

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

UNITED STATES,

Plaintiff,

vs.

STATE OF NEW MEXICO ENGINEER, et al.,

Defendant.

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No. CIV-01-0072-BB/WWD
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**ANSWER OF DEFENDANTS ALAN F. & CHRISTINE B. DAVIS
TO UNITED STATES' COMPLAINT**

COME NOW the Defendants, Alan F. Davis and Christine B. Davis, by and through their attorneys, LAMB, METZGAR, LINES & DAHL, P.A. (Jeffrey A. Dahl), and in response to Plaintiff's Complaint state as follows:

FIRST DEFENSE

In response to the specific allegations of Plaintiff's Complaint, these Defendants state:

1. Paragraph 1 of Plaintiff's Complaint appears to be a descriptive allegations that does not require a response from these Defendants. To the extent any response is required, these Defendants deny the allegations of paragraph 1.
2. These Defendants admit the allegations of paragraph 2 of the Complaint.
3. These Defendants are without sufficient information to form a belief as to the allegations of paragraph 3 of the Complaint and therefore deny same.
4. These Defendants admit the allegations of paragraph 4 of Plaintiff's Complaint that state that the United States, the Zuni Indian Tribe, the Navajo Nation, the Ramah Band of Navaho are parties to this action, but deny the remainder of the allegations of paragraph 4 of Plaintiff's Complaint.

5. These Defendants that these Defendants claim rights and interests in the use of surface or ground waters as to a particular piece of property which they own within the Zuni River Basin, but deny the remainder of the allegations of paragraph 5 of Plaintiff's Complaint.

6. These Defendants admit the allegations of paragraph 6 of Plaintiff's Complaint.

7. These Defendants are without sufficient information to form a belief as to the allegations of paragraphs 7 through 9 of Plaintiff's Complaint.

8. These Defendants admit the allegations of paragraph 10 of Plaintiff's Complaint.

9. These Defendants are without sufficient information to form a belief as to the allegations of paragraph 11 through 16 of Plaintiff's Complaint and therefore deny same.

10. These Defendants admit the allegations of paragraph 17 which allege that the Navajo Nation is a federally recognized tribe, but deny the remainder of the allegations of paragraph 17.

11. These Defendants are without sufficient information to form a belief as to the allegations of paragraphs 18 through 30 of Plaintiff's Complaint and therefore deny same.

12. These Defendants admit the allegations of paragraph 31 of Plaintiff's Complaint.

13. These Defendants deny the allegations of paragraph 32 of Plaintiff's Complaint.

14. These Defendants admit the allegations of paragraph 33 of Plaintiff's Complaint.

15. These Defendants deny the allegations of paragraph 34 of Plaintiff's Complaint.

Respectfully submitted,

LAMB, METZGAR, LINES & DAHL, P.A.

By: Jeffrey A. Dahl
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I hereby certify that a true and correct copy of the foregoing pleading was mailed to opposing counsel this 7th day of March, 2001.

Jeffrey A. Dahl
JEFFREY A. DAHL
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