

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

*J*

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01CV00072BDB/WWD(ACE)  
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ZUNI RIVER STREAM SYSTEM  
ADJUDICATION

|                            |   |
|----------------------------|---|
| United States,             | ) |
|                            | ) |
| Plaintiff                  | ) |
|                            | ) |
| v.                         | ) |
|                            | ) |
| A & R Productions, et al., | ) |
|                            | ) |
| Defendants                 | ) |
|                            | ) |

**DISCLAIMER OF INTEREST**

The undersigned named defendant, for the reason(s) stated below, herewith disclaims any and all interest in the use of the surface or ground waters of the Zuni River Basin.

XX The undersigned does not use or presently claim a right to the use of surface or groundwater within the geographical boundary of the Zuni River Basin as the basin is described in the Court's Order On Special Master's Report re: Geographic Scope of Adjudication , dated May 21, 2003.

The undersigned does not hold fee title to land within the geographic boundaries of the Zuni River Basin as the basin is described in the Court's Order On Special Master's Report re: Geographic Scope of Adjudication , dated May 21, 2003.

It is understood that this disclaimer does not prejudice the right of the undersigned and/or his/her successor(s)-in-interest from petitioning in the future the State Engineer for a permit to put surface and/or groundwater in the Zuni River Basin to beneficial use nor does this disclaimer preclude the State Engineer from granting the undersigned and/or his/her successor(s)-in-interest a right to beneficially use the surface and/or groundwater in the Zuni River Basin. It is further understood that the priority date of a water right permit granted under the laws of the State of New Mexico can not be earlier than the date of this disclaimer.

Signature : *Steve Harris*  
Steve Harris, Special Projects Engineer/Engineering Design  
Corporation: New Mexico Department of Transportation Division Director:  
Print Name: Steve Harris  
Date: 04/21/04

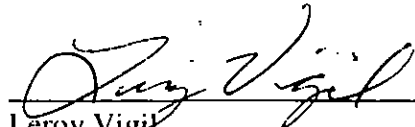
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State of New Mexico )  
County of Santa Fe )

Affidavit of Leroy Vigil:

I, Leroy Vigil, being under oath, hereby swear as follows:

1. I am employed by the New Mexico Department of Transportation (Department).  
My job title is Right of Way Agent II, Water Rights.
2. As part of my job responsibilities, I have custody and control of the Department's records of its water rights.
3. Upon examination of the Department's records of its water rights, the Department owns no water rights within the drainage of the Zuni River or hydrologically linked groundwaters.

  
Leroy Vigil

Signed and sworn before me on ~~February~~ April 1, 2004 by Leroy  
Vigil.

  
NOTARY PUBLIC

My commission expires:

