

COPY

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

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CLERK-SANTA FE

UNITED STATES OF AMERICA, for Itself
and as Trustee for the Zuni Indian Tribe, Navajo
Nation and Ramah Band of Navajos
and
STATE OF NEW MEXICO, ex rel. STATE
ENGINEER,

Plaintiffs,

and

ZUNI INDIAN TRIBE,
NAVAJO NATION,

Plaintiffs in Intervention,

v.

STATE OF NEW MEXICO COMMISSIONER
OF PUBLIC LANDS,
and
A & R PRODUCTIONS, et. al.,

Defendants.

No. 01cv00072-BB

ZUNI RIVER BASIN
ADJUDICATION

Subfile No: ZRB-4-0169

SUBFILE ANSWER

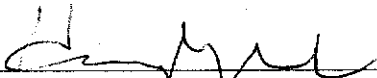
COME(S) NOW REBECCA GRIZZLE & HENRY RAY GRIZZLE and
answer(s) the complaint as follows:

<u>Subfile No:</u>	<u>Object</u>	<u>Claim No Right</u>
ZRB-4-0169	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

Signature(s) – REBECCA GRIZZLE & HENRY RAY GRIZZLE:

 3-13-08

 3-14-08

Bx 154

Vanderwagon NM 87326
(Address: Print Clearly)

(Phone Number: Print Clearly)

IMPORTANT: Within 20 days of February 27, 2008, you must EITHER accept the last Consent Order offered by the United States and the State for Subfile ZRB-4-0169 OR file an answer in this Subfile with United States District Court for the District of New Mexico. Any right you may have to use waters of the stream system may be adjudicated by default judgment in conformity with the Consent Order proposed by the United States and the State if you fail to accept the proposed Consent Order or file an answer within 20 days of February 27, 2008. Answers may be mailed to the Clerk of Court at 106 S. Federal Place, Santa Fe, NM 87501. A copy of the answer filed with the district court must also be sent to counsel for the United States and counsel for the State at the following addresses:

BRADLEY S. BRIDGEWATER
U.S. Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294

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

Items 1&2

I (we) object to the description of water rights.....

I (we) made a good faith effort to resolve our disagreement....

In July 2003 Members of the community and I met with the state engineers office at El Moro National Monument and we were told that we had to file a declaration of owner of Underground water rights which we did. We were also told that we were entitled to three acre feet of water.

In the fall of 2006, we received a notice from Bradley Bridgewater' office offering us .7 acre feet.

We protested this. I met With Bradley Bridgewater and someone from the state engineer's office around January of 2007. I was shown a picture of my well which they had taken clandestinely and without my knowledge. I confronted them because my pump house had been knocked off it's foundation about the time the picture was taken by an unknown force. They denied having anything to do with it. They also presented an aerial photograph which they said was my property. The photograph did not show my house barn or driveway.

I presented my justification of disagreement. As follows

Disagreements

1. .7 acre feet is insufficient to meet our needs
2. Three acre feet is provided by state statute.
3. Our historical use as set forth below is three acre feet.
4. Water available for pumping is in excess of three acre feet.

Justification

Domestic	gal/day	gal/anum	
Household	90	32850	.10
Livestock	105	38325	.11
Garden fruit trees and cornfield			
	1896.45	692294.25	2.12

Other

Using horses	300	190500	.36
Environmental (fire protection, wildlife and disease control)			
	283	103293	.31

Total	<u>2674.5</u>	<u>976,161.35</u>	<u>3.00</u>
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They didn't want to take my word for what I present them and said they would like to visit my place. I said ok.

They called later and said they would come on a date in March. I don't remember the exact date, but I remember that I waited all day for them and they didn't show up. I didn't know whether they just didn't bother showing or they had just made another clandestine visit.

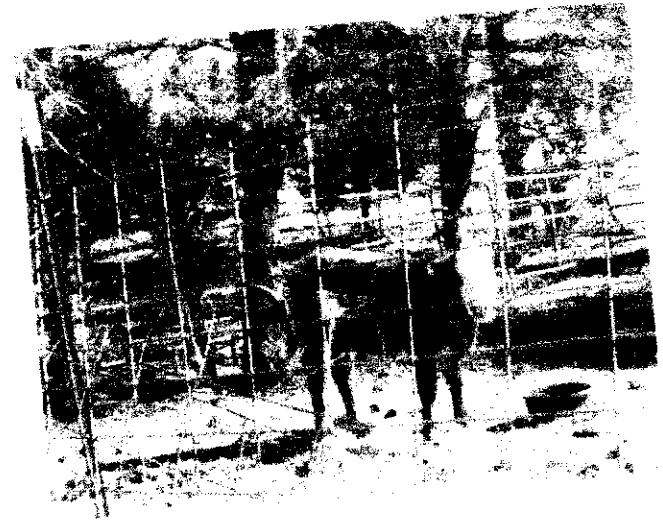
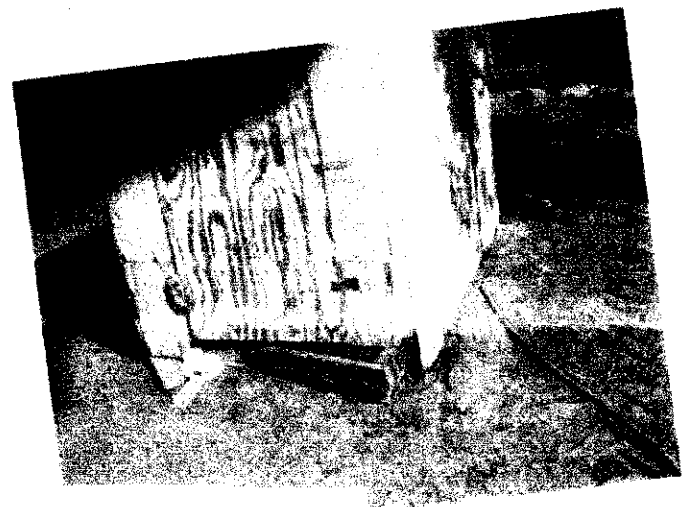
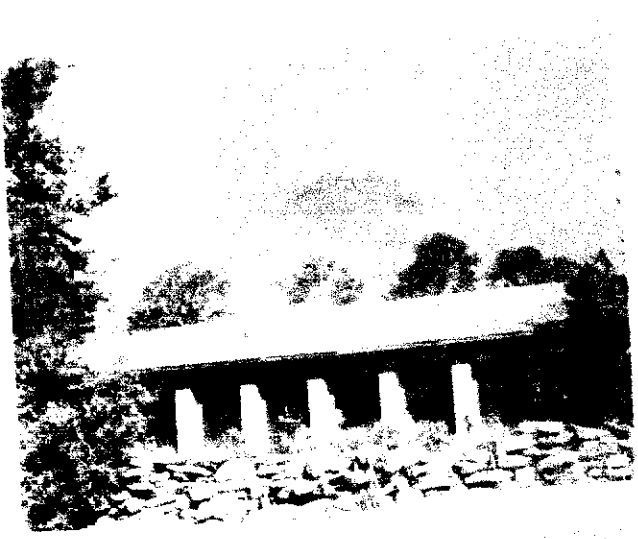
The called a couple of times along in the summer of 2007 saying they wanted to make a visit. I was out of town on both occasions, and unable to meet with them. I informed them of this.

In October of 2007 at a meeting of the Western New Mexico Water Preservation Association, a prominent attorney made the statement that he did not trust Bradley Bridgewater. If he doesn't trust him, why should I. He is after all an employee of the United States Government which is the opposition.

A few weeks ago around Feb 2008 someone called from Mr. Bridgewater's office saying that he wanted to make a visit to my place. I told him point blank that if he wanted to bring me a warranty deed to three acre feet of water, he was welcome to come out. Otherwise he could stay off my property.

I am attaching pictures in support of my justification for three acre feet of water listed above..

Residence Pump House
Using horses.
Butcher steer Hoys.



Carlow Cornfield Creek Fruit Trees

