

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, |) | |
| |) | |
| v. |) | |
| |) | |
| A & R PRODUCTIONS, et al. |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

NOTICE OF FILING SUMMONS SERVED BY CERTIFIED MAIL - RESTRICTED DELIVERY

The United States of America (“United States”) hereby states that pursuant to Fed. R. Civ. P. 4(e)(1) and the New Mexico Rules of Civil Procedure 1-0004(E)(3) the following defendants were served with process in the above-captioned matter. Service was made by certified mail (restricted delivery) addressed to the defendant. Copies of the Return of Service and the defendants’ signed Domestic Return Receipts (PS Form 3811) are attached.

| <u>Defendant</u> | <u>Subfile No.</u> | <u>Date of Service</u> |
|--------------------|--------------------|------------------------|
| Margaret Dowling | ZRB-4-0130 | April 17, 2009 |
| Anne Lowden-Gilpin | ZRB-4-0248 | April 16, 2009 |

Dated: April 22, 2009

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 April 22, 2009, I filed the foregoing Notice of Filing of Summons Served by Certified Mail - Restricted Delivery 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

AO 440 (Rev. 02/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
District of New Mexico

U.S.A. & State of New Mexico, ex rel. State Engineer
Plaintiff
v.
A. & R. Productions, et al.,
Defendant
Civil Action No. 01cv00072-BB

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Margaret Dowling
1829 Georgia NE
Albuquerque, NM 87110

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

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

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: Thursday, April 09, 2009

Carla Lopez
Signature of Clerk or Deputy Clerk
United States District Court
District of New Mexico

AO 440 (Rev. 02/09) Summons in a Civil Action (Page 2)

Civil Action No. 01cv00072-BB

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(l))

This summons for *(name of individual and title, if any)* Margaret Dowling
was received by me on *(date)* 04/09/2009

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

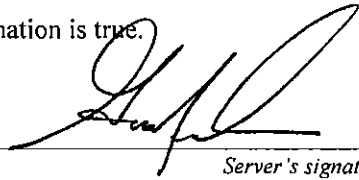
I returned the summons unexecuted because _____ ; or

Other *(specify)*: Summons served by certified mail (restricted delivery) on April 17, 2009. Return receipt attached.

My fees are \$ 0.00 for travel and \$ 10.37 for services, for a total of \$ 10.37

I declare under penalty of perjury that this information is true.

Date: 05/22/2009



Server's signature

Gary A. Durr, Paralegal

Printed name and title

1961 Stout St - 8th Floor
Denver, CO 80294

Server's address

Additional information regarding attempted service, etc:



Track & Confirm

Search Results

Label/Receipt Number: **7005 1820 0005 4749 7124**
 Status: **Delivered**

Your item was delivered at 10:31 AM on April 17, 2009 in ALBUQUERQUE, NM 87110.

[Track & Confirm](#)

Enter Label/Receipt Number.

[Additional Details >](#)

[Return to USPS.com Home >](#)

[Go >](#)

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email.

[Go >](#)

Sum **2RB-4-0130**

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|--|
| <ul style="list-style-type: none"> 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. | <p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>X Margaret Dowling</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery</p> <p><i>MARGARET DOWLING</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> |
| <p>1. Article Addressed to:</p> <p style="text-align: center;">Margaret Dowling 1829 Georgia NE Albuquerque, NM 87110</p> | <p>3. Service Type <input type="checkbox"/> Express Mail</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> C.O.D.</p> <p><input type="checkbox"/> Insured Mail</p> |
| <p>2. Article Number (Transfer from service i)</p> <p style="text-align: center;">7005 1820 0005 4749 7124</p> | <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p> |

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

AO 440 (Rev. 02/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
District of New Mexico

U.S.A. & State of New Mexico, ex rel. State Engineer
Plaintiff
v.
A. & R. Productions, et al.,
Defendant
Civil Action No. 01cv00072-BB

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Anne Lowden-Gilpin
737 Turner Drive NE
Albuquerque, NM 87123

A lawsuit has been filed against you.

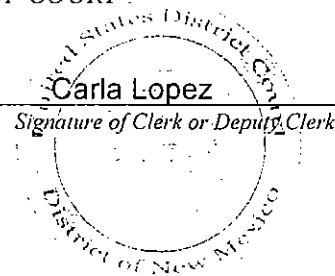
Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

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

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: Thursday, April 09, 2009



AO 440 (Rev. 02/09) Summons in a Civil Action (Page 2)

Civil Action No. 01cv00072-BB

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(l))

This summons for *(name of individual and title, if any)* Anne Lowden-Gilpin
was received by me on *(date)* 04/09/2009

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

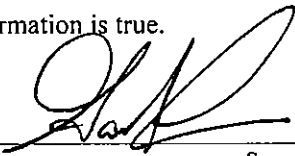
I returned the summons unexecuted because _____ ; or

Other *(specify)*: Summons served by certified mail (restricted delivery) on April 16, 2009. Return receipt attached.

My fees are \$ 0.00 for travel and \$ 10.37 for services, for a total of \$ 10.37

I declare under penalty of perjury that this information is true.

Date: 05/22/2009



Server's signature

Gary A. Durr, Paralegal
Printed name and title

1961 Stout St - 8th Floor
Denver, CO 80294

Server's address

Additional information regarding attempted service, etc:



Track & Confirm FAQs

Track & Confirm

Search Results

Label/Receipt Number: 7005 1820 0005 4749 7117
Status: Delivered

Your item was delivered at 10:52 AM on April 16, 2009 in ALBUQUERQUE, NM 87123.

Track & Confirm

Enter Label/Receipt Number.

Go >

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email.

Go >

Sum *2RB-4-0248*

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
| <ul style="list-style-type: none"> ■ 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. <p>1. Article Addressed to:</p> <p style="text-align: center;">Anne Lowden-Gilpin 737 Turner Drive NE Albuquerque, NM 87123</p> | <p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>B. Received by (Printed Name)</i> <i>BILL GILPIN</i> C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> |
| <p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7005 1820 0005 4749 7117</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. 4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p> |

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