

**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, )  
) )  
v. )  
) )  
A & R PRODUCTIONS, et al., )  
) )  
Defendants. )  
) )  
\_\_\_\_\_ )

**No. 01CV00072-MV/WPL**  
**ZUNI RIVER BASIN**  
**ADJUDICATION**  
Subfile No. ZRB-5-0056

**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 **RAMAH WATER AND SANITATION DISTRICT**, that the consultation period for Subfile No. ZRB-5-0056 has ended. **Within twenty (20) days of the date of service of this notice, RAMAH WATER AND SANITATION DISTRICT, must either:**

1. **sign and accept the last Consent Order offered by the United States and the State for Subfile No. ZRB-5-0056 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-5-0056),
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.**

Respectfully submitted,

/s/ Andrew "Guss" Guarino  
Andrew "Guss" Guarino  
U.S. Department of Justice  
999 18th Street  
South Terrace, Suite 370  
Denver, CO 80202  
(303) 844-1351

Samuel D. Gollis  
Bradley S. Bridgewater  
U.S. Department of Justice  
999 18th Street  
South Terrace, Suite 370  
Denver, CO 80202  
(303) 844-1343

Approved: 6/13/2017  
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 June 16, 2017, 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:

Ramah Water and Sanitation District  
Attn: Robert Cain  
P.O. Box 416  
Ramah, NM 87321

/s/ Andrew "Guss" Guarino  
Andrew "Guss" Guarino

IN THE UNITED STATES DISTRICT COURT  
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UNITED STATES OF AMERICA, and )  
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No. 01CV00072-MV/WPL  
ZUNI RIVER BASIN  
ADJUDICATION  
Subfile No. ZRB-5-0056

**SUBFILE ANSWER**

COME(S) NOW RAMAH WATER AND SANITATION DISTRICT  
and answer(s) the complaint as follows:

<u>Subfile No:</u>	<u>Object</u>	<u>Claim No Right</u>
ZRB-5-0056	<input type="text"/>	<input type="text"/>

(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-5-0056 because:  
(explain) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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)\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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-5-0056 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) – **RAMAH WATER AND SANITATION DISTRICT**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Address: Print Clearly)

\_\_\_\_\_  
(Phone Number: Print Clearly)

**IMPORTANT: Within 20 days of June 16, 2017, you must EITHER accept the last Consent Order offered by the United States and the State for Subfile ZRB-5-0056 OR file an answer in this Subfile with the United States District Court for the District of New Mexico. Any right you may have to use waters of the stream system may be adjudicated by default judgment in conformity with the Consent Order proposed by the United States and the State if you fail to accept the proposed Consent Order or file an answer within 20 days of June 16, 2017. Answers may be mailed to the Clerk of Court at 333 Lomas Blvd NW, Ste. 270, Albuquerque, NM 87102.**