

Bridgewater, Bradley S (ENRD)

From: Bridgewater, Bradley S (ENRD)
Sent: Monday, February 09, 2009 4:00 PM
To: Tanya Scott
Cc: Edward Bagley
Subject: RE: Zuni Adjudication -- ZRB-1-0100

You are welcome to do so, but I frankly don't understand what the point of that would be. Our motion asserts that a representative of the trust did attend a consultation that had been scheduled for another party. The Trust never submitted a request for consultation, and its subfile answer, which was not timely filed, only asserts a right that is not based on beneficial use. We believe we are entitled to summary judgment on that issue, if not to a default judgment for failure to comply with the governing procedural and scheduling order.

From: Tanya Scott [mailto:tls@lrpa-usa.com]
Sent: Monday, February 09, 2009 3:51 PM
To: Bridgewater, Bradley S (ENRD)
Cc: Jonas Armstrong
Subject: RE: Zuni Adjudication -- ZRB-1-0100

Do you want me to get an affidavit from Ms. Strickland that she participated in the consultation?

Tanya L. Scott
Attorney at Law

LAW & RESOURCE PLANNING ASSOCIATES, P.C.
Attorneys at Law

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From: Bridgewater, Bradley S (ENRD) [mailto:Bradley.S.Bridgewater@usdoj.gov]
Sent: Monday, February 09, 2009 3:49 PM
To: Tanya Scott
Cc: Edward Bagley
Subject: RE: Zuni Adjudication -- ZRB-1-0100

But you withdrew that entry. (Doc. 1930) In any event, I do recall that consultation. The church use well, which was on Carver property, has since been adjudicated in ZRB-1-0164. All of the Carvers' subfiles remain in dispute, primarily because they refuse to consider any amount less than 3 acre feet per year for their wells, without regard to their beneficial use.

4/21/2009

From: Tanya Scott [mailto:tls@lrpa-usa.com]
Sent: Monday, February 09, 2009 3:21 PM
To: Bridgewater, Bradley S (ENRD)
Cc: Jonas Armstrong
Subject: RE: Zuni Adjudication -- ZRB-1-0100

Our records show we entered an appearance for both Joann Strickland and the Joann Strickland Trust (Doc 1394).

Also, there were two or three consultations that I attended early on in Grants or Gallup. This was one of them. Ms. Strickland came with her sister and brother in law (Larry Carver and his wife) and we did them one after each other. I specifically remember a discussion about a well on either Ms. Strickland's or the Carver's property where the water had actually been used by a neighboring church, if that refreshes your recollection.

Tanya L. Scott
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From: Bridgewater, Bradley S (ENRD) [mailto:Bradley.S.Bridgewater@usdoj.gov]
Sent: Monday, February 09, 2009 3:05 PM
To: Tanya Scott
Cc: Edward Bagley
Subject: RE: Zuni Adjudication -- ZRB-1-0100

Tanya:
Sorry, I was on travel at the end of last week.
The Joann Strickland Trust has always been the named defendant on this subfile. Do you represent the Trust?

From: Tanya Scott [mailto:tls@lrpa-usa.com]
Sent: Wednesday, February 04, 2009 4:35 PM
To: Bridgewater, Bradley S (ENRD)
Cc: carver@7cities.net; Jonas Armstrong
Subject: Zuni Adjudication -- ZRB-1-0100

Hi Brad,

I understand that you are seeking a default on this subfile for the Joann Strickland Trust. I understand that the consultation process for this file took place before the Trust was formed, or with Ms. Strickland individually.

4/21/2009

Does that comport with your records? If so, will you withdraw your request for entry of default?

Thanks for the information.

Tanya L. Scott
Attorney at Law

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