

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

UNITED STATES OF AMERICA	)	
and	)	
STATE OF NEW MEXICO, <i>ex rel.</i> STATE	)	
ENGINEER,	)	
	)	
Plaintiffs,	)	
	)	No. 01cv00072 BB
and	)	
	)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,	)	ADJUDICATION
	)	
Plaintiffs in Intervention,	)	
	)	
v.	)	
	)	
A & R PRODUCTIONS, et al.	)	
	)	
Defendants.	)	
_____	)	

NOTICE OF FILING PROOF OF SERVICE OF SUMMONS

The United States of America (“United States”) hereby states that pursuant to Fed. R. Civ. P. 4(e) the following defendants were served with process in the above-captioned matter.

<u>Defendant</u>	<u>Subfile No.</u>	<u>Date of Service</u>
Nancy Vandiepen	ZRB-4-0395	September 1, 2008
Angele L. Cantrell	ZRB-2-0030	September 1, 2008
Doreen E. Forlow	ZRB-4-0301	August 26, 2008
Yvonne H. Costello	ZRB-3-0040	August 26, 2008
Michael Costello	ZRB-3-0040	August 26, 2008

Dated: September 15, 2008

Electronically Filed

/s/ Bradley S. Bridgewater

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BRADLEY S. BRIDGEWATER

U.S. Department of Justice

1961 Stout Street - 8<sup>th</sup> Floor

Denver, CO 80294

(303) 844-1359

COUNSEL FOR THE UNITED STATES



AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

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

CASE NUMBER: 01cv00072-BB

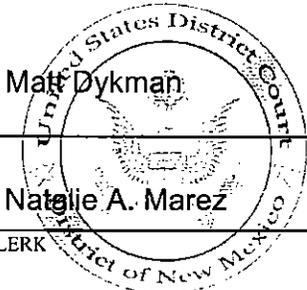
TO: (Name and address of Defendant)

Nancy Vandiepen
P.O. Box 862
Ramah, NM 87321

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Matt Dykman

Monday, August 13, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER ( <i>PRINT</i> )	TITLE

*Check one box below to indicate appropriate method of service*

- Served personally upon the defendant. Place where served: \_\_\_\_\_
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- Returned unexecuted: \_\_\_\_\_
- Other (specify): \_\_\_\_\_

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_ Date \_\_\_\_\_ Signature of Server \_\_\_\_\_

Address of Server \_\_\_\_\_

**SEE ATTACHED AFFIDAVIT OF SERVICE**

IN THE  
UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Plaintiff/Petitioner

vs.  
A. & R. PRODUCTIONS, ET AL.,

Defendant/Respondent

Hearing Date:

CAUSE NO:  
01CV00072-BB

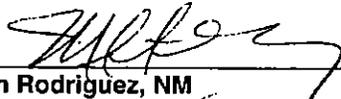
AFFIDAVIT OF SERVICE OF:  
SUMMONS AND AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

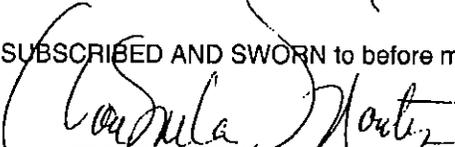
On the **1st day of September, 2008, at 1:50 PM**, at the address of **7209 MESA DE ARENA NW, ALBUQUERQUE, Bernalillo County, NM 87120**; this affiant served the above described documents upon **NANCY VANDIEPEN**, by then and there personally delivering **1** true and correct copy(ies) thereof, by then presenting to and leaving the same with **NANCY VANDIEPEN, NAMED DEFENDANT, A white female approx. 55-65 years of age 5'6"-5'8" in height weighing 120-140 lbs with brown hair.**

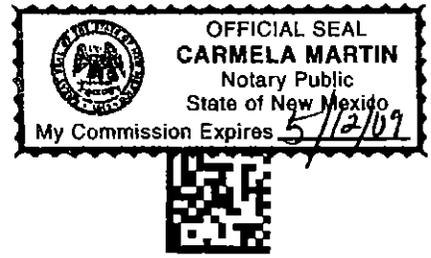
No information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this **4th day of September, 2008.**

  
\_\_\_\_\_  
**Milton Rodriguez, NM**

SUBSCRIBED AND SWORN to before me this 4th day of September, 2008

  
\_\_\_\_\_  
NOTARY PUBLIC in and for the State of New Mexico  
Residing at: **P.O. BOX 13505 APO, NM 87192**  
My Commission Expires: **5/12/09**



FOR: **U S Dept of Justice - Denver** ORIGINAL PROOF OF SERVICE  
REF: **Nancy Vandiepen**

Tracking #: **5657769 SEA**



AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

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

CASE NUMBER: 01cv00072-BB

TO: (Name and address of Defendant)

Angele L. Cantrell
P.O. Box 128
San Rafael, NM 87051

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Mat Dykman

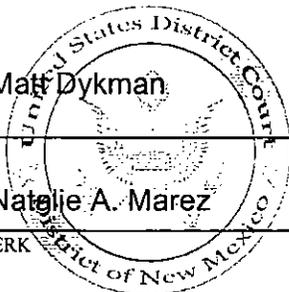
Wednesday, August 08, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK



AO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		
<p><b>SEE ATTACHED AFFIDAVIT OF SERVICE</b></p>		

IN THE  
UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Plaintiff/Petitioner

vs.

A. & R. PRODUCTIONS, ET AL.,

Defendant/Respondent

Hearing Date:

CAUSE NO:  
01CV00072-BB

AFFIDAVIT OF SERVICE OF:  
SUMMONS AND AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

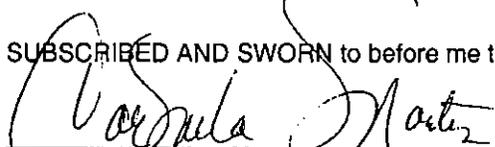
On the **1st day of September, 2008, at 12:07 PM**, at the address of **613 FOX Lane SE, ALBUQUERQUE, Bernalillo County, NM 87123**; this affiant served the above described documents upon **ANGELE L. CANTRELL**, by then and there personally delivering **1 true and correct copy(ies)** thereof, by then presenting to and leaving the same with **ANGELE L. CANTRELL, NAMED DEFENDANT, A white female approx. 55-65 years of age 5'6"-5'8" in height weighing 120-140 lbs with blonde hair.**

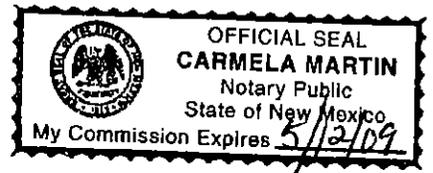
No information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this **4th day of September, 2008.**

  
\_\_\_\_\_  
Milton Rodriguez, NM

SUBSCRIBED AND SWORN to before me this 4th day of September, 2008

  
\_\_\_\_\_  
NOTARY PUBLIC in and for the State of **New Mexico**  
Residing at: **P.O. BOX 13505, ABO, NM 87192**  
My Commission Expires: **5/12/09**



FOR: **U S Dept of Justice - Denver** ORIGINAL PROOF OF SERVICE

Tracking #: **5657775 SEA**



AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

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

CASE NUMBER: 01cv00072-BB

TO: (Name and address of Defendant)

Doreen E. Forlow
1066 Claremont Dr.
Brentwood, CA 94513

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Mat Dykman

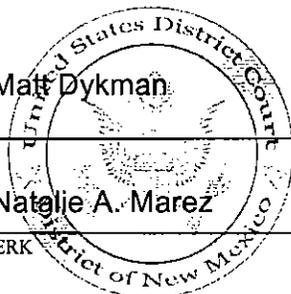
Monday, August 13, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK



SAO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>	
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER <i>(PRINT)</i>	TITLE

*Check one box below to indicate appropriate method of service*

- Served personally upon the defendant. Place where served: \_\_\_\_\_
  
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
 Name of person with whom the summons and complaint were left: \_\_\_\_\_
  
- Returned unexecuted: \_\_\_\_\_
  
- Other (specify): \_\_\_\_\_

<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date *Signature of Server*

\_\_\_\_\_  
*Address of Server*

**SEE ATTACHED AFFIDAVIT OF SERVICE**

IN THE  
UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Plaintiff/Petitioner

vs.  
A. & R. PRODUCTIONS, ET AL.,

Defendant/Respondent

Hearing Date:

CAUSE NO:  
01CV00072-BB

AFFIDAVIT OF SERVICE OF:  
SUMMONS AND AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the **26th day of August, 2008, at 8:53 AM**, at the address of **1066 CLAREMONT Drive, BRENTWOOD, Contra Costa County, CA 94513**; this affiant served the above described documents upon **DOREEN E. FORLOW**, by then and there personally delivering **1 true and correct copy(ies)** thereof, by then presenting to and leaving the same with **DOREEN E. FORLOW, NAMED DEFENDANT, A white female approx. 45-55 years of age 5'6"-5'8" in height weighing 140-160 lbs with brown hair.**

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

DATED this **2nd day of September, 2008.**

  
EDWIN M. BLAMA, Reg # 690, CONTRA COSTA, CA



SUBSCRIBED AND SWORN to before me this 2nd day of September, 2008

  
NOTARY PUBLIC in and for the State of California  
Residing at: Concord CA  
My Commission Expires: July 18, 2010



FOR: **U S Dept of Justice - Denver** ORIGINAL PROOF OF SERVICE

Tracking #: **5657869 SEA**



AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

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

CASE NUMBER: 01cv00072-BB

TO: (Name and address of Defendant)

Yvonne H. Costello
6295 Oakmont Place SE
Stuart, FL 34997

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Matt Dykman

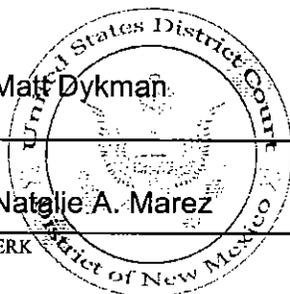
Wednesday, August 08, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK



AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER ( <i>PRINT</i> )	TITLE

*Check one box below to indicate appropriate method of service*

- Served personally upon the defendant. Place where served: \_\_\_\_\_
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
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- Other (specify): \_\_\_\_\_

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date
Signature of Server

\_\_\_\_\_  
*Address of Server*

**SEE ATTACHED AFFIDAVIT OF SERVICE**

UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Plaintiff/Petitioner

vs.  
A. & R. PRODUCTIONS, ET AL.,

Defendant/Respondent

Hearing Date:

CAUSE NO:  
01CV00072-BB

AFFIDAVIT OF SERVICE OF:  
SUMMONS AND AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the **26th day of August, 2008, at 9:36 AM**, at the address of **113 SE VIA VERONA, PORT SAINT LUCIE, St. Lucie County, FL 34984**; this affiant served the above described documents upon **YVONNE H. COSTELLO**, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with **MICHAEL E. COSTELLO, SPOUSE, A white male approx. over 65 years of age 5'10"-6'0" in height weighing 220-240 lbs with gray hair and glasses**, a person of suitable age and discretion residing at the respondent's usual place of abode listed above.

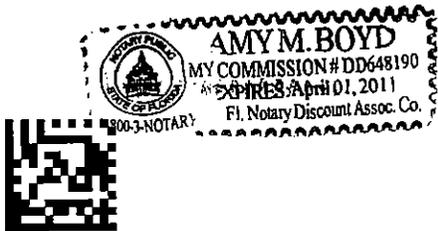
No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

Affiant hereby states under penalty of perjury under the laws of the State of **New Mexico** that the statement above is true and correct.

Debra Forbes, Reg. # 08-05, St. Lucie, FL

STATE OF FLORIDA, COUNTY OF ST. LUCIE

Sworn to (or affirmed) and subscribed before me this **27th day of August, 2008**,  
by Debra Forbes.

  
PRINT, TYPE, OR STAMP NAME OF NOTARY

Personally known   X    
or Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

FOR: U S Dept of Justice - Denver ORIGINAL PROOF OF SERVICE

Tracking #: 5657850 SEA



SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA and STATE OF NEW MEXICO, ex rel. STATE ENGINEER, Plaintiffs, and ZUNI INDIAN TRIBE, ET AL.

SUMMONS IN A CIVIL CASE

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

CASE NUMBER: 01cv00072-BB

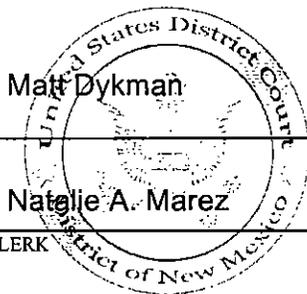
TO: (Name and address of Defendant)

Michael E. Costello
6295 Oakmont Place SE
Stuart, FL 34997

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BRADLEY S. BRIDGEWATER
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street - 8th Floor
Denver, CO 80294
Phone: (303) 844-1359

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



Matt Dykman

Wednesday, August 08, 2007

CLERK

DATE

Natalie A. Marez

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER ( <i>PRINT</i> )	TITLE

*Check one box below to indicate appropriate method of service*

- Served personally upon the defendant. Place where served: \_\_\_\_\_
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- Returned unexecuted: \_\_\_\_\_
- Other (specify): \_\_\_\_\_

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date Signature of Server

\_\_\_\_\_  
Address of Server

**SEE ATTACHED AFFIDAVIT OF SERVICE**

IN THE UNITED STATE DISTRICT COURT, DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, ET AL.,

Plaintiff/Petitioner

vs. A. & R. PRODUCTIONS, ET AL.,

Defendant/Respondent

Hearing Date:

CAUSE NO: 01CV00072-BB

AFFIDAVIT OF SERVICE OF: SUMMONS AND AMENDED COMPLAINT

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the 26th day of August, 2008, at 9:36 AM, at the address of 113 SE VIA VERONA, PORT SAINT LUCIE, St. Lucie County, FL 34984; this affiant served the above described documents upon MICHAEL E. COSTELLO, by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with MICHAEL E. COSTELLO, NAMED DEFENDANT, A white male approx. over 65 years of age 5'10"-6'0" in height weighing 220-240 lbs with gray hair and glasses.

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

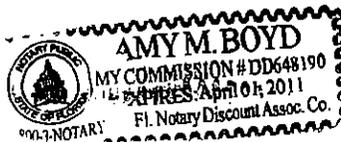
[Handwritten signature of Debra Forbes]

Debra Forbes, Reg. # 06-05, St. Lucie, FL

STATE OF FLORIDA, COUNTY OF ST. LUCIE

Sworn to (or affirmed) and subscribed before me this 27th day of August, 2008 by Debra Forbes.

[Handwritten signature of Amy M. Boyd]
PRINT, TYPE, OR STAMP NAME OF NOTARY
Personally known or Produced Identification [X]
Type of Identification Produced



FOR: U S Dept of Justice - Denver ORIGINAL PROOF OF SERVICE

Tracking #: 5657849 SEA

