

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

**FILED**

MAY 31 2006

**MATTHEW J. DYKMAN  
CLERK**

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 BB-ACE

ZUNI RIVER BASIN  
ADJUDICATION

Subarea 3

NOTICE OF FILING WAIVERS OF SERVICE OF SUMMONS

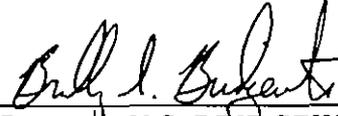
The United States of America ("United States") hereby files with the Clerk of the Court the attached Waivers of Service of Summons for the defendants listed below in the above-listed Subarea:

- Bobby G. Clements
- Dorothy M. Clements
- Ralph D. Cranston
- Winabel M. Crooks
- Gale Henke
- Dean W. Fauber
- John Guin
- Laura L. Hall
- Orville A. Hall
- Gloria Ann Holden
- Barbara Iverson
- Wayne Iverson
- Mary A. Jones
- Thomas John Jones III
- Arthur Kanter
- Patricia Kanter

110

Joan M. Lantzy Trustee, Revocable Trust  
Raymond McCall  
Rose M. McCall

Respectfully submitted this 30<sup>th</sup> day of May 2006.



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BRADLEY S. BRIDGEWATER  
U.S. Department of Justice  
1961 Stout Street - 8<sup>th</sup> Floor  
Denver, CO 80294  
(303) 844-1369

COUNSEL FOR THE UNITED STATES

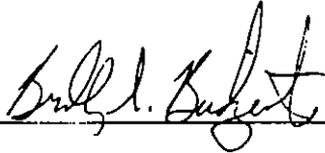
CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2006, a copy of the foregoing *Notice of Filing*

*Waivers of Service of Summons*, without attached waivers, was mailed to the following persons:

Special Master Vickie L. Gabin  
U.S. District Court  
District of New Mexico  
P.O. Box 2384  
Santa Fe, NM 87504-2384

Edward Bagley  
Office of the State Engineer, Legal Division  
P.O. Box 25102  
Santa Fe, NM 87504



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Signature: Arthur T Kanter

Date: MAY 19, 2006

print or type name: ARTHUR T. KANTER

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street - 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

**Duty to Avoid Unnecessary Costs of Service of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the party believes that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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 and as Trustee for the Zuni Indian Tribe, Navajo )  
 Nation and Ramah Band of Navajos and )  
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 Plaintiffs, )  
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No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, PATRICIA KANTER, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court, except for objections based on a defect in the summons or in the service of the summons.

I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature:

*Patricia J. Kanter*

Date: 5-23-06

print or type name: PATRICIA J KANTER

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

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 Defendants. )  
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No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, JOAN M. LANTZY TRUSTEE, REVOCABLE TRUST, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature: Joan M. Lantzy Date: 5/26/06  
print or type name: JOAN M LANTZY

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

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 Defendants. )  
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No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, RAYMOND MCCALL, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature:

*Raymond u McCall*

Date: *5-23-06*

print or type name:

*RAYMOND MCCAII*

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

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No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, ROSE M. MCCALL, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

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Signature:

Rose M. McCall

Date: 5-23-06

print or type name: Rose M. McCall

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

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 Defendants. )  
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No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, WAYNE IVERSON, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

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Signature: Barbara Iverson Date: 5/18/06

print or type name: BARBARA IVERSON

If you are signing on behalf of the named party, please indicate the source of your authority here:

Letter of Personal Representative + Acceptance  
and print or type the full name and address of the party on whose behalf you are acting here: (attached copy)

WAYNE D. IVERSON (DECEASED)  
300 ELYSIAN DR.  
SEDONA, AZ 86336

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

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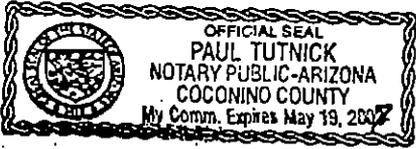
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*Barbara R. Iverson*  
Barbara R. Iverson

Subscribed and sworn to before me this 12 day of October, 2005.

*Paul Tutnick*  
Notary Public

My commission expires:

5-19-2007

STATE OF ARIZONA )  
County of Yavapai ) ss

I, JEANNE HICKS, Clerk of the Superior Court Of Yavapai County, Arizona, do hereby certify the foregoing to be a full, true and correct copy of the Letters on file as the same appears of record in my office. I further certify the foregoing Letters have not been revoked, but remain in full force and effect.

DATE: 8-05

JEANNE HICKS  
Clerk of the Superior Court

BY: *Jeanne Hicks*  
Clerk

CERTIFICATION OF VITAL RECORD

VERIFICATION BOX (HOLD BETWEEN THUMB AND FOREFINGER, OR BREATHE ON IT. COLOR WILL CHANGE TO BLUE AND THEN RETURN.)

STATE OF ARIZONA

ORIGINAL STATE COPY

STATE OF ARIZONA DEPARTMENT OF HEALTH SERVICES - OFFICE OF VITAL RECORDS DEATH NO. CERTIFICATE OF DEATH

NAME OF DECEASED A FIRST WAYNE B MIDDLE D. C LAST IVERSON			SEX 2 MALE	DATE OF DEATH 3. MONTH AUGUST 4. DAY 27 5. YEAR 2005	
RACE (e.g. white, black, American Indian, (specify tribe) etc.) 4A WHITE		WAS DECEASED OF HISPANIC ORIGIN (SPECIFY YES OR NO) B NO		IF YES, INDICATE MEXICAN, SPANISH, PUERTO RICAN, CUBAN, ETC. C	WAS DECEASED EVER IN U.S. ARMED FORCES? (SPECIFY YES OR NO) 5 YES
PLACE OF DEATH 6 A COUNTY YAVAPAI	B TOWN OR CITY SEDONA		C HOSPITAL OR INSTITUTION (IF RESIDENCE, GIVE STREET ADDRESS) 300 ELYSIAN DRIVE		<input type="checkbox"/> DGA <input type="checkbox"/> OF EMER. <input type="checkbox"/> IN PATIENT
DATE OF BIRTH 7 MONTH DAY YEAR OCTOBER 27, 1931	AGE (YEARS LAST BIRTHDAY) 8A 73	IF UNDER 1 YEAR 9 MOS. DAYS B	IF UNDER 1 DAY 10 HRS. M.N. C.	MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY) 11 MARRIED	SURVIVING SPOUSE (IF WIFE, GIVE MAIDEN NAME) 12 BARBARA LUSK
STATE AND CITY OF BIRTH 13 WISCONSIN, MOUNT HOREB	CITIZEN OF WHAT COUNTRY? 14 U.S.A.	SOCIAL SECURITY NO. 15 549-62-2867	PROFESSION (IF NOT EMPLOYED, GIVE LAST EMPLOYMENT) 16 ARCHITECT	17 OCCUPATION OR INDUSTRY FOREST SERVICE	
USUAL RESIDENCE 18 A STATE ARIZONA B COUNTY YAVAPAI C TOWN OR CITY SEDONA	D ZIP CODE 86336	HOW LONG IN ARIZONA? 19 18 YEARS		20 EDUCATION HIGHEST GRADE COMPLETED	
STREET ADDRESS OF R.F.D. 21 300 ELYSIAN DRIVE		INSIDE CITY LIMITS? (SPECIFY Yes or No) 22 YES	ON RESERVATION (SPECIFY Yes or No) 23 NO	PREVIOUS STATE OF RESIDENCE 24 CALIFORNIA	
FATHER'S NAME 25 A FIRST INMAN B MIDDLE O. C LAST IVERSON		MOTHER'S MAIDEN NAME 26 A FIRST ANNA B MIDDLE DAHL C LAST DAHL			
INFORMANT'S SIGNATURE 27 BARBARA IVERSON		RELATIONSHIP TO DECEASED 28 WIFE	ADDRESS 29 300 ELYSIAN DR.	CITY AND STATE 30 SEDONA, AZ	ZIP CODE 31 86336
BURIAL, CREMATION, REMOVAL, OTHER (Specify) 32 CREMATION	DATE 33 8/31/2005	CREMATOR OR CREMATORY (Name and Address) 34 GREER'S CREMATORY OF SEDONA 2725 W HWY 89A SEDONA, AZ		EMBALMER'S SIGNATURE 35 NO EMBALMING	CERT. NO. 36
FUNERAL HOME 37 GREER'S MORTUARY OF SEDONA	NAME 38	STREET ADDRESS 39 2725 W HWY 89A	CITY AND STATE 40 SEDONA, AZ	FUNERAL DIRECTOR (Name and Address) 41 ROYCE B. GREER	CERT. NO. 42 6798
TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE TIME, DATE AND PLACE AND DUE TO THE CAUSE(S) STATED			ON THE BASIS OF EXAMINATION AND/OR INVESTIGATION, IN MY OPINION DEATH OCCURRED AT THE TIME, DATE AND PLACE DUE TO THE CAUSE(S) AND MANNER STATED		
30 SIGNATURE AND TITLE <i>[Signature]</i>			34 SIGNATURE AND TITLE <i>[Signature]</i>		
DATE SIGNED (Mo., Day, Year) 31 August 29, 2005			DATE SIGNED (Mo., Day, Year) 35		
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type and Address) 32 DEBORAH LINDQUIST MD.			PHONOUNCED DEAD (Mo., Day, Year) 36		
NAME AND ADDRESS OF CERTIFIER, PHYSICIAN, MEDICAL EXAMINER OR TRIBAL LAW ENFORCEMENT AUTHORITY 37 DR. RUFO MD. 3700 W. HWY. 89A SEDONA, AZ			PHONOUNCED DEAD (Hour) 38		
DATE REGISTERED 39 9/14/05	REG. FILE NO. 40 1414	REGISTERAR'S SIGNATURE 41 <i>[Signature]</i>	AUTHORIZED FOR CREMATION (Specify Yes or No) 42	REC'D DISTRICT 43 1315	DATE REC'D IN STATE OFFICE 44
REASON FOR DEATH (PART I) A IMMEDIATE CAUSE (FINAL DISEASE OR CONDITION RESULTING IN DEATH) (ENTER ONLY ONE CAUSE OF EACH LINE) 45 METASTATIC CARCINOMA Lung to Brain			APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH 46 TWO MONTHS		
B DUE TO OR AS A CONSEQUENCE OF					
C DUE TO OR AS A CONSEQUENCE OF					
PART II. Other medical conditions contributing to death but not resulting in the underlying cause given in Part I			AUTOPSY (Specify Yes or No) 47 NO		
			WAS CASE REFERRED TO MEDICAL EXAMINER (Specify Yes or No) 48 YES		
MANNER OF DEATH 49 <input type="checkbox"/> NATURAL CAUSES <input type="checkbox"/> HOMICIDE <input type="checkbox"/> ACCIDENT <input type="checkbox"/> PENDING INVESTIGATION <input type="checkbox"/> SUICIDE <input type="checkbox"/> UNDETERMINED	DATE OF INJURY 50 MO DAY YR HOUR	INJURY AT WORK? (Specify Yes or No) 51	DESCRIBE HOW INJURY OCCURRED 52		
PLACE OF INJURY (At home, farm, street, factory, office building, etc.) 53		WHERE LOCATED? 54	STREET ADDRESS 55	CITY OR TOWN	STATE
SUPPLEMENTARY ENTRIES 56					

SEP 15 2005

This is a true certification of the facts on file with the OFFICE OF VITAL RECORDS, ARIZONA DEPARTMENT OF HEALTH SERVICES, PHOENIX, ARIZONA issued under the authority of A.R.S. 36-341, and by direction of:

*Patricia Adams*

PATRICIA ADAMS ASSISTANT STATE REGISTRAR

Arizona Department of Health Services

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

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, THOMAS JOHN JONES III, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court, except for objections based on a defect in the summons or in the service of the summons.

I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature:

*Thomas J Jones*

Date: 5-21-06

print or type name: Thomas J Jones

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

**Duty to Avoid Unnecessary Costs of Service of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the party believes that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, MARY A. JONES, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature:

Mary Ann Jones

Date: 5/21/06

print or type name: MARY ANN JONES

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

**Duty to Avoid Unnecessary Costs of Service of Summons**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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. )  
 A & R PRODUCTIONS, et al., )  
 Defendants. )

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, BARBARA IVERSON, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court, except for objections based on a defect in the summons or in the service of the summons.

I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature: Barbara Iverson Date: 5/18/06

print or type name: BARBARA IVERSON

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

**Duty to Avoid Unnecessary Costs of Service of Summons**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, GLORIA ANN HOLDEN, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature:

*Gloria Ann Holden*

Date: 5/23/06

print or type name: Gloria Ann Holden

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.



Signature: Gale C. Henke Date: May 23, 2006  
print or type name: Gale C. Henke

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:  
\_\_\_\_\_  
\_\_\_\_\_

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

**No. 01cv00072-BB**

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, DEAN W. FAUBER, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature: Dean W. Fauber Date: 5-20-2006

print or type name: DEAN W. FAUBER

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

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 and as Trustee for the Zuni Indian Tribe, Navajo )  
 Nation and Ramah Band of Navajos and )  
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 ENGINEER, )  
 Plaintiffs, )  
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 Plaintiffs in Intervention, )  
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 v. )  
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 Defendants. )  
 \_\_\_\_\_ )

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, JOHN GUIN, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

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Signature: \_\_\_\_\_

*John H Guin SR.*

Date: \_\_\_\_\_

*5. 19. 06*

print or type name: \_\_\_\_\_

*John H Guin SR.*

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

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UNITED STATES OF AMERICA, for Itself )  
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 Defendants. )  
 \_\_\_\_\_ )

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, LAURA L. HALL, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

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Signature:

*Laura L. Hall*

Date: 05/24/2006

print or type name:

LAURA L. HALL

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

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**Keep one copy of this form for your records.**

**Duty to Avoid Unnecessary Costs of Service of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the party believes that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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. )  
 A & R PRODUCTIONS, et al., )  
 Defendants. )

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, ORVILLE A. HALL, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court, except for objections based on a defect in the summons or in the service of the summons.

I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature:

*Orville A. Hall*

Date:

*5/24/06*

print or type name:

*ORVILLE A. HALL*

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

**Duty to Avoid Unnecessary Costs of Service of Summons**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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 and as Trustee for the Zuni Indian Tribe, Navajo )  
 Nation and Ramah Band of Navajos and )  
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 ENGINEER, )  
 Plaintiffs, )  
 and )  
 ZUNI INDIAN TRIBE, NAVAJO NATION, )  
 Plaintiffs in Intervention, )  
 v. )  
 A & R PRODUCTIONS, et al., )  
 Defendants. )

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, WINABEL M. CROOKS, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court, except for objections based on a defect in the summons or in the service of the summons.

I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature:

Winibell M. Crooks Date: May 21 - 2006

print or type name: WINABELL M. CROOKS

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

**Keep one copy of this form for your records.**

**Duty to Avoid Unnecessary Costs of Service of Summons**

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

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 ENGINEER, )  
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 Plaintiffs in Intervention, )  
 )  
 v. )  
 )  
 A & R PRODUCTIONS, et al., )  
 Defendants. )  
 \_\_\_\_\_ )

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, DOROTHY M. CLEMENTS, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

I agree to avoid the cost of service of a summons and an additional copy of the United States' Amended Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process, in the manner provided by Rule 4 of the Federal Rules of Civil Procedure, as indicated in the Notice of Lawsuit and Request for Waiver of Summons that accompanied this form, and in the Duty to Avoid Unnecessary Costs of Service of Summons, attached to this form.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court, except for objections based on a defect in the summons or in the service of the summons.

I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature:

Dorothy M. Clements Date: 5-20-06

print or type name: \_\_\_\_\_

If you are signing on behalf of the named party, please indicate the source of your authority here:

\_\_\_\_\_ and print or type the full name and address of the party on whose behalf you are acting here:  
\_\_\_\_\_  
\_\_\_\_\_

Upon agreeing to and completing this form, return one signed original in the pre-addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8<sup>th</sup> Floor, Denver, CO, 80294).

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant.

UNITED STATES OF AMERICA, for Itself )  
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 Defendants. )  
 \_\_\_\_\_ )

**No. 01cv00072-BB**

**ZUNI RIVER BASIN  
ADJUDICATION**

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, RALPH D. CRANSTON, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

I also acknowledge that I have received a copy of the United States' Amended Complaint, two copies of this instrument (Waiver of Service of Summons), and a means by which I can return one copy of the signed waiver to the United States without cost to me.

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I understand that I retain the right to file an Answer or motion under Rule 12 of the Federal Rules of Civil Procedure objecting to the sufficiency of the United States' Amended Complaint on or before August 12, 2006. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not file and serve on you an Answer or motion under Rule 12 on or before August 12, 2006.

Signature: Ralph D. Cranston Date: May 17, 2006  
print or type name: Ralph D. Cranston

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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UNITED STATES OF AMERICA, for Itself )  
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 ENGINEER, )  
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 v. )  
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 A & R PRODUCTIONS, et al., )  
 Defendants. )  
 \_\_\_\_\_ )

No. 01cv00072-BB

ZUNI RIVER BASIN  
ADJUDICATION

**WAIVER OF SERVICE OF SUMMONS**

TO: Bradley S. Bridgewater, Trial Attorney, U.S. Department of Justice

I, BOBBY G. CLEMENTS, acknowledge receipt of your request that I waive service of summons in the action of the United States, State of New Mexico, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

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Signature:

Bobby G. Clements Date: 5-20-06

print or type name: Bobby G. CLEMENTS

If you are signing on behalf of the named party, please indicate the source of your authority here:

and print or type the full name and address of the party on whose behalf you are acting here:

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