

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>
Myral T. Erickson	ZRB-3-0054	October 1, 2008
Judy Erickson	ZRB-3-0054	October 1, 2008
Clinton J. Balok	ZRB-4-0026	October 7, 2008
Glenn Becher	ZRB-4-0034	October 13, 2008

Dated: October 29, 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)

Myral T. Erickson
HC 61, Box 4080
Ramah, NM 87321

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

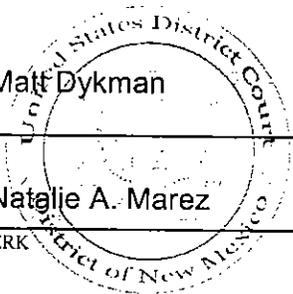
Friday, August 03, 2007

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 <sup>(1)</sup>	DATE
NAME OF SERVER (PRINT)	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 OCTOBER 1, 2008 at the address of 2699 TALL PINES ROAD #50 city of SHOWLOW, county of NAVAJO, state of ARIZONA, this affiant served the above described documents upon:

MYRAL T. ERICKSON

Personal Service

by then and there personally delivering \_\_\_\_\_ 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 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with JUDY ERICKSON 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.

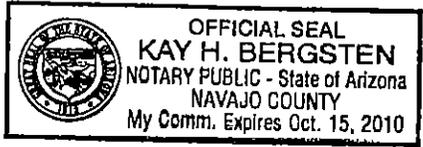
KIRBY COPPELGE

Typed or Printed Name of Process Server

[Handwritten Signature]

Server Signature

Subscribed and Sworn to before me this 8th day of October, 2008 a Notary Public in the State of Arizona Residing at \_\_\_\_\_



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)

Judy Erickson
HC 61, Box 4080
Ramah, NM 87321

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

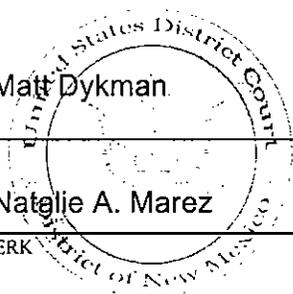
Friday, August 03, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK





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 OCTOBER 1, 2008 at the address of 2699 TALL PINES RD.  
#50 city of SHOWLOW, county of NAVAJO,  
state of ARIZONA, this affiant served the above described documents upon:

JUDY ERICKSON

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.

KIRBY COPPEDGE  
Typed or Printed Name of Process Server

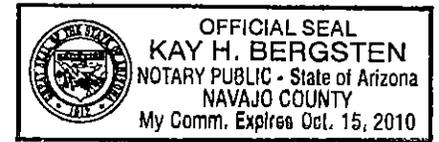
[Signature]  
Server Signature

Subscribed and Sworn to before me this 8th day

of October, 2008

a Notary Public in the State of Arizona

Residing at \_\_\_\_\_



ABC Legal Services, Inc.  
206 521-9000  
Tracking #: 5657746



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)

Clinton J. Balok
P.O. Box 4414
Gallup, NM 87305

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

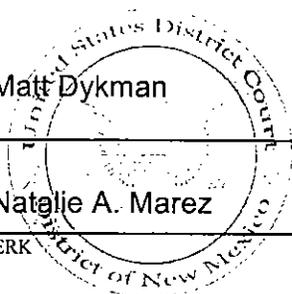
Thursday, August 09, 2007

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 <sup>(1)</sup>	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**

1 UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

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

Cause #: 01CV00072-BB

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

Affidavit of Service of:  
SUMMONS AND AMENDED COMPLAINT

Hearing Date:  
Witness Fee Tendered:

7  
8 The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein  
9 mentioned, a citizen of the United States and over the age of eighteen, not an officer of a plaintiff  
10 corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in  
11 the State named below, and is competent to be a witness therein.

12 On the date and time of 10/08/7:50 PM at the address of #19 Hamilton Rd  
13 \_\_\_\_\_ city of Gallup, county of McKinley,  
14 state of New Mexico this affiant served the above described documents upon:

15 **CLINTON J. BALOK**

16  **Personal Service**

17 by then and there personally delivering \_\_\_\_\_ true and correct copy(ies) thereof.

18  **Corporate Service**

19 by then and there personally delivering \_\_\_\_\_ true and correct copy(ies) thereof, by then presenting to  
20 and leaving the same with \_\_\_\_\_

Person Receiving Documents and Their Title

21  **Substituted/Residential Service**

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

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

27 Evelyn Lopez  
28 \_\_\_\_\_  
Typed or Printed Name of Process Server

Evelyn Lopez  
\_\_\_\_\_  
Server Signature

100808

29 Subscribed and Sworn to before me this \_\_\_\_\_

30 Jay Lopez  
31 \_\_\_\_\_  
32 Notary Public in the State of New Mexico  
33 Residing at Gallup

My Commission Expires 062810



ABC Legal Services, Inc.  
206 521-9000  
Tracking #: 5260267



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)

Glenn Becher
HC 61, Box 783
Ramah, NM 87321

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

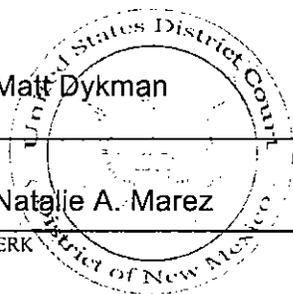
Thursday, August 09, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK



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

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	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: \_\_\_\_\_
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- 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 10/13/08 at 12:17 pm at the address of 1448 E. Laurel Drive city of Casa Grane, county of Pinal, state of Arizona, this affiant served the above described documents upon:

**GLENN BECHER**

**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.

Gary Buckner PS#200800006

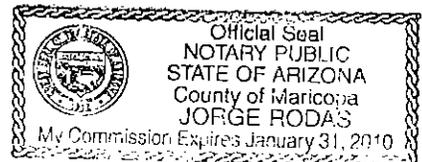
*Typed or Printed Name of Process Server*

*Gary Buckner*  
*Server Signature*

Subscribed and Sworn to before me this 10/14/2008

a Notary Public in the State of Arizona

Residing at Pinal County



**ORIGINAL  
PROOF OF SERVICE**

U S Dept of Justice - Denver