission # 1682297
Notary Public - California
Contra Costa County
My Comm. Expires Jul 18, 2010

SUBSCRIBED AND SWORN to before me this 2nd day of September, 2008

NOTARY PUBLIC in and for the State of California

Residing at: Commission Expires:

My Commission Expires:

FOR: U S Dept of Justice - Denver ORIGINAL PROOF OF SERVICE

Tracking #: **5657869** SEA

### United States District Court

District of

New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL. V.

SUMMONS IN A CIVIL CASE

A. & R. PRODUCTIONS, et al., Defendants.

CASE NUMBER: 01cv00072-BB

TO: (Name and address of Defendant)

Yvonne H. Costello 6295 Oakmont Place SE Stuart, FL 34997

#### YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

**BRADLEY S. BRIDGEWATER** United States Department of Justice Environment and Natural Resources Division 1961 Stout Street - 8th Floor Denver, CO 80294 Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Wednesday, August 08, 2007

CLERK

DATE

(By) DEPUTY CLERK

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#### UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Hearing Date:

Plaintiff/Petitioner

CAUSE NO: 01CV00072-BB

A. & R. PRODUCTIONS, ET AL.,

AFFIDAVIT OF SERVICE OF: SUMMONS AND AMENDED COMPLAINT

Defendant/Respondent

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the 26th day of August, 2008, at 9:36 AM, at the address of 113 SE VIA VERONA, PORT SAINT LUCIE, St. Lucie County, FL 34984; this affiant served the above described documents upon YVONNE H. COSTELLO, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with MICHAEL E. COSTELLO, SPOUSE, A white male approx. over 65 years of age 5'10"-6'0" in height weighing 220-240 lbs with gray hair and glasses, a person of suitable age and discretion residing at the respondent's usual place of abode listed above.

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

Affiant hereby states under penalty of perjury under the laws of the State of New Mexico that the statement above is true and correct.

Debra Forbes, Reg. # 06-05,

STATE OF FLORIDA, COUNTY OF ST. LUCIE

Sworn to (or affirmed) and subscribed before me this 27th day of August, 2008

AMY M. BOYD

MY COMMISSION # DD648190 APAPIRES April 01, 2011 Fl. Notary Discount Assoc. Co.

by Debra Forbes.

PRINT, TYPE, OR

Personally known

STAMP NAME OF NOTARY

or Produced Idenitification

Type of Identification Produced

FOR: U S Dept of Justice - Denver ORIGINAL PROOF OF

SERVICE

Tracking #: 5657850 SEA

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District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

V.
A. & R. PRODUCTIONS, et al.,
Defendants.

CASE NUMBER: 01cv00072-BB

TO: (Name and address of Defendant)

Michael E. Costello 6295 Oakmont Place SE Stuart, FL 34997

#### YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8<sup>th</sup> Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Wednesday, August 08, 2007

CLERK

Natelie A. Marez

(By) DEPUTY CLERK

····	R	RETURN OF SERVICE	
Service of the Summons and co	mplaint was made by me(1)	DATE	
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#### IN THE UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Hearing Date:

Plaintiff/Petitioner

CAUSE NO: 01CV00072-BB

A. & R. PRODUCTIONS, ET AL.,

AFFIDAVIT OF SERVICE OF:

**SUMMONS AND AMENDED COMPLAINT** 

Defendant/Respondent

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the 26th day of August, 2008, at 9:36 AM, at the address of 113 SE VIA VERONA, PORT SAINT LUCIE, St. Lucie County, FL 34984; this affiant served the above described documents upon MICHAEL E. COSTELLO, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with MICHAEL E. COSTELLO, NAMED DEFENDANT, A white male approx. over 65 years of age 5'10"-6'0" in height weighing 220-240 lbs with gray hair and glasses.

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

Debra Forbes, Reg.

STATE OF FLORIDA, COUNTY OF ST. LUCIE

Sworn to (or affirmed) and subscribed before me this 27th day of August, 2008

by Debra Forbes.

AMY M. BOYD 1Y COMM13SION # DD648190 Chicas April 01, 2011 Fl. Notary Discount Assoc. Co. , TYPE, OF NAME OF

> Personally known or Produced Idenitification

Type of Identification Produced

FOR: U S Dept of Justice - Denver

ORIGINAL PROOF OF SERVICE

Tracking #: 5657849 SEA