

FILED 3
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

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CLERK-ALBUQUERQUE

UNITED STATES OF AMERICA, and
STATE OF NEW MEXICO, ex rel. STATE
ENGINEER,

Plaintiffs,

v.

A & R PRODUCTIONS, et. al.,

Defendants.

No. 01cv00072-MV/WPL

ZUNI RIVER BASIN
ADJUDICATION

Subfile No: ZRB-4-0064

SUBFILE ANSWER

COME(S) NOW JOSEPH DEAN BOND &/OR BILLIE ETHNA BOND
and answer(s) the complaint as follows:

<u>Subfile No:</u>	<u>Object</u>	<u>Claim No Right</u>
ZRB-4-0064	JDB-BEB	

(Instructions: **Initial** in one of the two boxes to indicate whether you object to the description of water right(s) contained in the proposed Consent Order offered by the United States and the State, or whether you make no claim as to the water right(s) described in the proposed Consent Order. Provide the appropriate explanation below, and indicate what you have done to resolve your disagreement with the United States and the State, in the spaces provided below.)

I (We) object to the description of the water right(s) described by the proposed Consent Order for Subfile Number ZRB-4-0064 because:

(explain) See attachment

(Attach additional pages if necessary)

I (We) made a good faith effort to resolve my (our) disagreement with the Consent Order

proposed by the United States and the State by:

(describe) See attachment

(Attach additional pages if necessary)

I (We) claim no right for the water right(s) described by the proposed Consent Order for Subfile Number ZRB-4-0064 because:

(explain)

(Attach additional pages if necessary)

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

(Instructions: Each named defendant, or the defendant's attorney, must sign and date this Answer. **If you are represented in this case by an attorney, your Answer must be filed by your attorney.** If multiple defendants are named and you have separate addresses or telephone numbers, please attach an additional page providing address information for each defendant. If you are signing on behalf of a named defendant, you must indicate the source of your legal authority to do so and provide both your address and the address of the named defendant.)

Signature(s) – JOSEPH DEAN BOND &/OR BILLIE ETHNA BOND

Joseph Dean Bond
Billie Ethna Bond

Box 802
Ramah, NM. 87321
(Address: Print Clearly)

505-783-4360
(Phone Number: Print Clearly)

August 5, 2015

Reason for objecting the water quantities reflected in the proposed consent order.

It is far below what is adequate to support the historical usage; it grossly underestimates the historical usage and the needs of the user.

No.01cv00072-MV/WPL

Subfile No: ZRB-4-0064

Well Map label-3B-4-W006

This well is used for Domestic use, Livestock and Irrigation.

Well Map label-3C-4-W003

This well is for livestock. When I bought the permit to drill this well it was for 3acre feet of water.

Well Map label-3C-4-W005

This well is used to feed a 10,000gallon storage tank that feeds two and half miles of underground pipe that feeds ten 1000gal drinking tubs to water livestock and wild life. When I bought the permit to drill this it was for 3acre feet of water.

Mr. Joseph Dean Bond in good faith attempt conferred with attorneys Andrew Guarino of the U.S. Department of justice and Edward C. Bagley of Special Assistant Attorney General by phone on June 23 2015. And the parties could not reach an agreement. The Attorneys for the state and the United States vastly underestimated Mr. Bond's water needs.

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Defendants.

No. 01cv00072-MV/WPL

**ZUNI RIVER BASIN
ADJUDICATION**

Subfile No: ZRB-4-0064

NOTICE THAT THE CONSULTATION PERIOD HAS ENDED

Pursuant to the Special Master's Procedural and Scheduling Orders, the United States of America ("United States"), with the concurrence of the State of New Mexico ex rel. State Engineer ("State"), hereby notifies **JOSEPH DEAN BOND &/OR BILLIE ETHNA BOND** that the consultation period for Subfile No. ZRB-4-0064 has ended. **Within twenty (20) days of the date of service of this notice, JOSEPH DEAN BOND &/OR BILLIE ETHNA BOND must either:**

- 1. sign and accept the last Consent Order offered by the United States and the State for Subfile No. ZRB-4-0064 and return the entire Consent Order to counsel for the United States, OR**
- 2. file with the Court and serve on counsel for the United States and for the State a Subfile Answer.**

A form Subfile Answer is provided with this notice. You may use the provided form or prepare your own Subfile Answer. However, in order to satisfy the Court's requirements, your Subfile Answer must:

1. provide the caption and civil action number of this case (No. 01cv00072-MV/WPL) and identify the subfile by the subfile number (ZRB-4-0064),
2. explain your reasons for disagreeing with the Consent Order offered for the subfile by the United States and the State,
3. include a statement that you have made a good faith effort to consult with and resolve the disagreement with the United States and the State, and
4. be properly filed with the Clerk of Court. (If you are represented in this case by an attorney, your Subfile Answer must be filed by your attorney.)

Failure to properly sign and return the last-offered Consent Order or file and serve a Subfile Answer within twenty (20) days of service of this Notice shall be considered grounds for entry of a default order incorporating the terms jointly proposed by the United States and the State.

Electronically Filed

/s/ Andrew "Guss" Guarino
ANDREW "GUSS" GUARINO
BRADLEY S. BRIDGEWATER
U.S. Department of Justice
South Terrace, Suite 370
999 Eighteenth St.
Denver, CO 80202
(303) 844-1343

COUNSEL FOR THE UNITED STATES

 (approved 7/23/15)
EDWARD BAGLEY
Office of the State Engineer, Legal Division
P.O. Box 25102
Santa Fe, NM 87504
(505) 827-6150

COUNSEL FOR THE STATE OF NEW
MEXICO EX REL. STATE ENGINEER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on July 24, 2015, I filed the foregoing *Notice That the Consultation Period Has Ended* electronically through the CM/ECF system, which caused parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

AND I FURTHER CERTIFY that on such date I served the foregoing, together with a form Subfile Answer, on the following non-CM/ECF Participants, by first class U.S. mail:

JOSEPH DEAN BOND
BILLIE ETHNA BOND
P.O. BOX 802
RAMAH, NM 87321

/s/
Andrew "Guss" Guarino

BOND
P.O. Box 802
RAMAH N.M. 87321

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE
CERTIFIED MAIL



7015 0640 0004 2301 0634

Clerk of Court
333 Lomas Blvd N
Ste. 270
Albuquerque N.M. 87102

RECEIVED
AT ALBUQUERQUE NM
AUG 07 2014
MATTHEW J. DYMAN
CLERK

