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
and)	
)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ADJUDICATION
Plaintiffs in Intervention,)	
)	
V.)	
A & R PRODUCTIONS, et al.)	
Defendants.)	
)	

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
Lester C. Fetty	ZRB-4-0151	September 30, 2008
Rita Fetty	ZRB-4-0151	September 30, 2008
Robert McBride	ZRB-4-0446	October 2, 2008
Donna McBride	ZRB-4-0446	October 2, 2008

Dated: October 15, 2008

Electronically Filed

/s/ Bradley S. Bridgewater

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

COUNSEL FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on October 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.

/s/ Bradley S. Bridgewater

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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)

Lester C. Fetty 7137 E. Inglewood Mesa, AZ 85207

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.

> Monday, August 13, 2007 DATE

CLERK

(By) DEPUTY CLERK

	m		
	K	ETURN OF SERVICE	
Service o	f the Summons and complaint was made by me(1)	DATE	
IAME OF S	SERVER (PRINT)	TITLE	
Check	one box below to indicate appropriate method	l of service	· · · · · · · · · · · · · · · · · · ·
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_	borved poisonary upon the defendant. Trace v	• • • • • • • • • • • • • • • • • • •	
0	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
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	Returned unexecuted:		
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	Date Sig	nature of Server	
		nature of Server dress of Server	

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 30th day of September, 2008, at 11:12 AM, at the address of 3269 W MINERAL BUTTE Drive, QUEEN CREEK, Maricopa County, AZ 85242; this affiant served the above described documents upon LESTER C. FETTY, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with LESTER C. FETTY, NAMED DEFENDANT, A white male approx. 55-65 years of age with gray hair and a mustache.

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

DATED this 1st day of October, 2008.

Rich Kingdon, Reg. # 7238, Maricopa, AZ

SUBSCRIBED AND SWORN to before me this 1st day of October, 2008

NOTARY PUBLIC in and for the State of Arizona

My Commission Evolution

My Commission Expires: _

MARTHA A. CLEMENTS
Notary Public - Arizona
Maricopa County
My Commission Expires
August 4, 2012

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

Tracking #: **5657802** 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

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

CASE NUMBER: 01cv00072-BB

TO: (Name and address of Defendant)

Rita Fetty 7137 E. Inglewood Mesa, AZ 85207

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.

DATE

Monday, August 13, 2007

(By) DEPUTY CLERK

CLERK

-10 +10 (.	Key. 1701) Summons in a Civil Action			<u>_</u>			
		R	ETURN OF SERVIC	CE	<u>-</u> .		
Service o	f the Summons and complaint was	made by me ⁽¹⁾	DATE				
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<i>(1)</i> 1							
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	Served personally upon the defe	endant. Place v	vhere served:				
	Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.						
	Name of person with whom the	summons and o	complaint were left:				
	Returned unexecuted:						
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П	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 30th day of September, 2008, at 11:12 AM, at the address of 3269 W MINERAL BUTTE Drive, QUEEN CREEK, Maricopa County, AZ 85242; this affiant served the above described documents upon RITA FETTY, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with RITA FETTY, NAMED DEFENDANT, A Hispanic female approx. 55-65 years of age with brown hair.

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

DATED this 1st day of October, 2008.

Rich Kingdon, Reg. # 7238, Maricopa, AZ

SUBSCRIBED AND SWORN to before me this 1st day of October, 2008

NOTARY PUBLIC in and for the State of Arizona Residing at:

My Commission Expires: __

MARTHA A. CLEMENTS
Notary Public - Arizona
Maricopa County
My Commission Expires
August 4, 2012

Tracking #: 5657803 SEA

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

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Į	UNITED	STATES	DISTRICT	CUURT

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)

Robert McBride 21056 E. Excelisior Avenue Queen Creek, AZ 85242

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) 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.

Matt Dykman CLERK (By) DEPUTY CLERK

Friday, September 19, 2008

DATE

		RETURN OF SERVICE			
		DATE	· · · · · · · · · · · · · · · · · · ·		
	f the Summons and complaint was made by me	TITLE			
NAME OF S	SERVER (PRINT)	IIILE			
Check	one box below to indicate appropriate meth	od of service			
	Served personally upon the defendant. Plac	where served:			
_	☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.				
	Name of person with whom the summons ar	d complaint were left:			
	Returned unexecuted:				
	Other (specify):				
	STA	TEMENT OF SERVICE FEES	, , , , , , , , , , , , , , , , , , ,		
TRAVEL	SERVICES		TOTAL		
		ECLARATION OF SERVER			
	ontained in the Return of Service and Stateme xecuted on		t.		
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	=	Address of Server			
	SEE ATTACHED AFFID	AVIT OF SERVICE			

IN THE

UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES, FOR ITSELF AND AS TRUSTEE FOR THE ZUNI INDIAN TRIBE, NAVAJO NATION AND RAMAH BAND OF THE NAVAJOS. AND STATE OF NEW MEXICO, EX REL. STATE ENGINEER, PLAINTIFFS, AND ZUNI INDIAN TRIBE, NAVAJO NATION, PLAINTIFFS IN INTERVENTION

Plaintiff/Petitioner

STATE OF NEW MEXICO COMMISSIONER OF PUBLIC LANDS, ET AL

Defendant/Respondent

Hearing Date:

CAUSE NO: 01CV00072-BB

AFFIDAVIT OF SERVICE OF: SUMMONS IN A CIVIL CASE AND AMENDED COMPLAINT

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 2nd day of October, 2008, at 9:01 PM, at the address of 21056 E EXCELISIOR Avenue, QUEEN CREEK, Maricopa County, AZ 85242; this affiant served the above described documents upon ROBERT MCBRIDE, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with DONNA MCBRIDE, SPOUSE, A white female approx. 45-55 years of age with brown hair and glasses.

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

DATED this 3rd day of October, 2008.

Rich Kingdon, Reg. # 7238, Maricopa, AZ

SUBSCRIBED AND SWORN to before me this 3rd day of October, 2008

MOTARY PUBLIC in and for the State of Arizona

Residing at: Manage My Commission Expires:

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

Tracking #: 5372417 SEA

MARTHA A. CLEMENTS Notary Public - Arizona Maricopa County

Commission Expire

August 4, 2012

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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. V.

SUMMONS IN A CIVIL CASE

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

CASE NUMBER: 01cv00072-BB

TO: (Name and address of Defendant)

Donna McBride 21056 E. Excelisior Avenue Oueen Creek, AZ 85242

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) 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.

Friday, September 19, 2008

CLERK

Natelie A. Marez

(By) DEPUTY CLERK

DATE

		RJ	ETURN OF SERVICE		
Service o	of the Summons and complaint was ma	1	DATE		
	SERVER (PRINT)	· .	TITLE		
Check	one box below to indicate appropr	riate method	of service		
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	Name of person with whom the su	ımmons and c	complaint were left:		
	Returned unexecuted:				
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			TO THE OF COMMISSION OF THE		
TRAVEL		STATE SERVICES	EMENT OF SERVICE FE	EES TOTAL	
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		<u>~~~</u> ~	DAMATION OF JELLING	K	
	ontained in the Return of Service and executed on		of Service Fees is true and con	rrect,	
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IN THE

UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES, FOR ITSELF AND AS TRUSTEE FOR THE ZUNI INDIAN TRIBE, NAVAJO NATION AND RAMAH BAND OF THE NAVAJOS, AND STATE OF NEW MEXICO, EX REL. STATE ENGINEER, PLAINTIFFS, AND ZUNI INDIAN TRIBE, NAVAJO NATION, PLAINTIFFS IN INTERVENTION

Plaintiff/Petitioner

VS.
STATE OF NEW MEXICO COMMISSIONER OF PUBLIC LANDS, ET AL

Defendant/Respondent

Hearing Date:

CAUSE NO: 01CV00072-BB

AFFIDAVIT OF SERVICE OF: SUMMONS IN A CIVIL CASE AND AMENDED COMPLAINT

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 2nd day of October, 2008, at 9:01 PM, at the address of 21056 E EXCELISIOR Avenue, QUEEN CREEK, Maricopa County, AZ 85242; this affiant served the above described documents upon DONNA MCBRIDE, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with DONNA MCBRIDE, NAMED DEFENDANT, A white female approx. 45-55 years of age with brown hair and glasses.

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

DATED this 3rd day of October, 2008.

Rich Kingdon, Reg. # 7238, Maricopa, AZ

SUBSCRIBED AND SWORN to before me this 3rd day of October, 2008

NOTARY PUBLIC in and for the State of Arizona

Residing at Marion Expires: White

MARTHA A. CLEMENTS
Notary Public - Arizona
Maricopa County
My Commission Expires
August 4, 2012

acking #: **5372416** SE/

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

Tracking #: **5372416** SEA