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CLEVIVALBUQUERQUE

UNITED STATES OF AMERICA	)
and STATE OF NEW MEXICO, ex rel. STATE ENGINEER,	) ) )
Plaintiffs,	) ) No. 01cv00072 BB-ACE
and	)
	) ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ADJUDICATION
Plaintiffs in Intervention,	) Subareas 1, 2, and 3
v,	)
A & R PRODUCTIONS, et al.	) )
Defendants.	)
	ſ

### 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. The waivers, as executed by the Defendants, are consistent with the September 27, 2006, Order Granting Joint Motion to Amend Procedural and Scheduling Orders and Establish or Revise Deadlines for Defendants to Return Requests for Consultation and Submit Subfile Answers (Doc. #837).

Diane S. Baretnicich Rev. Trust (note: signature on attached waiver reflects correct name spelling)

Robin A. Barnard
Steve R. Barnard
Donald Bires
Cassandra J. Bloedel
Daniel K. Bloedel
Howard Brunner
Karin Brunner
Steve B. Cronn

891

Terri E. Cronn

Hannah C. Crooks

Robert W. Crooks

Laura Dufresne

Lee Roger Hammond III

Brent E. Harclson Separate Property Trust

Dayton A. Hellickson Trustee

Katharine B. Jorgensen

Suzan K. Kendall

Linda a. Lahmon

Jack R. Larson

Maya K. Larson

Jeffrey A. Murray

Wendy L. Murray

Cynthia J. Ozee

Gary M. Ozee

Lanny Ray

Billie F. Reeves

Riley J. Reeves

James I. Rhodes

Patricia S. Rhodes

Dian Richins

Gerald Richins

The Rivard Family Trust

Carol Rodda

Edwin Rodda

Freddic J. Scaggari

Dr. Joseph E. Sweeney

Charles H. Ward

Kimberly Ward

Carol Bryant Weber

David J. Weber

Respectfully submitted this 7 day of December 2006.

BRADLEY'S, BRIDGEWATER

U.S. Department of Justice 1961 Stout Street - 8th Floor

Denver, CO 80294

(303) 844-1369

COUNSEL FOR THE UNITED STATES

#### CERTIFICATE OF SERVICE

I hereby certify that on December Z, 2006, a copy of the foregoing Notice of

Boll I. Belget

Filing Waivers of Service of Summons, without attached waivers, was mailed to the following

## persons:

- 2

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

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	) No. 01ev00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BASIN ) ADJUDICATION
v.	)
A & R PRODUCTIONS, et al., Defendants.	) ) ) )

## WAIVER OF SERVICE OF SUMMONS

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

I, DIANE S. BARETINICH REV. TRUST, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, exrel. 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Waiver of Service Page 1 DIANE S. BARETINICH REV. TRUST

		KEU!	RUSE			
Signature: <i>いられと</i>	Sa	Bretini	cich		1-28-06	_
/	_	Ane S				
authority her	-	signing on beh	nalf of the nar	ned party, ple	ase indicate th	ie source of you
and print or	type the full	name and addr	ess of the par	ty on whose t	ehalf 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.

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	) No. 01cv00072-BB	
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	ZUNI RIVER BASIN ADJUDICATION	
v.	)	
A & R PRODUCTIONS, et al., Defendants.	) ) )	

## WAIVER OF SERVICE OF SUMMONS

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

I, ROBIN A. BARNARD, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State <u>Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1

ROBIN A. BARNARD

Signature:		) Date: _	11-28-04	
print or type name	SORIN A. BA	ENALD		
If y authority here:	you are signing on behalf of	the named party,	please indicate the	source of you
and print or type th	he full name and address of	the party on whos	se behalf you are ac	ting here:

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.

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	) No. 01cv00	072-BB
	)	
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVI	R BASIN
Plaintiffs in Intervention,	) ADJUDICA	TION
	· .	-
v.	}	
A & R PRODUCTIONS, et al.,	3	
Defendants.	Ś	
	)	

## WAIVER OF SERVICE OF SUMMONS

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

I, STEVE R. BARNARD, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State <u>Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 STEVE R. BARNARD

Signat <del>ure: -</del>	FR	2	Date: \	-28-0b	_
print or type	name: STEV	E R. BAR	NARD	•	
authority here		g on behalf of the n	amed party, pl	case indicate th	e source of your
and print or t	ype the full name a	and address of the p	arty 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.

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	)	No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,	) )	ZUNI RIVER BASIN
Plaintiffs in Intervention,	Ś	ADJUDICATION
the second secon		~ . <del>_</del> . <del> </del>
v.	)	
	)	
A & R PRODUCTIONS, et al.,	)	
Defendants.	)	
	}	

## WAIVER OF SERVICE OF SUMMONS

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

I, DONALD BIRES, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State Engineer v. A <u>& R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 DONALD BIRES

Signature:	nad B	-	> _Date: _/ /	-28-06	
print or type name: _	DONALD	BIRES			
If you authority here:	are signing on be	ehalf of the nar	med party, plea	se indicate the se	ource of your
and print or type the	full name and add	lress of the par	ty on whose b	chalf you are act	ing here:
			,		

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.

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)
) No. 01cv00072-BB
) ZUNI RIVER BASIN ) ADJUDICATION
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) ) )

### WAIVER OF SERVICE OF SUMMONS

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

I, CASSANDRA BLOEDEL, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico, ex rel. State Engineer v. A & R Productions, et al.</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Waiver of Service Page 1

CASSANDRA BLOEDEL

Signature:	or e	Date:	12/4/06	
print or type name: _	Cassandra J	l, Bloede /		
If you authority here:	are signing on behalf of	f the named party,	please indicate the sou	rce of your
and print or type the f	ull name and address of	f the party on who	se behalf you are acting	g here:
				<u> </u>

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.

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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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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,	ý
Plaintiffs,	)
	)
and	) No. 01ev00072-BB
	)
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVER BASIN
Plaintiffs in Intervention,	) ADJUDICATION
	)
v.	)
	)
A & R PRODUCTIONS, et al.,	)
Defendants.	)
	)

## WAIVER OF SERVICE OF SUMMONS

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

I, DANIEL BLOEDEL, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State <u>Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Waiver of Service Page 1

DANIEL BLOEDEL

Signature:	IK Bloedel Date: 12-4-06
. •	DANIEL K. BLOEDEL
If you authority here:	are signing on behalf of the named party, please indicate the source of you
and print or type the	ill name and address of the party on whose behalf you are acting here:

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.

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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	) No. (	)1ev00072-BB
	, in	
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUN	I RIVER BASIN
Plaintiffs in Intervention,	) ADJ	UDICATION
	<b>)</b> .	
v.	)	
A & D DECIDICATIONS at al	,	
A & R PRODUCTIONS, et al., Defendants.	- (	
Derettualita.	, ·	

## WAIVER OF SERVICE OF SUMMONS

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

J, HOWARD BRUNNER, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State <u>Engineer v. A & R Productions</u>, et al., Civil Action No. 01cv00072 BB-ACE, in the Federal District Court for the District of New Mexico.

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Waiver of Service Page 1 HOWARD BRUNNER

print or type name:	Louis	Dat	te:	<u>&amp; 00</u>	
print or type name:	Lourson ?	B <u>Brinne</u>	<u> </u>		
If you are signathority here:	gning on behalf of	the named pa	rty, please inc	dicate the sou	rce of you
and print or type the full na	me and address of	the party on v	whose behalf	you are acting	g here:
					<u> </u>

Keep one copy of this form for your records.

## Duty to Avoid Unnecessary Costs of Service of Summons

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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,	)
,	) N- 44 00074 DD
and	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZÜNI RIVER BASIN
Plaintiffs in Intervention,	) ADJUDICATION
	)
V.	)
A & R PRODUCTIONS, et al.,	)
Defendants.	j i
	_)

## WAIVER OF SERVICE OF SUMMONS

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

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

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Waiver of Service Page 1

F . 4 8

KARIN BRUNNER

Signature:	rin Runner Date: 11-30-06
print or type name	TARIN BRUNNER
If y authority here:	ou are signing on behalf of the named party, please indicate the source of you
and print or type th	e full name and address of the party on whose behalf you are acting here:

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.

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	Ď	No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ) )	ZUNI RIVER BASIN ADJUDICATION
<b>v.</b>	)	
A & R PRODUCTIONS, et al., Defendants.	) ) )	

## WAIVER OF SERVICE OF SUMMONS

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

I, STEVE B. CRONN, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State Engineer v. A & R Productions, et al., Civil Action No. 01ev00072 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 STEVE B. CRONN

Signature:	eve B. Cronn	Date: _	11-26-06
print or type name	STEVE B. CRONN		
If y authority here:	ou are signing on behalf of the na	med party, j	please indicate the source of you
and print or type th	ne full name and address of the par	ty on whos	se behalf you are acting here:

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.

UNITED STATES OF	·	)
Nation and Ramah Ban	uni Indian Tribe, Navajo	)
STATE OF NEW MEX ENGINEER,	-	)
Plaintiffs,		)
and .	;	No. 01cv00072-BB
ZUNI INDIAN TRIBE Plaintiffs in Int	· · · · · · · · · · · · · · · · · · ·	ZUNI RIVER BASIN ADJUDICATION
v.	•	
A & R PRODUCTION Defendants.	S, ct al.,	) )

#### WAIVER OF SERVICE OF SUMMONS

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

I, TERRI E. CRONN, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State Engineer v. A <u>& R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 TERRI E. CRONN

Terrig Cionn Date: 11-23-06
print or type name: Terri E. Cronn
If you are signing on behalf of the named party, please indicate the source of you authority here:
and print or type the full name and address of the party on whose behalf you are acting here:

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.

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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,	ý·	
and .	)	No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	- j -	ZUNI RIVER BASIN ADJUDICATION
<b>v.</b>	).	
A & R PRODUCTIONS, et al., Defendants.	) ) )	

## WAIVER OF SERVICE OF SUMMONS

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

I, HANNAH C. CROOKS, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1

24 J ...

HANNAH C. CROOKS

Signature:		4.6	
<u> </u>		Date: 4Dee 06	
print or type name:	HANNAH C. C		
If you are s authority here:	signing on behalf of the r	named party, please indicate the source of y	your
and print or type the full n	ame and address of the p	party on whose behalf you are acting here:	

Keep one copy of this form for your records.

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

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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	) No. 01ev00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVER BASIN
Plaintiffs in Intervention,	) ADJUDICATION
·- · ·	· · · · · · · · · · · · · · · · · · ·
v.	ý
	)
A & R PRODUCTIONS, et al.,	)
Defendants.	)
	) .

## WAIVER OF SERVICE OF SUMMONS

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

I, ROBERT W. CROOKS, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 ROBERT W. CROOKS

Signature	Date: 12406
print or type name:	RONGERT W. CROOKY
If you a authority here:	re signing on behalf of the named party, please indicate the source of your
and print or type the fi	ill name and address of the party on whose behalf you are acting here:
	·

Keep one copy of this form for your records.

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

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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	j
ENGINEER,	j
Plaintiffs,	)
·	)
and	) No. 01cv00072-BB
CHAIRDING A TROOP AND A CANADA A MANA	)
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVER BASIN
Plaintiffs in Intervention,	ADJUDICATION
	}
V.	)
A & R PRODUCTIONS, et al.,	)
	,
Defendants.	{

## WAIVER OF SERVICE OF SUMMONS

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

I, LAURA DUFRESNE, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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 (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.

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Waiver of Service Page 1 LAURA DUFRESNE

Signature: Date: 11/28/	106
Signature: Jama Dufusone Date: 11/28/16  print or type name: Laura Dufrespe	
If you are signing on behalf of the named party, please indicauthority here:	ate the source of your
and print or type the full name and address of the party on whose behalf yo	u are acting here:
<del></del>	-

Keep one copy of this form for your records.

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

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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	) No. 01ev00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BASIN ) ADJUDICATION
v	)
A & R PRODUCTIONS, et al., Defendants.	) ) )

## WAIVER OF SERVICE OF SUMMONS

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

I, LEE ROGER HAMMOND III, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico, ex rel.</u>

<u>State Engineer v. A & R Productions, et al.</u>, 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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	gen Hammond, II Date: 11/27/06  Lee Roger Hammond, II
	are signing on behalf of the named party, please indicate the source of you
and print or type the f	full name and address of the party on whose behalf you are acting here:

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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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	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BASIN ) ADJUDICATION
v.	)
A & R PRODUCTIONS, et al., Defendants.	) ) )

## WAIVER OF SERVICE OF SUMMONS

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

I, BRENT E. HARELSON SEPARATE PROPERTY TRUST, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, 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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Waiver of Service

BRENT E. HARELSON SEPARATE PROPERTY

TRUST

Signature: Bren	A Barilson	J	Date:	1-28-6	_
print or type name:	BRENT H	PRELSON			:
If yo authority here:	u are signing on b	ehalf of the na	med party, ple	ase indicate the	source of you
and print or type the	full name and add	iress of the pa	rty on whose b	elialf you are a	cting here:
	<u>:</u> .				

Keep one copy of this form for your records.

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

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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	) No. 01cv00072-BE	ţ.
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BAS ) ADJUDICATION	iiN
v.	į	
A & R PRODUCTIONS, et al., Defendants.	) }	
	)	

## WAIVER OF SERVICE OF SUMMONS

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

I. DAYTON A. HELLICKSON TRUSTEE, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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:	Mylade	Helluha	~	Date:	4/24/0	6	
print or type							
authority her	-	gning on behal	f of the nam	ed party, p	lease indica	te the source of	your
and print or t	ype the full na	ame and address	s of the party	y on whose	behalf you	are acting here	:
<u></u>	<del></del>						

Keep one copy of this form for your records.

## Duty to Avoid Unnecessary Costs of Service of Summons

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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	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BASIN ) ADJUDICATION
<b>v.</b>	(
A & R PRODUCTIONS, et al., Defendants.	) )

## WAIVER OF SERVICE OF SUMMONS

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

I, KATHARINE B. JORGENSEN, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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 (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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 and Jerry P. Jorgensen

Signature: Athorine B. Jorgensen Date: 12/03/06

print or type name: Kathorine B. Jorgensen & Jerry P. Jor

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 preaddressed, 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.

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	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BASIN ) ADJUDICATION
<b>v</b> . – · · · · · · · · · · · · · · · · · ·	
A & R PRODUCTIONS, et al., Defendants.	}
	)

#### WAIVER OF SERVICE OF SUMMONS

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

I, SUZAN K. KENDALL, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Waiver of Service Page 1

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SUZAN K. KENDALL

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print or type name:	Suzan	K.	Kendall		•
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lf you a	re signing on bel	half of th	ie named party, pl	ease i	ndicate the source of your
authority here:	5 0				-
•					
and print or type the fu	II name and addi	ress of th	e party on whose	behal	f you are acting here:
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	."	•			
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Upon agreeing to and completing this form, return one signed original in the preaddressed, 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	)
and as Trustee for the Zuni Indian Tribe, Navajo	j
Nation and Ramah Band of Navajos and	) .
STATE OF NEW MEXICO, ex rel. STATE	)
ENGINEER,	)
Plaintiffs,	)
and .	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BASIN ) ADJUDICATION
v.	(
A & R PRODUCTIONS, et al., Defendants.	) ) )

#### WAIVER OF SERVICE OF SUMMONS

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

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

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Waiver of Service Page 1

LINDA A. LAHMON

Signature:	ala 🔀	Qui-	Date	111/2	28/06	
print or type name:	LINDA	A L	Ahmor	)		
_	c signing on behal	f of the na	med party, p	lease ind	icate the so	urce of your
authority here: and print or type the ful	I name and addres	s of the pa	nty on whose	behalf y	ou are activ	ng here:

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

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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	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BASIN ) ADJUDICATION
v.	·—-{ ·· · · · · · ·
A & R PRODUCTIONS, et al., Defendants.	

#### WAIVER OF SERVICE OF SUMMONS

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

I, JACK R. LARSON, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State Engineer v. A <u>& R Productions</u>, et al., Civil Action No. 01ev00072 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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Waiver of Service Page 1 JACK R. LARSON

Signature:		Date: <u>/2</u> ^ /	-06
print or type name:	CK R. L		<del></del>
If you are s authority here:	igning on behalf of the n	amed party, please in	dicate the source of your
and print or type the full n	ame and address of the p	earty on whose behalf	you are acting here:

Upon agreeing to and completing this form, return one signed original in the preaddressed, 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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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	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BASIN ) ADJUDICATION
V.	(
A & R PRODUCTIONS, et al., Defendants.	)
	)

#### WAIVER OF SERVICE OF SUMMONS

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

I, JEFFREY A. MURRAY, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico, ex rel. State Engineer v. A & R Productions, et al.</u>, 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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Waiver of Service Page 1 JEFFREY A. MURRAY

Signature:		pina	Date	12/3/06	
print or type	name:	EFF REY A			
authority he		igning on behalf of the	e named party, p	lease indicate the s	source of your
and print or	type the full na	ame and address of the	e party on whose	behalf you are act	ting here:
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				<del></del>	

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

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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 rei. STATE ENGINEER,	) ) ) )
Plaintiffs,	)
	)
and	) No. 01ev00072-BB
	)
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVER BASIN
Plaintiffs in Intervention,	) ADJUDICATION
v.***	) 
A & R PRODUCTIONS, et al., Defendants.	) )
	)

#### WAIVER OF SERVICE OF SUMMONS

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

I, MAYA K. LARSON, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, 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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Waiver of Service Page 1

MAYA K. LARSON

Signature:	( ) \ ( ) · · · · · · · · · · · · · · · · · ·	( ) - I	7 44
Signature:	1 K. Lawon	Date: 💟 ୧೭	12006
print or type n	ame: Maya K. Larso	n	<del></del>
authority here	If you are signing on behalf of the	he named party, please indi	icate the source of you
and print or ty	pe the full name and address of the	he party on whose behalf y	ou are acting here:
	Upon agreeing to and completin	g this form, return one sign	ed original in the pre-

Department of Justice, 1961 Stout Street - 8th Floor, Denver, CO, 80294).

addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S.

Keep one copy of this form for your records.

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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	) No. 01cv00072-BB
!	)
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ŽUNI RIVER BASIN
Plaintiffs in Intervention,	ADJUDICATION
·	j
V	· í
A & R PRODUCTIONS, et al.,	Ś
Defendants.	)

#### WAIVER OF SERVICE OF SUMMONS

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

I, WENDY L. MURRAY, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State <u>Engineer v. A & R Productions</u>, 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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Waiver of Service Page 1 WENDY L. MURRAY

Signature:				
Werdy L. Mus	ray.	Date:	12-3-06	
	0.,			
print or type name:	WENDY L	Murran		
			_	
If you are	signing on behalf	of the named parts	v please indicate t	the source of your
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authority here:				
	<u> </u>	<b>7.4</b>		<del></del>
and print or type the full:	name and address	of the party on wh	iose behalf you are	e acting here:
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Upon agreeing to and completing this form, return one signed original in the preaddressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department-of-Justice; 1961 Stout Street – 8th Floor, Denver, CO, 80294).

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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	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVER BASIN
Plaintiffs in Intervention,	) ADJUDICATION
A. Land to a language in graphic strains and the strains are the strains and the strains are the strains and the strains are t	
A & R PRODUCTIONS, et al.,	) )
Defendants.	)

#### WAIVER OF SERVICE OF SUMMONS

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

I, CYNTHIA J. OZEE, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, 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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Waiver of Service Page 1 CYNTHIA J. OZEE

Signature:	J. 8200	Date:/_	2-3-04
	Cyathia 2	0286	
If you a authority here:	re signing on behalf of t	the named party, ple	ase indicate the source of you
and print or type the fu	ill name and address of t	the party on whose b	ehalf you are acting here:
•	: :		
•	!		
Upon a	greeing to and completing	ng this form, return o	one signed original in the pre

addressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8th Floor, Denver, CO, 80294).

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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	) No. 01ev00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVER BASIN
Plaintiffs in Intervention,	) ADJUDICATION
one magnitude energy was the energy execution.	
·	)
A & R PRODUCTIONS, et al.,	)
Defendants.	) .

#### WAIVER OF SERVICE OF SUMMONS

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

l, GARY M. OZEE, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service GARY M. OZEE

Signature:	//-	$\propto \mathcal{U}$	X		Date:	12-	03 - 0	26	
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authority here:	lf you are	signing on	behalf of t	he name	d party, pl	lease ir	idicate tl	ne source	of your
and print or typ	e the full	name and a	iddress of t	the party	on whose	behalf	`you are	acting he	- ere:
					•				- - -

Upon agreeing to and completing this form, return one signed original in the preaddressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street - 8th 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.

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) No. 01cv00072-BB
) ZUNI RIVER BASIN ) _ADJUDICATION
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) } _}

#### WAIVER OF SERVICE OF SUMMONS

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

I, LANNY JASON RAY, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State <u>Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 LANNY JASON RAY

Signature:	Date: _//-20~8%
print or type name: LAnny Ray	<u>,</u>
If you are signing on behalf of the na authority here:	amed party, please indicate the source of your
and print or type the full name and address of the pa	arty on whose behalf you are acting here:
	sed to Bradley S. Bridgewater, U.S.

Keep one copy of this form for your records.

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

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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.

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	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVER BASIN
Plaintiffs in Intervention,	) ADJUDICATION
v	)
A & R PRODUCTIONS, et al.,	Ś
Defendants.	)
	<b>)</b> .

#### WAIVER OF SERVICE OF SUMMONS

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

I, BILLIE F. REEVES, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 BILLIE F. REEVES

Signature: 11/29/06	
print or type name: BILLE 7. REEVES	
If you are signing on behalf of the named party, please indicate the source of you authority here:	ΙΓ
and print or type the full name and address of the party on whose behalf you are acting here:	

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.

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	)	No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,	)	ZUNI RIVER BASIN
Plaintiffs in Intervention,		ADJUDICATION -
v.	)	
A & R PRODUCTIONS, et al.,	.) .)	
Defendants.	)	

#### WAIVER OF SERVICE OF SUMMONS

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

I, RILEY J. REEVES, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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.

Lagree 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 RILEY J. REEVES

Signatu	ire://) '/)	$\mathcal{O}$	)					
	Tiles	y Y- 🔎	مفصا	res_	Date:	11-	29-06	6
print or	type name	Riley	J.	PEEN	E 5			
authorit	-	are signing or	n behalf	of the nam	ed party,	please indi	icate the so	urce of your
and prin	it or type the i	full name and	address	of the part	y on who	se behalf y	ou are acti	ng here:
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Upon agreeing to and completing this form, return one signed original in the preaddressed, 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.

Waiver of Service Page 2

RILEY J. REEVES

JNITED STATES OF AMERICA, for Itself	)	
ind as Trustee for the Zuni Indian Tribe, Navajo	)	
Nation and Ramah Band of Navajos and	)	
STATE OF NEW MEXICO, ex rel. STATE	)	
engineer,	)	
Plaintiffs,	)	
	)	
ınd	)	No. 01cv000
	)	
ZUNI INDIAN TRIBE, NAVAJO NATION,	)	ZUNI RIVE
Plaintiffs in Intervention,	)	ADJUDICAT
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6	_ ) .	. <del>-</del>
	)	
A & R PRODUCTIONS, et al.,	)	
Defendants.	)	

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R BASIN TIÓN

### WAIVER OF SERVICE OF SUMMONS

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

I, JAMES I. RHODES, acknowledge receipt of your request that I waive service of summons in the civil action United States and 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1

JAMES I. RHODES

print or type name: \[ \lambda mrs I Rhodos \]
If you are signing on behalf of the named party, please indicate the source of you 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.

Keep one copy of this form for your records.

Department of Justice, 1961 Stout Street - 8th-Floor, Denver, CO, 80294). --

#### **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.

Waiver of Service Page 2

JAMES I. RHODES

UNITED STATES OF AMERICA, for It	self )
and as Trustee for the Zuni Indian Tribe,	Navajo )
Nation and Ramah Band of Navajos and	· )
STATE OF NEW MEXICO, ex rel. STA	TE )
ENGINEER,	)
Plaintiffs,	. )
	ì
and	) No. 01ev00072-BB
CONTRACTOR STATE	) '
ZUNI INDIAN TRIBE, NAVAJO NATI	•
Plaintiffs in Intervention.	) ADJUDICATION
v	) = · · · · · · · · · · · · · · · · · · ·
	`)
A & R PRODUCTIONS, et al.,	)
Defendants.	) .
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#### WAIVER OF SERVICE OF SUMMONS

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

I, PATRICIA S, RHODES, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State <u>Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 PATRICIA S. RHODES

Signatu: ———	re: Pata	nce's	S. Rhod	Date	:: <u>//</u> ·	27-00	
print or t	уре пате:						
authority	-	are signing	g on behalf of th	e named par	ty, please i	ndicate the so	ource of your
and print	or type the f	ull name:a !	and address of th	e party on w	hose behal	f you are acti	ng here:
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Upon agreeing to and completing this form, return one signed original in the preaddressed, 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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UNITED STATES OF AM	ERICA, for Itself	)	
and as Trustee for the Zuni Indian Tribe, Navajo			
Nation and Ramah Band of	Navajos and	)	
STATE OF NEW MEXICO	D, ex rel. STATE	)	
ENGINEER,		)	
Plaintiffs,	1	)	
		)	
and	!	)	No. 01cv00072-BB
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ZUNI INDIAN TRIBE, NA	AVAJO NATION,	)	ZUNI RIVER BASIN
Plaintiffs in Interve	ention,	)	ADJUDICATION
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A & R PRODUCTIONS, c	t al.,	)	
Defendants.		)	
		)	

#### WAIVER OF SERVICE OF SUMMONS

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

I, DIAN RICHINS, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State Engineer v. A <u>& R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 DIAN RICHINS

Signature:	Richard	Date:	11-25-06	•
print or type name:	Dian Rich.	મંદ		
If you authority here:	u are signing on behalf	of the named party	, please indicate the so	ource of your
and print or type the	full name and address	of the party on who	se behalf you are acti	ng here:
	<del></del>			

Upon agreeing to and completing this form, return one signed original in the preaddressed, postage-paid envelope provided (addressed to Bradley S. Bridgewater, U.S. Department of Justice, 1961 Stout Street – 8th 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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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	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVER BASIN
Plaintiffs in Intervention,	ADJUDICATION
v.	)
	)
A & R PRODUCTIONS, et al.,	)
Defendants.	)
	}

#### WAIVER OF SERVICE OF SUMMONS

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

I, GERALD RICHINS, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, 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 Utilical States' Amended Complaint in this lawsuif 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Waiver of Service Page 1

GERALD RICHINS

Signature:	ned filing	Date: 1/-25-06
_	name: Gerald Richi	
authority he		he named party, please indicate the source of you
and print or	type the full name and address of th	he party on whose behalf you are acting here:
<u></u>		

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

Keep one copy of this form for your records.

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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,	)
r.*	)
and	) No. 01cv00072-BB
;	)
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVER BASIN
Plaintiffs in Intervention,	) ADJUDICATION
	<del>)</del>
v.	, ,
A & R PRODUCTIONS, et al.,	j
Defendants.	)
1	)

### WAIVER OF SERVICE OF SUMMONS

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

I, THE RIVARD FAMILY TRUST, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1

THE RIVARD FAMILY TRUST

Signature: 11-27-06
print or type name: James & Andrey Rivard
If you are signing on behalf of the named party, please indicate the source of your authority here:  Hushand Wife - Moin bene Sicients of Partily 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.

Keep one copy of this form for your records.

Department of Justice, 1961 Stout Street - 8th Floor, Denver, CO, 80294).

#### **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.

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	No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ZUNI RIVER BASIN
Plaintiffs in Intervention,	) ADJUDICATION
in the second of	··)·*;
	)
A & R PRODUCTIONS, et al.,	)
Defendants.	)
	j.

#### WAIVER OF SERVICE OF SUMMONS

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

I, CAROL RODDA, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1

a 🕾 🖓

CAROL RODDA

Date: 11/26/06
print or type name:ROL_RODDA
If you are signing on behalf of the named party, please indicate the source of you authority here:
and print or type the full name and address of the party on whose behalf you are acting here:

Keep one copy of this form for your records.

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

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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	No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BASIN ) ADJUDICATION
v	)
A & R PRODUCTIONS, et al.,	í
Defendants.	ĺ
	)

### WAIVER OF SERVICE OF SUMMONS

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

I, EDWIN RODDA, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State Engineer v. A <u>& R Productions</u>, 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! 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a *Request for Consultation* form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a *Notice That The Consultation Period Has Ended*.

Waiver of Service Page 1

EDWIN RODDA

Signature: Date: 11-26-06
print or type name: Foliair Rodda
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.

Waiver of Service Page 2

EDWIN RODDA

UNITED STATES OF A and as Trustee for the Zui		)	
Nation and Ramali Band	of Navajos and	;	
STATE OF NEW MEXIC	CO, ex rel. STATE	)	
ENGINEER,	i	)	
Plaintiffs,	•	)	
and	† :	) No. 01ev	00072-BB
ZUNI INDIAN TRIBE, N Plaintiffs in Inter			VER BASIN CATION
V	i Name and Space	)	+
A & R PRODUCTIONS, Defendants.	et al.,		

## WAIVER OF SERVICE OF SUMMONS

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

I, FREDDIE J. SCAGGARI, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 FREDDIE J. SCAGGARI

Signature:	Touch	h 4.	Ho Carthe	Date:	11-27	-06	
print or type	name:	Reco	is g.	Sc466	AR.		
authority her	-	re signing on	behalf of the	named party,	please indica	ate the source of yo	1
and print or	type the fu	ill name and a	address of the	party on who	se behalf you	are acting here:	
	•						

Upon agreeing to and completing this form, return one signed original in the preaddressed, 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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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,	í
	(
and	) No. 01ev00072-BB
TINH NINIAN TRIDE NAMED AND TON	)
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BASIN ) ADJUDICATION
manus de la companya	)
<b>v.</b>	)
A & R PRODUCTIONS, et al.,	)
Defendants.	)
	)

## WAIVER OF SERVICE OF SUMMONS

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

I, DR. JOSEPH E. SWEENEY, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. State <u>Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 DR. JOSEPH E. SWEENEY

Signature:	Nr. Joseph 3. Smerry Date: 11-25-06	•
print or type	e name: DR. Toseph E. Sweeney	
authority he	If you are signing on behalf of the named party, please indicate the so ere:	urce of your
and print or	type the full name and address of the party on whose behalf you are active	ng here:

Upon agreeing to and completing this form, return one signed original in the preaddressed, 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.

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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 .	)	No. 01cv00072-BB	
<b>;</b>	)		
ZUNI INDIAN TRIBE, NAVAJO NATION, 📼	<del>-=</del> )	ZUNI RĮVER-BASIN	-
Plaintiffs in Intervention,	)	ADJUDICATION	
•	)		
v. ·	)		
ļτ	)		
A & R PRODUCTIONS, et al.,	)		
Defendants.	)		
	)		

## WAIVER OF SERVICE OF SUMMONS

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

I, CHARLES H. WARD, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1 CHARLES H. WARD

Signature: Charles Hard	Date: $11 - 39 - 06$
print or type name: Charles H	Ward
If you are signing on behalf of the authority here:	named party, please indicate the source of your
and print or type the full name and address of the	party on whose behalf you are acting here:
ı İ	

Upon agreeing to and completing this form, return one signed original in the preaddressed, 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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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	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	······································
<b>v.</b>	)
A & R PRODUCTIONS, et al., Defendants.	) ) )

## WAIVER OF SERVICE OF SUMMONS

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

I, KIMBERLY DENISE WARD, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1

KIMBERLY DENISE WARD

Signature: 2 1 Date: 11/29/06	
print or type name: Kimbing Ward	
If you are signing on behalf of the named party, please indicate the source of youthority here:	րա
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 preaddressed, 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.

#### <u>Duty to Avoid Unnecessary Costs of Service of Summons</u>

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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	) No. 01cv00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ZUNI RIVER BASIN ) ADJUDICATION
A & R PRODUCTIONS, et al.,  Defendants.	·)

## WAIVER OF SERVICE OF SUMMONS

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

I, CAROL BRYANT WEBER, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, ex rel. <u>State Engineer v. A & R Productions</u>, 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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Waiver of Service Page 1 CAROL BRYANT WEBER

Signature:	We Bright Steller Date: 11/25/06
print or type na	MEDIGARIL BRYANT WEBER
	If you are signing on behalf of the named party, please indicate the source of you
and print or typ	e the full name and address of the party on whose behalf you are acting here:
	. I

Keep one copy of this form for your records.

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

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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	) No. 01ev00072-BB
ZUNI INDIAN TRIBE, NAVAJO NATION, Plaintiffs in Intervention,	) ) ZUNI RIVER BASIN ) ADJUDICATION
v	ر و و و همان المحمول المحمد المحم المحمد المحمد المحم
A & R PRODUCTIONS, et al.,  Defendants.	) ) )

### WAIVER OF SERVICE OF SUMMONS

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

I, DAVID WEBER, acknowledge receipt of your request that I waive service of summons in the civil action <u>United States and State of New Mexico</u>, 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. I understand that a judgment may be entered against me (or the entity on whose behalf I am acting) if I do not return a Request for Consultation form within 60 days, or if I fail to serve on you and file with the Court an Answer or motion under Rule 12 within 20 days after being sent a Notice That The Consultation Period Has Ended.

Waiver of Service Page 1

DAVID WEBER

Signature:			
	<del></del> 1	Date:	: 11-25-66
print or type na	ame:	J. WEBER	
authority here:		alf of the named party	y, please indicate the source of you
and print or ty	pe the full name and addre	ess of the party on wh	nose behalf you are acting here:

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.