

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.

STATE OF NEW
MEXICO
COMMISSIONER
OF PUBLIC LANDS,
and
A & R PRODUCTIONS, et. al., Defendants.

FILED *MR*
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

No. 01cv10007BB AM 9:24

CLERK-SANTA FE

ZUNI RIVER BASIN
ADJUDICATION

Subfile No: ZRB-4-0365

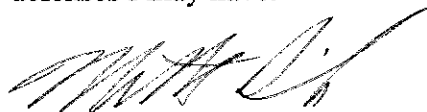
SUBFILE ANSWER

COMES NOW MATTHEW K. SILVA and answers the complaint as follows:

I OBJECT to the description of water rights offered by the United States and the State as contained in the proposed Consent Order for Subfile ZRB-4-0365. I met with Counsel for the plaintiffs on March 21, 2007. The consent order was not amended to accommodate the information, evidence, and concerns I raised at that meeting and detailed in my follow up letter of April 12, 2007 to Mr. Bradley Bridgewater, Counsel for the United States.

I have made a good faith effort towards resolution of my disagreement with the proposed Consent Order by documenting my concerns and evidence in my letter of April 12, 2007 to Mr. Bridgewater. Counsel for the plaintiffs have not yet responded to that letter nor has Counsel for the plaintiffs arranged for a consultation, with Counsel for the plaintiffs, to resolve the issues documented in that letter.

I understand that by making this claim and filing this document I am not waiving my rights to later raise, in an Amended Answer, any jurisdictional or affirmative defenses I may have.



Matthew Silva

10-1-10

Date