

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.)	Subfile No. ZRB-1-0133
)	
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. Defendants in the Zuni River Basin Adjudication, Sub-areas 4 and 8, who were sent a service packet after the Order Granting Joint Motion to Amend Procedural and Scheduling Orders and Establish or Revise Deadlines for Defendants to Return Requests for Consultation and Submit Subfile Answers (Doc. No. 837), filed September 27, 2006, were provided a service packet that included a proposed Consent Order, Request for Consultation

form, Notice of Water Rights Adjudication, 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 for Maria R. Mirabal (ZRB-1-0133), was mailed to the Defendant's address of record and the packet was returned to my office marked by the United States Postal Service as "Unclaimed". A copy of the envelope with markings 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: January 30, 2009



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

Bradley S. Bridgewater
U.S. Department of Justice
Env & Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294

SENDER: COMPLETE THIS SECTION

- 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 mailpiece, or on the front if space permits.

1. Article Addressed to:

Maria R. Mirabal
3612 Florida St NE
Albuquerque, NM 87110-1433

2. Article Number
(Transfer from service label) 7006 3450 0002 2033 3792

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

X

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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

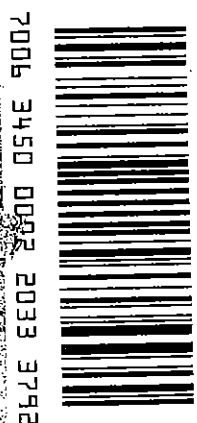
RETURN RECEIPT
REQUESTED

UNITED STATES POSTAL SERVICE

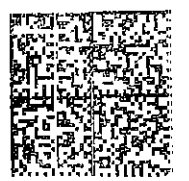
MOVED, LEFT NO ADDRESS
 ATTEMPTED - NOT KNOWN
 UNCLAIMED
 NO SUCH STREET
 INSUFFICIENT ADDRESS
 NOT DELIVERABLE AS
 ADDRESSED UNABLE TO FORWARD

REPORT TO WEBSITE

RETURN RECEIPT
REQUESTED



Maria R. Mirabal
3612 Florida St NE
Albuquerque, NM 87110-1433



repost
046J762229
\$6.960
02/05/2008
Mailed From 80294
US OFFICIAL MAIL
\$300 Penalty
For Private Use
US POSTAGE

U.S. POSTAGE
PAID
DENVER, CO
FEB 05 2008
RNDJUNT
\$0.17
00145824-1

UNITED STATES POSTAL SERVICE
0000
87110



RETURN RECEIPT
REQUESTED

7006 3450 0002 2033 3792