

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>
Lester C. Fetty	ZRB-4-0151	September 30, 2008
Rita Fetty	ZRB-4-0151	September 30, 2008
Robert McBride	ZRB-4-0446	October 2, 2008
Donna McBride	ZRB-4-0446	October 2, 2008

Dated: October 15, 2008

Electronically Filed

/s/ Bradley S. Bridgewater

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BRADLEY S. BRIDGEWATER

U.S. Department of Justice  
1961 Stout Street - 8<sup>th</sup> 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

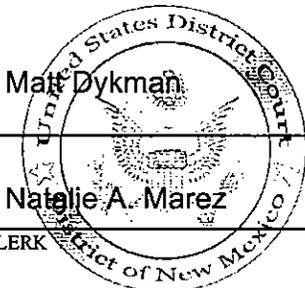
TO: (Name and address of Defendant)

Lester C. Fetty
7137 E. Inglewood
Mesa, AZ 85207

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.



Mark Dykman

Monday, August 13, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

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

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	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): _____ _____		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
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 _____ <div style="display: flex; justify-content: space-around; width: 100%;"> <span>Date</span> <span><i>Signature of Server</i></span> </div> <div style="text-align: center;">                 _____  <i>Address of Server</i> </div>		
<b>SEE ATTACHED AFFIDAVIT OF SERVICE</b>		

IN THE  
UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Plaintiff/Petitioner

vs.  
A. & R. PRODUCTIONS, ET AL.,

Defendant/Respondent

Hearing Date:

CAUSE NO:  
01CV00072-BB

AFFIDAVIT OF SERVICE OF:  
SUMMONS AND AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, 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 30th day of September, 2008, at 11:12 AM, at the address of 3269 W MINERAL BUTTE Drive, QUEEN CREEK, Maricopa County, AZ 85242; this affiant served the above described documents upon LESTER C. FETTY, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with LESTER C. FETTY, NAMED DEFENDANT, A white male approx. 55-65 years of age with gray hair and a mustache.

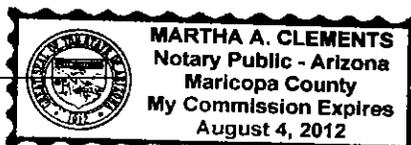
No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this 1st day of October, 2008.

Rich Kingdon, Reg. # 7238, Maricopa, AZ

SUBSCRIBED AND SWORN to before me this 1st day of October, 2008

*Martha A. Clements*  
NOTARY PUBLIC in and for the State of Arizona  
Residing at: *Maricopa County, AZ*  
My Commission Expires: *8-4-2012*



FOR: U S Dept of Justice - Denver ORIGINAL PROOF OF SERVICE

Tracking #: 5657802 SEA



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

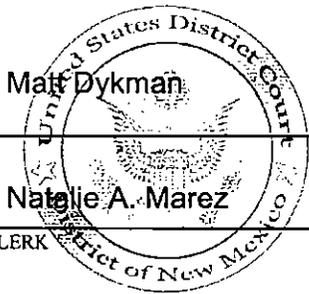
TO: (Name and address of Defendant)

Rita Fetty
7137 E. Inglewood
Mesa, AZ 85207

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

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

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	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): _____ _____ _____		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
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 _____ <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 10%;"> <span>Date</span> <span>Signature of Server</span> </div>  <div style="text-align: center; margin-left: 20%;">                 _____                  Address of Server             </div>		
<b>SEE ATTACHED AFFIDAVIT OF SERVICE</b>		

IN THE  
UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Plaintiff/Petitioner

vs.  
A. & R. PRODUCTIONS, ET AL.,

Defendant/Respondent

Hearing Date:

CAUSE NO:  
01CV00072-BB

AFFIDAVIT OF SERVICE OF:  
SUMMONS AND AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, 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 **30th day of September, 2008, at 11:12 AM**, at the address of **3269 W MINERAL BUTTE Drive, QUEEN CREEK, Maricopa County, AZ 85242**; this affiant served the above described documents upon **RITA FETTY**, by then and there personally delivering **1 true and correct copy(ies)** thereof, by then presenting to and leaving the same with **RITA FETTY, NAMED DEFENDANT, A Hispanic female approx. 55-65 years of age with brown hair.**

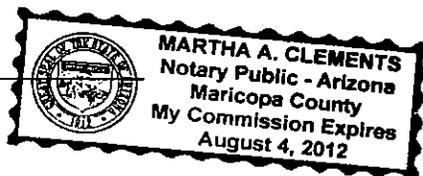
No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this **1st day of October, 2008.**

**Rich Kingdon, Reg. # 7238, Maricopa, AZ**

SUBSCRIBED AND SWORN to before me this 1st day of October, 2008

NOTARY PUBLIC in and for the State of Arizona  
Residing at: Maricopa County, AZ  
My Commission Expires: 8-4-2012



FOR: **U S Dept of Justice - Denver** ORIGINAL PROOF OF SERVICE

Tracking #: **5657803 SEA**



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

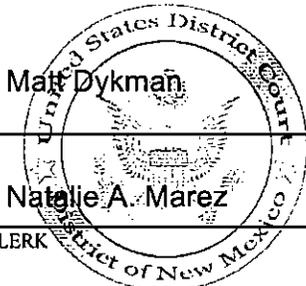
TO: (Name and address of Defendant)

Robert McBride
21056 E. Excelisior Avenue
Queen Creek, AZ 85242

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

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, September 19, 2008

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

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

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	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): _____ _____ _____		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
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 _____ <div style="display: flex; justify-content: space-around; width: 100%;"> <span>Date</span> <span><i>Signature of Server</i></span> </div> <div style="text-align: center; margin-top: 20px;">                 _____  <i>Address of Server</i> </div>		
<b>SEE ATTACHED AFFIDAVIT OF SERVICE</b>		

IN THE  
UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES, FOR ITSELF AND AS TRUSTEE  
FOR THE ZUNI INDIAN TRIBE, NAVAJO NATION  
AND RAMAH BAND OF THE NAVAJOS,  
AND STATE OF NEW MEXICO, EX REL. STATE  
ENGINEER,  
PLAINTIFFS, AND  
ZUNI INDIAN TRIBE, NAVAJO NATION,  
PLAINTIFFS IN INTERVENTION

Plaintiff/Petitioner

vs.  
STATE OF NEW MEXICO COMMISSIONER OF  
PUBLIC LANDS, ET AL

Defendant/Respondent

Hearing Date:

CAUSE NO:  
01CV00072-BB

AFFIDAVIT OF SERVICE OF:  
SUMMONS IN A CIVIL CASE AND AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, 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 **2nd day of October, 2008, at 9:01 PM**, at the address of **21056 E EXCELISIOR Avenue, QUEEN CREEK, Maricopa County, AZ 85242**; this affiant served the above described documents upon **ROBERT MCBRIDE**, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with **DONNA MCBRIDE, SPOUSE, A white female approx. 45-55 years of age with brown hair and glasses.**

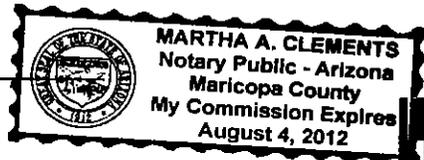
No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this **3rd day of October, 2008.**

Rich Kingdon, Reg. # 7238, Maricopa, AZ

SUBSCRIBED AND SWORN to before me this 3rd day of October, 2008

NOTARY PUBLIC in and for the State of Arizona  
Residing at:   
My Commission Expires:



FOR: **U S Dept of Justice - Denver** ORIGINAL PROOF OF SERVICE

Tracking #: **5372417 SEA**



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

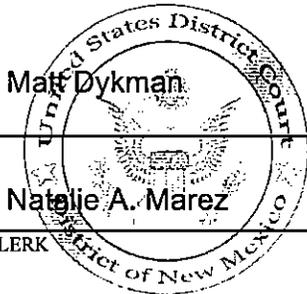
TO: (Name and address of Defendant)

Donna McBride
21056 E. Excelisior Avenue
Queen Creek, AZ 85242

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

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Mark Dykman

Friday, September 19, 2008

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

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

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TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
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Executed on _____ <div style="display: flex; justify-content: space-around; width: 100%;"> <span>Date</span> <span>Signature of Server</span> </div>		
_____ Address of Server		
<h2 style="margin: 0;">SEE ATTACHED AFFIDAVIT OF SERVICE</h2>		

IN THE  
UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES, FOR ITSELF AND AS TRUSTEE  
FOR THE ZUNI INDIAN TRIBE, NAVAJO NATION  
AND RAMAH BAND OF THE NAVAJOS,  
AND STATE OF NEW MEXICO, EX REL. STATE  
ENGINEER,  
PLAINTIFFS, AND  
ZUNI INDIAN TRIBE, NAVAJO NATION,  
PLAINTIFFS IN INTERVENTION

Plaintiff/Petitioner

vs.  
STATE OF NEW MEXICO COMMISSIONER OF  
PUBLIC LANDS, ET AL

Defendant/Respondent

Hearing Date:

CAUSE NO:  
01CV00072-BB

AFFIDAVIT OF SERVICE OF:  
SUMMONS IN A CIVIL CASE AND AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, 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 2nd day of October, 2008, at 9:01 PM, at the address of 21056 E EXCELISIOR Avenue, QUEEN CREEK, Maricopa County, AZ 85242; this affiant served the above described documents upon DONNA MCBRIDE, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with DONNA MCBRIDE, NAMED DEFENDANT, A white female approx. 45-55 years of age with brown hair and glasses.

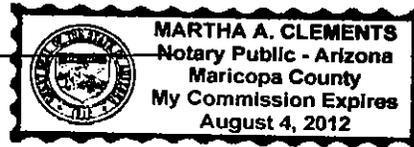
No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this 3rd day of October, 2008.

Rich Kingdon, Reg. # 7238, Maricopa, AZ

SUBSCRIBED AND SWORN to before me this 3rd day of October, 2008

NOTARY PUBLIC in and for the State of Arizona  
Residing at Maricopa County  
My Commission Expires: 8-4-2012



FOR: U S Dept of Justice - Denver ORIGINAL PROOF OF SERVICE

Tracking #: 5372416 SEA

