IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

HILED
UAGE STOPS DISTROT COURT DISTRICT OF IELA ASTRO

	06 JUN -7 AM 9: 16
UNITED STATES OF AMERICA	
and) OLERIHALBUQUERQUE
STATE OF NEW MEXICO, ex rel. STATE) '
ENGINEER,)
Plaintiffs,) \
ranțins,) No. 01cv00072 BB-ACE
and)
•) ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,) ADJUDICATION
)
Plaintiffs in Intervention,) Subarea 3
)
V.)
A & R PRODUCTIONS, et al.)
A & K I KODOC HONS, et al.)
Defendants.	,)
·	

NOTICE OF FILING WAIVERS OF SERVICE OF SUMMONS

The United States of America ("United States") hereby files with the Clerk of the Court the attached Waivers of Service of Summons for the defendants listed below in the above-listed Subarea:

 Nina Beno Kenneth R. Carlock Dave A. Filppi Albert Hammon Donna Hinnant Hoffman Living Trust Dated September 25, 2002 Andy Kabala Leonora Kabala David S. Kessler Lisa Kessler Robert D. McClanahan Francesca Premi Edward J. Valdez Pauline C. Valdez Eric Zwinski Josefina Zwinski

419

Respectfully submitted this 6 day of June 2006.

BRADLEY S. BRIDGEWATER

U.S. Department of Justice 1961 Stout Street - 8th Floor Denver, CO 80294 (303) 844-1369

COUNSEL FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I hereby certify that on June 4. 2006, a copy of the foregoing Notice of Filing

Bull butas

Waivers of Service of Summons, without attached waivers, was mailed to the following persons:

Special Master Vickie L. Gabin U.S. District Court District of New Mexico P.O. Box 2384 Santa Fe, NM 87504-2384

Edward Bagley Office of the State Engineer, Legal Division P.O. Box 25102 Santa Fe, NM 87504

UNITED STATES OF AMERICA, for Itself and as Trustee for the Zuni Indian Tribe, Navajo)
Nation and Ramah Band of Navajos and	ý
STATE OF NEW MEXICO, ex rel. STATE)
ENGINEER,)
Plaintiffs,)
and) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,) ZUNI RIVER BASIN) ADJUDICATION
v.)
A & R PRODUCTIONS, et al., Defendants.)))

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, JOSEFINA ZWINSKI, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner ——provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court, except for objections based on a defect in the summons or in the service of the summons.

I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signatı	re: Date: 05-30-06
print or	type name: Zwinski Josefina Zwinski
of your	If you are signing on behalf of the named party, please indicate the source authority here:
and prii here:	nt or type the full name and address of the party on whose behalf you are acting
,	

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the party believes that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

UNITED STATES OF AMERICA, for Itself)	
and as Trustee for the Zuni Indian Tribe, Navajo)	
Nation and Ramah Band of Navajos and)	
STATE OF NEW MEXICO, ex rel. STATE)	
ENGINEER,)	
Plaintiffs,)	
)	
and)	No. 01cv00072-BB
•)	
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ZUNI RIVER BASIN
Plaintiffs in Intervention,)	ADJUDICATION
)	
v.)	
A & R PRODUCTIONS, et al.,)-	· ·
Defendants.	,	
Determants.	,	

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, ERIC ZWINSKI, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process; in the manner—provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Waiver of Service Page 1

ERIC ZWINSKI

Signature:	Date: 05-30-06
print or type	name: ERTE ZUINSKI
of your autho	If you are signing on behalf of the named party, please indicate the source ority here:
and print or there:	type the full name and address of the party on whose behalf you are acting
	Upon agreeing to and completing this form, return one signed original in

Keep one copy of this form for your records.

U.S. Department of Justice, 1961 Stout Street – 8th Floor, Denver, CO, 80294).

Duty to Avoid Unnecessary Costs of Service of Summons

the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater,

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UNITED STATES OF AMERICA, for Itself)	
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STATE OF NEW MEXICO, ex rel. STATE	:)	
ENGINEER,) .	
Plaintiffs,)	
and)	No. 01cv00072-BB
and	,	No. 0100000/2-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,))	ZUNI RIVER BASIN
Plaintiffs in Intervention,)	ADJUDICATION
v.)	
A & R PRODUCTIONS, et al.,	ے مصر(برہ زرم ا	وللطب المتري يهيها للمنزواء المترسولين
Defendants.	· /	
	}	

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, PAULINE C. VALDES, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature: Pauline C. Valda	Date: 5-17-06
print or type name: Pauliva C	Valder
If you are signing on beh of your authority here:	alf of the named party, please indicate the source
and print or type the full name and addr here:	ess of the party on whose behalf you are acting

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

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UNITED STATES OF	AMERICA, for Itself)
and as Trustee for the 2	Zuni Indian Tribe, Navajo)
Nation and Ramah Bar	id of Navajos and)
STATE OF NEW MEX	XICO, ex rel. STATE) .
ENGINEER,	٠.)
Plaintiffs,)
and)) No. 01cv00072-BB
)
ZUNI INDIAN TRIBE Plaintiffs in In	·) ZUNI RIVER BASIN) ADJUDICATION
v.	e de la companya de l))
A & R PRODUCTION Defendants.	S, et al.,))
)

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, EDWARD J. VALDES, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Waiver of Service Page 1

EDWARD J. VALDES

Signature: <u>Edwyd A.</u>	Volden	<u>-</u>		7-06
print or type name: _	EDWARD J	VALOF2	_	
If you of your authority her	are signing on bcha e:	alf of the name	ed party, please i	ndicate the source
and print or type the here:	full name and addre	ess of the party	on whose beha	f you are acting

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

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UNITED STATES OF AMERICA, for Itself)
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Nation and Ramah Band of Navajos and)
STATE OF NEW MEXICO, ex rel. STATE)
ENGINEER,).
Plaintiffs,)
and .) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,) ZUNI RIVER BASIN) ADJUDICATION)
v)
Λ & R PRODUCTIONS, et al.,)
Defendants.	<i>)</i>

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, FRANCESCA PREMI, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court, except for objections based on a defect in the summons or in the service of the summons.

I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 31, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 31, 2006.

Waiver of Service Page 1 FRANCESCA PREMI

Signature:	- Prei		Date: _	5/30/06	5	
print or type name: _	FRINCESCA	PREMI				
If you authority here:	are signing on beha	alf of the nam	ed party,	please indica	te the source of	ʻyou:
and print or type the	full name and addre	ess of the part	y on whos	se behalf you	are acting here	:

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

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UNITED STATES OF AMERICA, for Itself)
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Nation and Ramah Band of Navajos and)
STATE OF NEW MEXICO, ex rel. STATE)
ENGINEER,)
Plaintiffs,)
)
and) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,) ZUNI RIVER BASIN
Plaintiffs in Intervention,) ADJUDICATION
ι)
v.)
A.& R. PRODUCTIONS, et al., Defendants.) -)
	1

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, ROBERT D. MCCLANAHAN, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf. I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court, except for objections based on a defect in the summons or in the service of the summons.

I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature: MtOM'Claude Date: 5/30/06
print or type name: Robert D. MCCLANAhan
If you are signing on behalf of the named party, please indicate the source of your authority here:
and print or type the full name and address of the party on whose behalf you are acting here:
——————————————————————————————————————

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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ENGINEER,	·)
Plaintiss,)
and) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,) ZUNI RIVER BASIN) ADJUDICATION
v.	<u> </u>
-A & R PRODUCTIONS, et al., Defendants.). -) ·
)

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, LISA KESSLER, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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Waiver of Service Page 1 LISA KESSLER

Signatur	e: 15a Kesslu Date: 6/2/06	
print or ty	pe name: Lisa Kessler	
of your at	If you are signing on behalf of the named party, please indicate the source athority here:	e
and print.	or type the full name and address of the party on whose behalf you are acting	
 	— Upon agreeing to and completing this form, return one signed original in	

Keep one copy of this form for your records.

U.S. Department of Justice, 1961 Stout Street – 8th Floor, Denver, CO, 80294).

Duty to Avoid Unnecessary Costs of Service of Summons

the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater,

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STATE OF NEW MEXICO, ex rel. STATE	,)
ENGINEER,)
Plaintiffs,)
and) No. 01cv00072-BB
and) No. 010/000/2-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,) ZUNI RIVER BASIN) ADJUDICATION
v.	.)
A & R PRODUCTIONS, et al., Defendants.	·) · · · · -
	1

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, DAVID S. KESSLER, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

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Signature:	\mathcal{M}		Date	م) :	2/06
print or type n	ame:	DAVID	KESSLA	57	
of your author	_	signing on behalf	of the named part	y, pleas	se indicate the source
and print or ty here:	pe the full	name and address	of the party on wh	iose be	half you are acting
the pre-address	sed, postag	ge-paid envelope p		d to Bra	e signed-original in adley S. Bridgewater, O, 80294).

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

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Nation and Ramah Band of Navajos and)
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ENGINEER,)
Plaintiffs,)
)
and	No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,) ZUNI RIVER BASIN) ADJUDICATION
ر از	
A & R PRODUCTIONS, et al., Defendants.)))

WAIVER OF SERVICE OF SUMMONS

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, LEONORA KABALA, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

£ - 6 ...

Signature: $\sim con \theta$	m Habela.	Date: 5.26.06
print or type name:	LEONORA	KABALA
If yo of your authority he	• •	half of the named party, please indicate the source
and print or type the	full name and addr	ress of the party on whose behalf you are acting
		

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8th Floor, Denver, CO, 80294).

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the party believes that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

UNITED STATES OF AMERICA, for Itself)
and as Trustee for the Zuni Indian Tribe, Navajo	·)
Nation and Ramah Band of Navajos and)
STATE OF NEW MEXICO, ex rel. STATE)
ENGINEER,)
Plaintiffs,)
and) No. 01cv00072-BB
ZUNI ÍNDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,) ZUNI RIVER BASIN) ADJUDICATION
v.)
A-& R-PRODUCTIONS, et al., Defendants.	
	•

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, ANDY KABALA, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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ANDY KABALA

Signature:	Kobde		Date: _	5-29-06
print or type n	ame: ANDY	KABALA		
of your author		on behalf of the nam	ed party,	please indicate the source
and print or ty	pe the full name and	l address of the part	y on who	se behalf you are acting
	"Upon agreeing to a	nd completing this f	form, retu	irn one signed original in

the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8th Floor, Denver, CO, 80294).

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UNITED STATES OF AMERICA, for Itself and as Trustee for the Zuni Indian Tribe, Navajo Nation and Ramah Band of Navajos and STATE OF NEW MEXICO, ex rel. STATE)))
ENGINEER,)
Plaintiffs,)
and) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,) ZUNI RIVER BASIN) ADJUDICATION
v.)
A & R PRODUCTIONS, et al., Defendants.)))

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, HOFFMAN LIVING TRUST DATED SEPTEMBER 25, 2002, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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Waiver of Service Page 1

Signature: 1 (m) 1/2/19/19/19/19/19/19/19/19/19/19/19/19/19/
print or type name: DEANNL, HOFFMAN
If you are signing on behalf of the named party, please indicate the source of your authority here: TRUSTEE
and print or type the full name and address of the party on whose behalf you are acting
here:
HOFFMAN LIVING TRUST DATED 9-25-2002
POBOX-707

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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UNITED STATES OF AMERICA, for Itself and as Trustee for the Zuni Indian Tribe, Navajo)
Nation and Ramah Band of Navajos and	ý
STATE OF NEW MEXICO, ex rel. STATE)
ENGINEER,)
Plaintiffs,)
and) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,) ZUNI RIVER BASIN) ADJUDICATION
v.)
A & R PRODUCTIONS, et al., Defendants.))))

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, DONNA HINNANT, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

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Waiver of Service Page 1 DONNA HINNANT

Signature: Nouna Juniant Date: may 19-20	06
print or type name: Down J. Hinnant Date: May 19-20	
If you are signing on behalf of the named party, please indicate the sour of your authority here:	ce
and print or type the full name and address of the party on whose behalf you are acting here: Donna J. Hinnad 4129 W. EVA St Ph AZ 85051	 -

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

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UNITED STATES OF AMERICA, for Itself)
and as Trustee for the Zuni Indian Tribe, Navajo)
Nation and Ramah Band of Navajos and)
STATE OF NEW MEXICO, ex rel. STATE) .
ENGINEER,)
Plaintiffs,)
)
and) No. 01cv00072-BB
ZUNU INDIAN TRUBE NAVAIO NATION) ZUNU DIVED DACINI
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,) ZUNI RIVER BASIN) ADJUDICATION
Figuritis in intervention,) ADJUDICATION
v)
)
A & R PRODUCTIONS, et al.,	
Defendants.)
)

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, ALBERT HAMMON, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Waiver of Service Page 1

ALBERT HAMMON

Signature:	Date: 5-27-2000
print or type na	ame: ALBERT B. HAMMON
of your authori	If you are signing on behalf of the named party, please indicate the source ity here:
and print or typ	be the full name and address of the party on whose behalf you are acting
here:	
- :	
•	

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

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UNITED STATES OF AMERICA, for Itself)
and as Trustee for the Zuni Indian Tribe, Navajo)
Nation and Ramah Band of Navajos and)
STATE OF NEW MEXICO, ex rel. STATE)
ENGINEER,)
Plaintiffs,)
and) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,) ZUNI RIVER BASIN) ADJUDICATION)
v,	ĺ
A & R PRODUCTIONS, et al., Defendants.) .))

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, DAVE A. FILPPI, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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DAVE A. FILPPI

Signature:	Date: 5/27/6
print or type name: DAVE F1	hPP1
If you are signing on behalf of the of your authority here:	ne named party, please indicate the source
and print or type the full name and address of there:	ne party on whose behalf you are acting

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

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UNITED STATES OF AMERICA, for Itself)	
and as Trustee for the Zuni Indian Tribe, Navajo	··)	
Nation and Ramah Band of Navajos and)	
STATE OF NEW MEXICO, ex rel. STATE)	
ENGINEER,)	
Plaintiffs,)	
and)	No. 01cv00072-BB
	Ś	
ZUNI INDIAN TRIBE, NAVAJO NATION,	j	ZUNI RIVER BASIN
Plaintiffs in Intervention,)	ADJUDICATION
)	
v.)	-·.
A & R PRODUCTIONS, et al.,)	
Defendants.	ý	
)	

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, KENNETH R. CARLOCK, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature:	Colot		Date: 6/1/06	
print or type name:	KENNETH	R. CALLOCK		
If yo of your authority he		behalf of the named	l party, please indicate	the source
and print or type the here:	e full name and a	ddress of the party o	on whose behalf you a	re acting
				 .

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

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UNITED STATES OF AMERICA, for Itself)
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Nation and Ramah Band of Navajos and)
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ENGINEER,)
Plaintiffs,)
and) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,) ZUNI RIVER BASIN
Plaintiffs in Intervention,) ADJUDICATION
v.)
A & R PRODUCTIONS, et al.,	·) ·
Defendants.)
)

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, NINA BENO, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States'
Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

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Waiver of Service Page 1

NINA BENO

Signature: Ninc Beno	Date: May 27, 200 6
print or type name:	ENO
If you are signing on of your authority here:	behalf of the named party, please indicate the source
and print or type the full name and a here:	address of the party on whose behalf you are acting

Keep one copy of this form for your records.

Duty to Avoid Unnecessary Costs of Service of Summons

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