

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, )  
 )  
 and )  
 )  
 ZUNI INDIAN TRIBE, NAVAJO NATION, )  
 )  
 Plaintiffs in Intervention, )  
 )  
 )  
 )  
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 )  
 )  
 )  
 )  
 v. )  
 )  
 A & R PRODUCTIONS, et al. )  
 )  
 )  
 Defendants. )

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No. 01cv00072 MV/LFG

ZUNI RIVER BASIN  
ADJUDICATION

DECLARATION OF KARMEN  
MILLER IN SUPPORT  
OF PLAINTIFFS' MOTION  
FOR DEFAULT JUDGMENT

Subfile No. ZRB-2-0026

I, Karmen Miller, am employed as a Paralegal Specialist with the Department of Justice Environment and Natural Resources Division, Indian Resources Section, 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 for Sub-Areas 9 and 10, (Doc. No. 436), Defendants in the Zuni River Basin Adjudication were provided a service packet that included a proposed Consent Order, Request for Consultation form, Notice of Water Rights Adjudication, and if the Defendants had not been served process or had not voluntarily waived such service, a copy of the Amended 2003

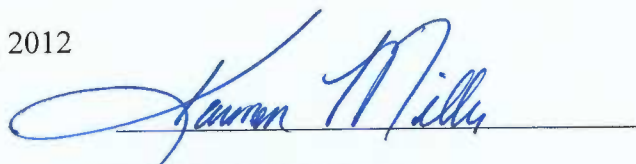
Complaint, a Request for Waiver of Service of Summons, and two copies of a Waiver of Service of Summons with a prepaid return envelope. The packet also included a letter from the United States explaining the purpose of the forms and to whom and when documents were to be mailed or provided if the Defendant chose to respond. The documents were mailed to the Defendant's attorney of record or to the Defendant's mailing address via certified mail, return receipt requested.

B. The service packet to Kenneth Bruton (ZRB-2-0026) was mailed to the Defendant's address of record. The original Postal Service Form 3811, Domestic Return Receipt was returned signed and received by the Department of Justice on February 13, 2006. A copy of the Postal Service Form 3811 is attached to this declaration.

C. In addition, a revised consent order was mailed to the Defendant's address of record and was returned signed on April 26, 2010. A second revised consent order was mailed to the Defendant's address of record. The original Postal Service Form 3811, Domestic Return Receipt was returned signed and dated May 6, 2011. A copy of the Postal Service Forms 3811 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: November 5, 2012



KARMEN MILLER  
U.S. Department of Justice  
999 18th Street  
South Terrace - Suite 370  
Denver, CO 80202  
(303) 844-1481

ZRB-2-0076 Beverly

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Kenny Bruton</i> <input type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)  <i>Kenny Bruton</i></p> <p>C. Date of Delivery  <i>04/26/2010</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                      If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 10px; text-align: center;"> <p>Kenneth Bruton                              PO Box 746                              Fence Lake, NM 87315</p> </div>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) <span style="font-family: monospace;">7008 1830 0000 5321 4882</span></p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

ZRB-2-0076 LVCO

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Lisa Bruton</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)  <i>LISA BRUTON</i></p> <p>C. Date of Delivery  <i>5/6/11</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                      If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 10px; text-align: center;"> <p>Kenneth Bruton                              PO Box 746                              Fence Lake NM                              87315</p> </div>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) <span style="font-family: monospace;">7008 1830 0001 5244 5644</span></p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

216-8-0026

**SENDER: COMPLETE THIS SECTION**

- 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.

1. Article Addressed to:

KENNETH BRUTON  
 P.O. BOX 746  
 FENCE LAKE, NM 87315

2. Article Number

(Transfer from service label)

7005 1160 0005 3392 4271

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*Lisa Bruton*  Addressee

B. Received by (Printed Name)  
*Lisa Bruton*

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.

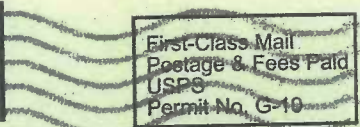
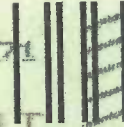
4. Restricted Delivery? (Extra Fee)  Yes



UNITED STATES POSTAL SERVICE

PERMIT NO. 871

10 FEB 2006 PM 4 T



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

NO POSTAGE  
NECESSARY  
IF MAILED  
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UNITED STATES

06 FEB 13 AM 11

Bradley Bridgewater  
Indian Resources Section  
999 18<sup>th</sup> Street, Suite 945 N T  
Denver, CO 80202

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