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

UNITED STATES OF AMERICA	)	
and	)	
STATE OF NEW MEXICO, *ex rel*. STATE	)	
ENGINEER,	)	
	)	
Plaintiffs,	)	
	)	No. 01cv00072 BB-WDS
and	)	
	)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,	)	ADJUDICATION
	)	
Plaintiffs in Intervention,	)	
	)	DECLARATION OF GARY A.
	)	DURR IN SUPPORT OF
	)	PLAINTIFF UNITED STATES'
	)	MOTION FOR DEFAULT
	)	JUDGMENT
	)	
v.	)	Subfile No. ZRB-3-0109
	)	
A & R PRODUCTIONS, et al.	)	
	)	
Defendants.	)	
	)	

I, Gary A. Durr, am employed as a Paralegal Specialist with the Department of

Justice and have been assigned to work in support of counsel for the United States in the above-

captioned case.

A. Pursuant to the Procedural and Scheduling Order for the Adjudication

of Water Rights Claims in Sub-area 7 of the Zuni River Stream System (Doc. No. 561),

defendants in the Zuni River Basin Adjudication were sent a service packet that included a

proposed Consent Order, Request for Consultation form, Notice of Water Rights Adjudication, a

form Answer, and if the defendant had not been served process or had not voluntarily waived

such service, a copy of the Amended 2003 Complaint, a Request for Waiver of Service of

Summons, and two copies of a Waiver of Service of Summons with a prepaid return envelope.

The packet also included a letter from the United States explaining the purpose of the forms and

to whom and when documents were to be mailed or provided if the defendant chose to respond.

The documents were mailed to the defendant's mailing address via certified mail, return receipt

requested.

        B. The service packet to Scott W. McRae and Denise B. McRae (ZRB-3-

0109), was mailed to the defendants' address of record, and although the return receipt is

undated, tracking the mailing with the United States Postal Service (USPS) indicates the packet

was received on May 30, 2006.   A copy of Postal Service Form 3811 and the Track & Confirm

Search Results from the USPS website is attached to this Declaration.

        I declare under penalty of perjury under the laws of the United States of America

that the foregoing is true and correct.

        Dated: April 11, 2008

_____
GARY A. DURR
U.S. Department of Justice
1961 Stout Street - 8th Floor
Denver, CO 80294
(303) 844-1359

Track & Confirm   FAQs

Track & Confirm

Search Results

Label/Receipt Number: **7005 1820 0005 4853 9793**
Status: Delivered

Your item was delivered at 11:54 am on May 30, 2006 in RAMAH, NM
87321. A proof of delivery record may be available through your local
Post Office for a fee.

Additional information for this item is stored in files offline.

Restore Offline Details >   (?)   Return to USPS.com Home >

Track & Confirm

Enter Label/Receipt Number.

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2-0-3-0109

SENDER: *COMPLETE THIS SECTION*	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X _Scott McRae_ ☐ Agent ☐ Addressee
1. Article Addressed to: SCOTT W MCRAE DENISE B MCRAE P.O. BOX 40 RAMAH, NM 87321	B. Received by (Printed Name) Scott McRae C. Date of Delivery
	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
	3. Service Type ☑ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
	4. Restricted Delivery? *(Extra Fee)* ☐ Yes
2. Article Number (Transfer from service label)	7005 1820 0005 4853 9793

PS Form 3811, February 2004   Domestic Return Receipt   102595-02-M-1540