

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-3-0029

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.

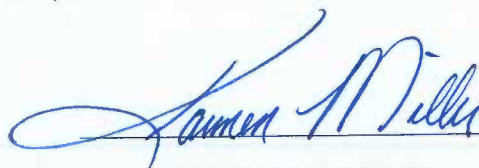
A. Pursuant to the Procedural and Scheduling Order for the Adjudication of Water Rights Claims for Sub-Areas 7, (Doc. No. 561), Defendants in the Zuni River Basin Adjudication were provided a service packet that included a proposed Consent Order, Request for Consultation form, Notice of Water Rights 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 Ernest Chavez (ZRB-3-0029) was mailed to the Defendant's address of record. The original Postal Service Form 3811, Domestic Return Receipt was returned signed and dated May 15, 2006. A copy of Postal Service Form 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 7, 2012



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

2003-0029

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ 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. 	<p><input checked="" type="checkbox"/> Signature <input type="checkbox"/> Agent</p> <p><input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>ERNEST CHAVEZ 5/10/06</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">ERNEST CHAVEZ 900 N. 6TH ST SOCORRO, NM 87801</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>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p style="text-align: center;">7005 1160 0005 3392 7357</p>
<p>PS Form 3811, February 2004</p>	<p style="text-align: center;">Domestic Return Receipt</p> <p style="text-align: right;">102595-02-M-1540</p>