

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 to Eugenio Landavazo (ZRB-2-0060), was mailed to the defendants's address of record, and the return receipt was signed by Vedna Landavazo. Although the return receipt is not dated by Vedna Landavazo, the Zuni post office date stamped the receipt, indicating it was received February 6, 2006. A copy of Postal Service Form 3811 is attached to this Declaration.

C. A waiver of service of summons was returned by Vedna Landavazo, signed February 6, 2006, in which she stated that her husband, Eugenio Landavazo, was deceased. On August 13, 2007, counsel for the United States wrote a letter to Vedna Landavazo regarding ownership of the property for subfile ZRB-2-0060. A return receipt for the letter was signed by Vedna Landavazo, dated August 15, 2007. No response to the letter was received. A copy of the letter and Postal Service Form 3811 is attached to this declaration.

D. The Unknown Heirs of Eugenio Landavazo (ZRB-2-0060) were served by Publication for three consecutive weeks beginning May 27, 2009 and ending June 10, 2009 in the *Gallup Independent* and *Albuquerque Journal* (Doc. No. 2379).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: September 29, 2009

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

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

FILE



U.S. Department of Justice

Environment and Natural Resources Division

SCA:BSB
90-6-2-91

REPLY TO:
Bradley S. Bridgewater
U.S. Department of Justice
1961 Stout Street - 8th Floor
Denver, CO 80294

Telephone: (303) 844-1359
Fax: (303) 844-1350

August 13, 2007

Vedna Landavazo
P.O. Box 721
Zuni, NM 87327

Re: United States v. A & R Productions, No. 01cv00072-BB (D.N.M.) (Zuni River Basin adjudication), Subfile No. ZRB-2-0060.

Dear Mrs. Landavazo:

Since receiving the *Waiver of Service of Summons* that you returned in February of last year on behalf of your deceased husband Eugenio, we have been waiting for the Cibola County records to indicate updated ownership information for the property involved in Subfile ZRB-2-0060.¹ Unfortunately, the data we are able to obtain from the County still show Eugenio Landavazo as the sole owner of the property.

State law (72-4-17 NMSA 1978) provides that when we cannot determine the successors in interest to a deceased person we should join "the unknown heirs of such deceased person" as the parties to the adjudication. However, it will avoid legal complications for the heir or heirs if we can name them. Accordingly, I am requesting that you provide a copy of any documentation you may have that indicates who the current owner or owners of the property may be. A deed to the property issued as a result of the administration of your late husband's estate would be sufficient.

I am sorry to have to bother you with this, and thank you in advance for your cooperation. If you have any questions concerning this request, please feel free to give me a call.

Sincerely,

Bradley S. Bridgewater

Enc. (two maps)

Cc (w/o enc.):

Edward Bagley, New Mexico Office of the State Engineer, Legal Division

¹ For your reference, I enclose a copy of the hydrographic survey map for the Subfile, as well as a Zuni River Basin map indicating the approximate location of the tract.

Bc (w/o enc.):
Kit Nielson, NRCE

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:

Vedna Landavazo
P.O. Box 721
Zuni, NM 87327

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Vedna Landavazo* Agent
 Addressee

B. Received by (Printed Name) Agent
Vedna Landavazo Addressee

C. Date of Delivery
8/15/07

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



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

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number **7005 1820 0005 4749 5670**
 (Transfer from service label)

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

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:

EUGENIO LANDAVVAZO
 P.O. BOX 721
 ZUNI, NM 87327

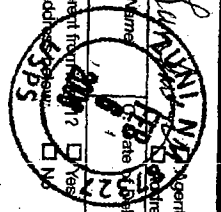
COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Eugenio Landavvazo

B. Received by (Printed Name)

D. Is delivery address different from the address on the mailpiece?
 If YES, enter delivery address below: _____



3. Service Type

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

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number (Transfer from service label)

7005 1160 0005 3392 4516

PS Form 3811, February 2004

Domestic Return Receipt

10256R-02-M-1540

26-2-6063