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

UNITED STATES OF AMERICA	)
and STATE OF NEW MEXICO, ex rel. STATE	)
ENGINEER,	)
Plaintiffs,	)
and	) No. 01cv00072 BB
and	) ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,	) ADJUDICATION
Plaintiffs in Intervention,	)
	) DECLARATION OF YVONNE
	<ul><li>) M. MARSH IN SUPPORT</li><li>) OF PLAINTIFFS' MOTION</li></ul>
	) FOR DEFAULT JUDGMENT
	) ) ZRB-4-0126
v.	
A & R PRODUCTIONS, et al.	)
Defendants.	)
	)

I, Yvonne M. Marsh, am employed as a Paralegal Specialist with the Department of Justice and have been assigned to work in support of counsel for the United States in the above-captioned case.

A. Pursuant to the Procedural and Scheduling Order for the Adjudication of Water Rights Claims in Sub-areas 1, 2, and 3 (excluding Ramah) of the Zuni River Stream System (Doc. No. 838), Defendants in the Zuni River Basin Adjudication were provided a service packet that included a proposed Consent Order, Request for Consultation form, Notice of Water Rights Adjudication, and if the defendants had not been served process or had not

voluntarily waived such service, a copy of the Amended 2003 Complaint, a Request for Waiver of Service of Summons, and two copies of a Waiver of Service of Summons with a prepaid return envelope. The packet also included a letter from the United States explaining the purpose of the forms and to whom and when documents were to be mailed or provided if the defendant chose to respond. The documents were mailed to the defendant's mailing address via certified mail, return receipt requested.

B. The service packet to DITTA, L.L.C. and MT. BALDY LTD.

PTNS. (ZRB-4-0126), was mailed to the defendants' address of record. The original Postal

Service Form 3811, Domestic Return Receipt was returned signed and dated November 9, 2006.

A copy of Postal Service Form 3811 is attached to this declaration.

C. Pursuant to the February 23, 2007 Order Granting Motion to Substitute Party (Docket No. 1008), the Court substituted BOA Sorte Limited Partnership, Viel Gluck Limited Partnership, and Ben Fatto Limited Partnership for defendant DITTA, L.L.C. and dismissed DITTA, L.L.C. as a party defendant in the case. On May 17, 2007, a revised consent order was mailed to the substituted defendants' address of record in care of Brent A. Bowden. The original Postal Service Form 3811, Domestic Return Receipt was returned signed and dated May 21, 2007. A copy of Postal Service Form 3811 is attached to this declaration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: November 6, 2012

YVONNE M. MARSH
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South Terrace

Denver, CO 80202

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Case 6:01-cv-00072-MV-LFG Document 2815-1 Filed 11/14/12 Page 4 of 4 ZRB-4-0126 COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION A. Signature • complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ☐ Agent Z Adressee Print your name and address on the reverse C. Date of Delivery so that we can return the card to you. seived by (Printed Name) 900 Attach this card to the back of the mailpiece, or on the front if space permits. ☐ Yes D. Is delivery address different from item 1? ☐ No 1. Article Addressed to: If YES, enter delivery address below: DITTA, L.L.C. & MT. BALDY LTD. PTNS. 1223 S. CLEARVIEW AVE. SUITE 3. Service Type Certified Mail ☐ Express Mail 105 Registered ☐ Return Receipt for Merchandise ☐ C.O.D. Insured Mail MESA, AZ 85209 4. Restricted Delivery? (Extra Fee) ☐ Yes 7005 1820 0005 4854 5077 2. Article Number (Transfer from service label) 102595-02-M-1540 Domestic Return Receipt PS Form 3811, February 2004 New, LO ZRB-4-0126 COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION A. Signature Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Agent Agent ☐ Addressee Print your name and address on the reverse so that we can return the card to you. C. Date of Delivery Received by (Printed Name) Attach this card to the back of the mailpiece, 050101 EWMAL or on the front if space permits. D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: 1. Article Addressed to: Brent A. Bowden Cardon Bowden Investments 1223 S. Clearview Ave, Suite 105 3. Service Type Certified Mail
Registered ☐ Express Mail Mesa, AZ 85209 ☐ Return Receipt for Merchandise ☐ C.O.D. Insured Mail 4. Restricted Delivery? (Extra Fee) ☐ Yes 2. Article Number 7005 1820 0005 4749 7971 (Transfer from service label) 102595-02-M-1540 PS Form 3811, February 2004 Domestic Return Receipt