

FILED

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

**United States District Court**  
*District of New Mexico*

06 APR 18 AM 9:14

CLERK ALBUQUERQUE

JH

UNITED STATES OF AMERICA and STATE  
OF NEW MEXICO, ex rel. STATE ENGINEER,  
Plaintiffs, and ZUNI INDIAN TRIBE, and  
NAVAJO NATION, Plaintiffs-in-intervention,

**SUMMONS IN A CIVIL CASE**

v.

CASE NUMBER: 01cv00072-BB-ACE

A & R PRODUCTIONS, et al.,  
Defendants.

TO: (Name and address of defendant)

Battle Wolf Trust, Ronald Porath & Marzella Porath  
10537 Calle Alba N.W.  
Albuquerque, NM 87114

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER  
United States Department of Justice, Environment and Natural Resources Division  
Indian Resources Section  
999 18th Street, Suite 945  
Denver, CO 80202  
Phone: (303) 312-7318

an answer to the complaint which is herewith served upon you, within twenty (20) days after  
service of this summons upon 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. You must also file your answer with the Clerk of this  
Court within a reasonable period of time after service.

Matthew J. Dykman, CLERK  
CLERK  
(BY) DEPUTY CLERK

DEC 22 2005

DATE

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RETURN OF SERVICE

Service of the summons and complaint was made by me on:	DATE <u>January 31, 2006</u>
NAME OF SERVER (PRINT) <u>MILTON RODRIGUEZ</u>	TITLE <u>Process Server</u>

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: Albuquerque, NM 87114 10537 Calle Alba, N.W.
- 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 who the summons and complaint were left: Ronald Porath
- Returned unexecuted: \_\_\_\_\_
- Other (specify): \_\_\_\_\_

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES <u>50<sup>00</sup></u>	TOTAL <u>50<sup>00</sup></u>
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 1/31/06 Date

M. Rodriguez Signature of Server

P.O. Box 13505

ABQ, NM 87192 Address of Server

(1) As to who may serve a summons, see Rule 4 of the Federal Rules of Civil Procedure.