

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

UNITED STATES OF AMERICA)	
and)	
STATE OF NEW MEXICO, <i>ex rel.</i> STATE)	
ENGINEER,)	
)	
Plaintiffs,)	
)	No. 01cv00072 BB
and)	
)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ADJUDICATION
)	
Plaintiffs in Intervention,)	
)	
v.)	
)	
A & R PRODUCTIONS, et al.)	
)	
Defendants.)	
_____)	

NOTICE OF FILING PROOF OF SERVICE OF SUMMONS

The United States of America (“United States”) hereby states that pursuant to Fed. R. Civ. P. 4(e) the following defendants were served with process in the above-captioned matter.

<u>Defendant</u>	<u>Subfile No.</u>	<u>Date of Service</u>
Paublita Durante	ZRB-4-0135	August 23, 2008
Paul L. Lopez	ZRB-4-0246	August 23, 2008
Felix B. Garcia	ZRB-3-0068	August 23, 2008
Julia Garcia	ZRB-3-0068	August 23, 2008
Thomas V. Grijalva	ZRB-3-0068	August 23, 2008

Dated: September 17, 2008

Electronically Filed

/s/ Bradley S. Bridgewater

BRADLEY S. BRIDGEWATER

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

COUNSEL FOR THE UNITED STATES

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

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

CASE NUMBER: 01cv00072-BB

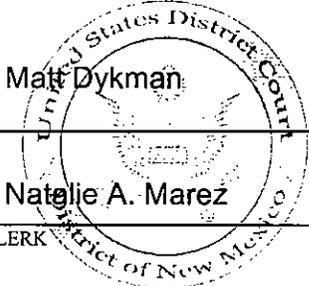
TO: (Name and address of Defendant)

Paublita Durante
3515 W. 66 Avenue
Gallup, NM 87301

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Matt Dykman

Monday, August 13, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: _____
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- Returned unexecuted: _____
- Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ Signature of Server _____

Address of Server _____

SEE ATTACHED AFFIDAVIT OF SERVICE

UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,
Plaintiff / Petitioner

Cause #: 01CV00072-BB

vs.
A. & R. PRODUCTIONS, ET AL.,
Defendant / Respondent

Affidavit of Service of:
SUMMONS AND AMENDED COMPLAINT

Hearing Date:
Witness Fee Tendered:

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned, a citizen of the United States and over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the date and time of 082308 at the address of 3515 W 66
city of Gallup, county of Mckinley,
state of New Mexico, this affiant served the above described documents upon:

PAUBLITA DURANTE

Personal Service

by then and there personally delivering 1 true and correct copy(ies) thereof.

Corporate Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____
Person Receiving Documents and Their Title

Substituted/Residential Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____, a person of suitable age and discretion who stated the above address to be the residence and usual place of abode of themselves and the subject(s) and/or subjects legal representative listed above.

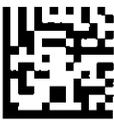
No information was provided that indicates that the subjects served are members of the U.S. military.

Evelyn Lopez Evelyn Lopez
Typed or Printed Name of Process Server Server Signature

Subscribed and Sworn to before me this 082508

[Signature]
a Notary Public in the State of New Mexico
Residing at Gallup

My Commission Expires 062810



ABC Legal Services, Inc.
206 521-9000
Tracking #: 5657813



ORIGINAL
PROOF OF SERVICE

U S Dept of Justice - Denver

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

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

CASE NUMBER: 01cv00072-BB

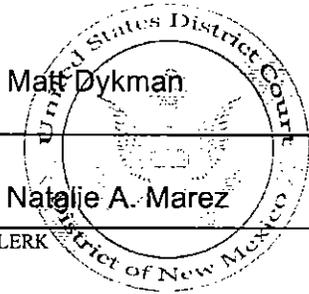
TO: (Name and address of Defendant)

Paul L. Lopez
1605 S. Monterey Dr.
Gallup, NM 87301

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Mat Dykman

Monday, August 13, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: _____
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- Returned unexecuted: _____
- Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date Signature of Server

Address of Server

SEE ATTACHED AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,
Plaintiff / Petitioner

Cause #: 01CV00072-BB

VS.
A. & R. PRODUCTIONS, ET AL.,
Defendant / Respondent

Affidavit of Service of:
SUMMONS AND AMENDED COMPLAINT

Hearing Date:
Witness Fee Tendered:

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned, a citizen of the United States and over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the date and time of 09/23/08 at the address of 1605 Monterey Dr
Callup city of Callup, county of McKinley,
state of New Mexico, this affiant served the above described documents upon:

PAUL L. LOPEZ

Personal Service

by then and there personally delivering 1 true and correct copy(ies) thereof.

Corporate Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____
Person Receiving Documents and Their Title

Substituted/Residential Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____, a person of suitable age and discretion who stated the above address to be the residence and usual place of abode of themselves and the subject(s) and/or subjects legal representative listed above.

No information was provided that indicates that the subjects served are members of the U.S. military.

Evelyn Lopez
Typed or Printed Name of Process Server

Evelyn Lopez
Server Signature

Subscribed and Sworn to before me this 10/25/08

[Signature]
a Notary Public in the State of New Mexico
Residing at Callup

My Commission Expires 062810



ABC Legal Services, Inc.
206 521-9000
Tracking #: 5657797



ORIGINAL
PROOF OF SERVICE

U S Dept of Justice - Denver

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

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

CASE NUMBER: 01cv00072-BB

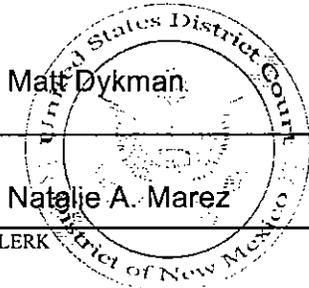
TO: (Name and address of Defendant)

Felix B. Garcia
3707 Zia Drive
Gallup, NM 87301

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Matt Dykman

Friday, August 03, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date Signature of Server</p> <p style="text-align: center;">_____ Address of Server</p>		
<p>SEE ATTACHED AFFIDAVIT OF SERVICE</p>		

UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,
Plaintiff / Petitioner

Cause #: 01CV00072-BB

vs.
A. & R. PRODUCTIONS, ET AL.,
Defendant / Respondent

Affidavit of Service of:
SUMMONS AND AMENDED COMPLAINT

Hearing Date:
Witness Fee Tendered:

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned, a citizen of the United States and over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the date and time of 082308 at the address of 3707 21A DR
Gallup city of Gallup, county of McKinley
state of New Mexico this affiant served the above described documents upon:

FELIX B. GARCIA

Personal Service

by then and there personally delivering 1 true and correct copy(ies) thereof.

Corporate Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____
Person Receiving Documents and Their Title

Substituted/Residential Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____, a person of suitable age and discretion who stated the above address to be the residence and usual place of abode of themselves and the subject(s) and/or subjects legal representative listed above.

No information was provided that indicates that the subjects served are members of the U.S. military.

Evelyn Lopez

Evelyn Lopez

Typed or Printed Name of Process Server

Server Signature

Subscribed and Sworn to before me this 082508

Jane Lopez
a Notary Public in the State of New Mexico
Residing at Gallup

My Commission Expires 062810



ABC Legal Services, Inc.
206 521-9000
Tracking #: 5657825



ORIGINAL
PROOF OF SERVICE

U S Dept of Justice - Denver

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

V.

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

CASE NUMBER: 01cv00072-BB

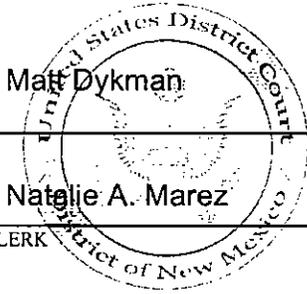
TO: (Name and address of Defendant)

Julia Garcia
3707 Zia Drive
Gallup, NM 87301

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Matt Dykman

Friday, August 03, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: _____
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- Returned unexecuted: _____
- Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date Signature of Server

Address of Server

SEE ATTACHED AFFIDAVIT OF SERVICE

UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,
Plaintiff / Petitioner

Cause #: 01CV00072-BB

vs.
A. & R. PRODUCTIONS, ET AL.,
Defendant / Respondent

Affidavit of Service of:
SUMMONS AND AMENDED COMPLAINT

Hearing Date:
Witness Fee Tendered:

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned, a citizen of the United States and over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the date and time of 082308 at the address of 3707 21A DR
Gallup city of Gallup, county of McKinley,
state of New Mexico, this affiant served the above described documents upon:

JULIA GARCIA

Personal Service

by then and there personally delivering 1 true and correct copy(ies) thereof.

Corporate Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____
Person Receiving Documents and Their Title

Substituted/Residential Service

by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____, a person of suitable age and discretion who stated the above address to be the residence and usual place of abode of themselves and the subject(s) and/or subjects legal representative listed above.

No information was provided that indicates that the subjects served are members of the U.S. military.

Evelyn Lopez Evelyn Lopez
Typed or Printed Name of Process Server Server Signature

Subscribed and Sworn to before me this 082508

Jayne Lopp
Notary Public in the State of New Mexico
Residing at Gallup

My Commission Expires 062810



ABC Legal Services, Inc.
206 521-9000
Tracking #: 5657826



ORIGINAL
PROOF OF SERVICE

U S Dept of Justice - Denver

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

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

CASE NUMBER: 01cv00072-BB

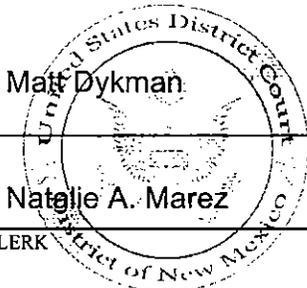
TO: (Name and address of Defendant)

Thomas V. Grijalva
3707 Zia Drive
Gallup, NM 87301

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Matthew Dykman

Friday, August 03, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input type="checkbox"/> Other (specify): _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date Signature of Server</p> <p style="text-align: center;">_____ Address of Server</p>		
SEE ATTACHED AFFIDAVIT OF SERVICE		

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,
Plaintiff / Petitioner

Cause #: 01CV00072-BB

vs.
A. & R. PRODUCTIONS, ET AL.,
Defendant / Respondent

Affidavit of Service of:
SUMMONS AND AMENDED COMPLAINT

Hearing Date:
Witness Fee Tendered:

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned, a citizen of the United States and over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the date and time of 082300 at the address of 3707 21A DR
Gallup city of _____, county of McKinley,
state of New Mexico, this affiant served the above described documents upon:

THOMAS V. GRIJALVA

Personal Service
by then and there personally delivering 1 true and correct copy(ies) thereof.

Corporate Service
by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____
Person Receiving Documents and Their Title

Substituted/Residential Service
by then and there personally delivering _____ true and correct copy(ies) thereof, by then presenting to and leaving the same with _____, a person of suitable age and discretion who stated the above address to be the residence and usual place of abode of themselves and the subject(s) and/or subjects legal representative listed above.

No information was provided that indicates that the subjects served are members of the U.S. military.

Evelyn Lopez Evelyn Lopez
Typed or Printed Name of Process Server Server Signature

Subscribed and Sworn to before me this 082508

Jorge Lopez
Notary Public in the State of New Mexico
Residing at Gallup

My Commission Expires 062810



ABC Legal Services, Inc.
206 521-9000
Tracking #: 5657824



ORIGINAL
PROOF OF SERVICE

U S Dept of Justice - Denver