

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, )  
 )  
 and )  
 )  
 ZUNI INDIAN TRIBE, NAVAJO NATION, )  
 )  
 Plaintiffs in Intervention, )  
 )  
 )  
 )  
 )  
 )  
 )  
 )  
 v. )  
 )  
 A & R PRODUCTIONS, et al. )  
 )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

No. 01cv00072 BB-WDS

ZUNI RIVER BASIN  
ADJUDICATION

DECLARATION OF KHALEELAH  
E. JONES IN SUPPORT  
OF PLAINTIFF UNITED STATES'  
MOTION FOR DEFAULT  
JUDGMENT

Subfile No. ZRB-3-0092

I, Khaleelah E. Jones, 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-Area 7, 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 or counsel of record via certified mail, return receipt requested.

B. The service packet for Darla Nicoll (ZRB-3-0092), was mailed to the defendants' address of record on May 12, 2006. The package was refused. A copy of the returned package envelope 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: August 18, 2009



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

S. Dept. Of Justice  
NRD/Indian Resources Section  
361 Stout Street - 8th Floor  
Denver, CO 80294

06 JUN -2 AM '09  
DENVER, CO

**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:

DARLA G NICOLL  
P.O. BOX 69  
RAMAH, NM 87321

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

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

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7005 1160 0005 3393 2122

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

~~DARLA G NICOLL  
P.O. BOX 69  
RAMAH, NM 87321~~

POSTAGE WILL BE PAID BY ADDRESSEE  
FIRST CLASS PERMIT NO. 100 DENVER CO  
NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

