

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

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CLERK-ALBUQUERQUE

*Handwritten initials*

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

ZUNI INDIAN TRIBE,  
NAVAJO NATION,

Plaintiffs in Intervention,

v.

STATE OF NEW MEXICO COMMISSIONER  
OF PUBLIC LANDS,  
and  
A & R PRODUCTIONS, et. al.,

Defendants.

No. 01cv00072-BB/DWD/ACE

ZUNI RIVER BASIN  
ADJUDICATION

Subfile No: ZRB-2-0047

**SUBFILE ANSWER**

COMES NOW JAMES GREEN & DEBORAH GREEN and answer(s)  
the complaint as follows:

<u>Subfile No:</u>	<u>Object</u>	<u>Claim No Right</u>
ZRB-2-0047	<u>Tribal Trust</u>	<input type="checkbox"/>

(Instructions: **Initial** in one of the two boxes to indicate whether you object to the description of water right(s) contained in the proposed Consent Order offered by the United States and the State, or whether you make no claim as to the water right(s) described in the proposed Consent Order. Provide the appropriate explanation below, and indicate what you have done to resolve your disagreement with the United States and the State, in the spaces provided below.)

789

I (We) object to the description of the water right(s) described by the proposed Consent Order for Subfile Number ZRB-2-0047 because:  
(explain) \_\_\_\_\_

*See attached sheet please*

(Attach additional pages if necessary)

I (We) made a good faith effort to resolve my (our) disagreement with the Consent Order proposed by the United States and the State by:  
(describe) \_\_\_\_\_

*We were unavailable to meet the deadline to request consultation due to circumstances beyond our control.*

(Attach additional pages if necessary)

I (We) claim no right for the water right(s) described by the proposed Consent Order for Subfile Number ZRB-2-0047 because:  
(explain) \_\_\_\_\_

(Attach additional pages if necessary)

I (We) understand that by making this claim and filing this document I (we) am (are) not waiving my (our) rights to later raise, in an Amended Answer, any jurisdictional or affirmative defenses I (we) may have.

**(Instructions:** Each named defendant, or the defendant's attorney, must sign and date this Answer. If multiple defendants are named and you have separate addresses or telephone numbers, please attach an additional page providing address information for each defendant. If you are signing on behalf of a named defendant, you must indicate the source of your legal authority to do so and provide both your address and the address of the named defendant.)

Signature(s) – JAMES GREEN & DEBORAH GREEN:

James & Deborah Green  
Tribal Trust

HC 60 Box 11 Fence Lake  
(Address: Print Clearly) NM 87315

505 788 2238  
(Phone Number: Print Clearly)

**IMPORTANT: If you have been served with a summons and copy of the complaint in this action, or if you waived service of process, you must file an answer in this subfile with United States District Court for the District of New Mexico by April 10, 2006. Any right you may have to use waters of the stream system may be adjudicated by default judgment in conformity with the Consent Order proposed by the United States and the State if you fail to file an answer by April 10, 2006. The court's address is 333 Lomas NW, Suite 270, Albuquerque, NM 87102. A copy of the answer filed with the district court must also be sent to counsel for the United States at the following address:**

**BRADLEY S. BRIDGEWATER  
U.S. Department of Justice  
999 Eighteenth St., Suite 945 N  
Denver, CO 80202**

CASE # 01cv00072-BB/DWD/ACE

Subfile # ZRB-2-0047

TO WHOM IT MAY CONCERN:

Dear Sirs,

We want to bring to your attention the fact that the amount of water listed for our wells, map labels 10c-3-w04, 10c-3-w05 is an unrealistic and insufficient estimation for our projected needs, taking into consideration future expansion. We are requesting additional water for the following **beneficial usages**:

1. Expanded multiple domestic use
2. Subsistence gardening
3. Reforestation/Environmental Habitat improvement projects
4. Possible future domestic expansion

**We feel an adequate amount for our needs would be approximately 10 acre feet per year per well. Please keep in mind that these are the only two wells located on a very large area.**

We trust that you will favorably consider our request and adjust the consent order accordingly. Please notify us of your decision for our records.

Sincerely,

James & Deborah Green