

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

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. )  
A & R PRODUCTIONS, et al., )  
Defendants. )

**No. 01cv00072-BB**  
ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

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

I, TROY MERRILL, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature:

Troy Merrill Date: 12-14-06

print or type name: Troy Merrill

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:  
Troy Merrill  
Box 1832  
 Gallup N.M. 87305

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 – 8<sup>th</sup> 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.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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ENGINEER, )  
Plaintiffs, )  
and )  
ZUNI INDIAN TRIBE, NAVAJO NATION, )  
Plaintiffs in Intervention, )  
v. )  
A & R PRODUCTIONS, et al., )  
Defendants. )

**No. 01cv00072-BB**  
**ZUNI RIVER BASIN**  
**ADJUDICATION**

**WAIVER OF SERVICE OF SUMMONS**

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

I, PATRICK MITZE, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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:

*[Handwritten Signature]*  
Date: 1/2/07

print or type name:

Patrick Mitze

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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FOR THE DISTRICT OF NEW MEXICO**

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

**WAIVER OF SERVICE OF SUMMONS**

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

I, SUSAN JANE MORRIS REVOCABLE TRUST, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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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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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature: Susan J Morris, Trustee Date: 12/15/06  
print or type name: Susan J Morris, Trustee

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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.
A & R PRODUCTIONS, et al.,
Defendants.

No. 01cv00072-BB
ZUNI RIVER BASIN
ADJUDICATION

WAIVER OF SERVICE OF SUMMONS

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

I, CAROLYN MURRAY, acknowledge receipt of your request that I waive
service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose
behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail
to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after
being sent a Notice That The Consultation Period Has Ended.

Signature:

Carolyn Murray Date: 12/16/06

print or type name: Carolyn Murray

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

**WAIVER OF SERVICE OF SUMMONS**

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

I, WILLIAM MURRAY, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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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Signature:

William B. Murray Date: 12-12-06

print or type name: William B. Murray

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Nation and Ramah Band of Navajos and )  
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ENGINEER, )  
Plaintiffs, )  
and )  
ZUNI INDIAN TRIBE, NAVAJO NATION, )  
Plaintiffs in Intervention, )  
v. )  
A & R PRODUCTIONS, et al., )  
Defendants. )

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

WAIVER OF SERVICE OF SUMMONS

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

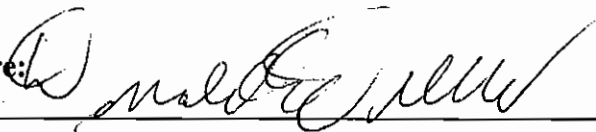
I, DONALD OUELLETE, acknowledge receipt of your request that I waive service of summons in the civil action United States and State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

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:  Date: 12/12/06

print or type name: DONALD E. OUELLETE

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Nation and Ramah Band of Navajos and )  
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ENGINEER, )  
Plaintiffs, )  
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and )  
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ZUNI INDIAN TRIBE, NAVAJO NATION, )  
Plaintiffs in Intervention, )  
) )  
v. )  
) )  
A & R PRODUCTIONS, et al., )  
Defendants. )  
\_\_\_\_\_ )

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

WAIVER OF SERVICE OF SUMMONS

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

I, MARGARET POLICH, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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:

Margaret Polich Date: Dec. 11, 06

print or type name: Margaret Polich

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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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.
A & R PRODUCTIONS, et al.,
Defendants.

No. 01cv00072-BB
ZUNI RIVER BASIN
ADJUDICATION

WAIVER OF SERVICE OF SUMMONS

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


I, BRYAN D. POLLACK, acknowledge receipt of your request that I waive
service of summons in the civil action United States and State of New Mexico, ex rel. State
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I also acknowledge that I have received a copy of the United States' Amended
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I agree to avoid the cost of service of a summons and an additional copy of the
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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. I understand that a judgment may be entered against me (or the entity on whose
behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail
to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after
being sent a Notice That The Consultation Period Has Ended.

Signature:  Date: 12/22/04

print or type name: Bryan D Pollack

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> 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.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.



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

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.	)	
_____	)	

**WAIVER OF SERVICE OF SUMMONS**

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

I, SHERRIE L. POLLACK, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature: Sherrrie L. Pollack Date: 12-20-07

print or type name: Sherrrie Pollack

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

**Duty to Avoid Unnecessary Costs of Service of Summons**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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. )  
A & R PRODUCTIONS, et al., )  
Defendants. )

**No. 01cv00072-BB**

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

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

I, FLORENCE DIAN RICHINS, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature: Dian Richins Date: 10/12/06

print or type name: DIAN RICHINS

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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. )  
A & R PRODUCTIONS, et al., )  
Defendants. )

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

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

I, JOHN F. RIPLEY, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature: \_\_\_\_\_

*John F Ripley*

Date: 12-10-06

print or type name: \_\_\_\_\_

*John F Ripley*

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Keep one copy of this form for your records.**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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

**WAIVER OF SERVICE OF SUMMONS**

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

I, JANET FAY SCOTT, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature:

Janet Fay Scott Date: 12/09/06

print or type name: JANET FAY SCOTT

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

**Duty to Avoid Unnecessary Costs of Service of Summons**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.



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

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. )  
) )  
A & R PRODUCTIONS, et al., )  
Defendants. )  
\_\_\_\_\_ )

**No. 01cv00072-BB**

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

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

I, JANNA LEE SCOTT, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature: Janna Lee Scott Date: 12/9/06

print or type name: Janna Lee Scott

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Duty to Avoid Unnecessary Costs of Service of Summons**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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

**WAIVER OF SERVICE OF SUMMONS**

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

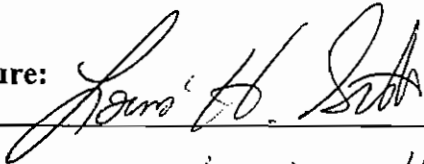
I, LOUIS HAROLD SCOTT, acknowledge receipt of your request that I waive service of summons in the civil action United States and State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature:  Date: 12-12-06  
print or type name: LOUIS H. SCOTT

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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

**WAIVER OF SERVICE OF SUMMONS**

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

I, RAQUEL SCOTT, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature:

Raquel Scott Date: 12-12-06  
print or type name: Raquel Scott

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> 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.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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. )  
A & R PRODUCTIONS, et al., )  
Defendants. )

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

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

I, W.A. SCOTT, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature:

W.A. Scott Date: 12-9-06

print or type name: W. A. SCOTT

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

**Duty to Avoid Unnecessary Costs of Service of Summons**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.



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

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

**WAIVER OF SERVICE OF SUMMONS**

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

I, LAURA L. SETZER, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature: Laura L. Setzer Date: 01/02/07

print or type name: LAURA L. SETZER

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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	)	<b>No. 01cv00072-BB</b>
	)	
ZUNI INDIAN TRIBE, NAVAJO NATION,	)	ZUNI RIVER BASIN
Plaintiffs in Intervention,	)	ADJUDICATION
	)	
v.	)	
	)	
A & R PRODUCTIONS, et al.,	)	
Defendants.	)	
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**WAIVER OF SERVICE OF SUMMONS**

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

I, DAVID W. SKINNER, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature: David W. Skinner Date: 12.31.06

print or type name: DAVID W. SKINNER

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:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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. )  
A & R PRODUCTIONS, et al., )  
Defendants. )

No. 01cv00072-BB  
ZUNI RIVER BASIN  
ADJUDICATION

WAIVER OF SERVICE OF SUMMONS

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

I, LARRY O. SMITH JR., acknowledge receipt of your request that I waive service of summons in the civil action United States and 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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Signature: Larry O. Smith Jr Date: 12-13-06

print or type name: LARRY O. SMITH JR

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> Floor, Denver, CO, 80294).

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**Duty to Avoid Unnecessary Costs of Service of Summons**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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	)	<b>No. 01cv00072-BB</b>
	)	
ZUNI INDIAN TRIBE, NAVAJO NATION,	)	ZUNI RIVER BASIN
Plaintiffs in Intervention,	)	ADJUDICATION
	)	
v.	)	
	)	
A & R PRODUCTIONS, et al.,	)	
Defendants.	)	
	)	
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**WAIVER OF SERVICE OF SUMMONS**

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

I, ROSEMARY SMITH, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature:

*Rosemary Smith*

Date: 12-13-06

print or type name: ROSEMARY SMITH

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.



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

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	)	<b>No. 01cv00072-BB</b>
	)	
ZUNI INDIAN TRIBE, NAVAJO NATION,	)	ZUNI RIVER BASIN
Plaintiffs in Intervention,	)	ADJUDICATION
	)	
v.	)	
	)	
A & R PRODUCTIONS, et al.,	)	
Defendants.	)	
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**WAIVER OF SERVICE OF SUMMONS**

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

I, BLAYNE R. SPILSBURY, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature: Blayne R. Spilsbury Date: 12/23/06

print or type name: BLAYNE R. SPILSBURY

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> Floor, Denver, CO, 80294).

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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

**WAIVER OF SERVICE OF SUMMONS**

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

I, NANETTE B. SPILSBURY, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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: Nanette B. Spilsbury Date: 12/23/06  
print or type name: NANETTE B. SPILSBURY

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> Floor, Denver, CO, 80294).

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

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.	)	
	)	

**WAIVER OF SERVICE OF SUMMONS**

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

I, TAMPICO SPRINGS 3000, LLC, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature:

Stephen A Kohner / Manager Date: 12-9-06

print or type name: Stephen A Kohner

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 – 8<sup>th</sup> 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.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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. )  
A & R PRODUCTIONS, et al., )  
Defendants. )

**No. 01cv00072-BB**

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

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

I, David Swindle, Trustee, 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:

David Swindle Date: 1/7/2007

print or type name: David Swindle

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.



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

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. )  
A & R PRODUCTIONS, et al., )  
Defendants. )

**No. 01cv00072-BB**

**ZUNI RIVER BASIN  
ADJUDICATION**

**WAIVER OF SERVICE OF SUMMONS**

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

I, Linda Swindle, Trustee, 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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Signature: Linda J. Swindle Date: Jan. 7, 2007  
print or type name: Linda J. Swindle

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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. )  
A & R PRODUCTIONS, et al., )  
Defendants. )

No. 01cv00072-BB  
ZUNI RIVER BASIN  
ADJUDICATION

WAIVER OF SERVICE OF SUMMONS

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

I, MARY JANE TODD, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Signature:

Mary Jane Todd Date: 12-14-06

print or type name: MARY JANE TODD

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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

**WAIVER OF SERVICE OF SUMMONS**

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

I, CHARLEEN USREY, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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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CHARLEEN USREY

Signature: Charleen Usrey Date: 12-14-06  
print or type name: CHARLEEN E. USREY

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

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. )

WAIVER OF SERVICE OF SUMMONS

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

I, JENNIFER R. VAN DRUNEN, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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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Signature:

Jennifer R. Van Drunen Date: 12/15/06

print or type name: Jennifer R. Van Drunen

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

**WAIVER OF SERVICE OF SUMMONS**

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

I, CHARLES W. VAN DRUNEN, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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.

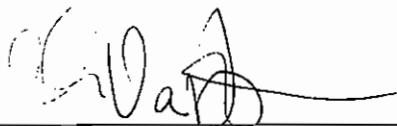
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Signature:



Date: 12/15/06

print or type name: Charles W. Van Drunen

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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