

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

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

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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,

No. 01cv00072-BB

Plaintiffs,

ZUNI RIVER BASIN  
ADJUDICATION

and

ZUNI INDIAN TRIBE,  
NAVAJO NATION,

Subfile No: ZRB-1-0115

Plaintiffs in Intervention,

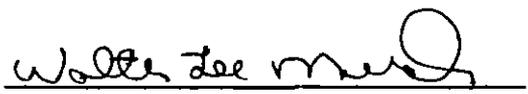
v.

A & R PRODUCTIONS, et al.,

Defendants.

**REQUEST FOR CONSULTATION**

Walter Lee Meech, C & E Concrete, Inc. and Meech-Cash, LLC hereby request consultation with the United States and the State of New Mexico ex rel. State Engineer concerning the Consent Order provided to Meech-Cash, LLC for Subfile No. ZRB-1-0115 in the above-captioned lawsuit. The foregoing disagree with the proposed Consent Order for the reasons set forth in Exhibit A as attached hereto and by that reference incorporated herein.



Walter Lee Meech  
P. O. Box 2547  
Milan, NM 87021  
(505) 287-2944

490

C & E Concrete, Inc.

By: Walter Lee Meech

Walter Lee Meech

President

P. O. Box 2547

Milan, NM 87021

(505) 287-2944

Meech-Cash, LLC

By: Walter Lee Meech

Walter Lee Meech

Member

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## EXHIBIT A

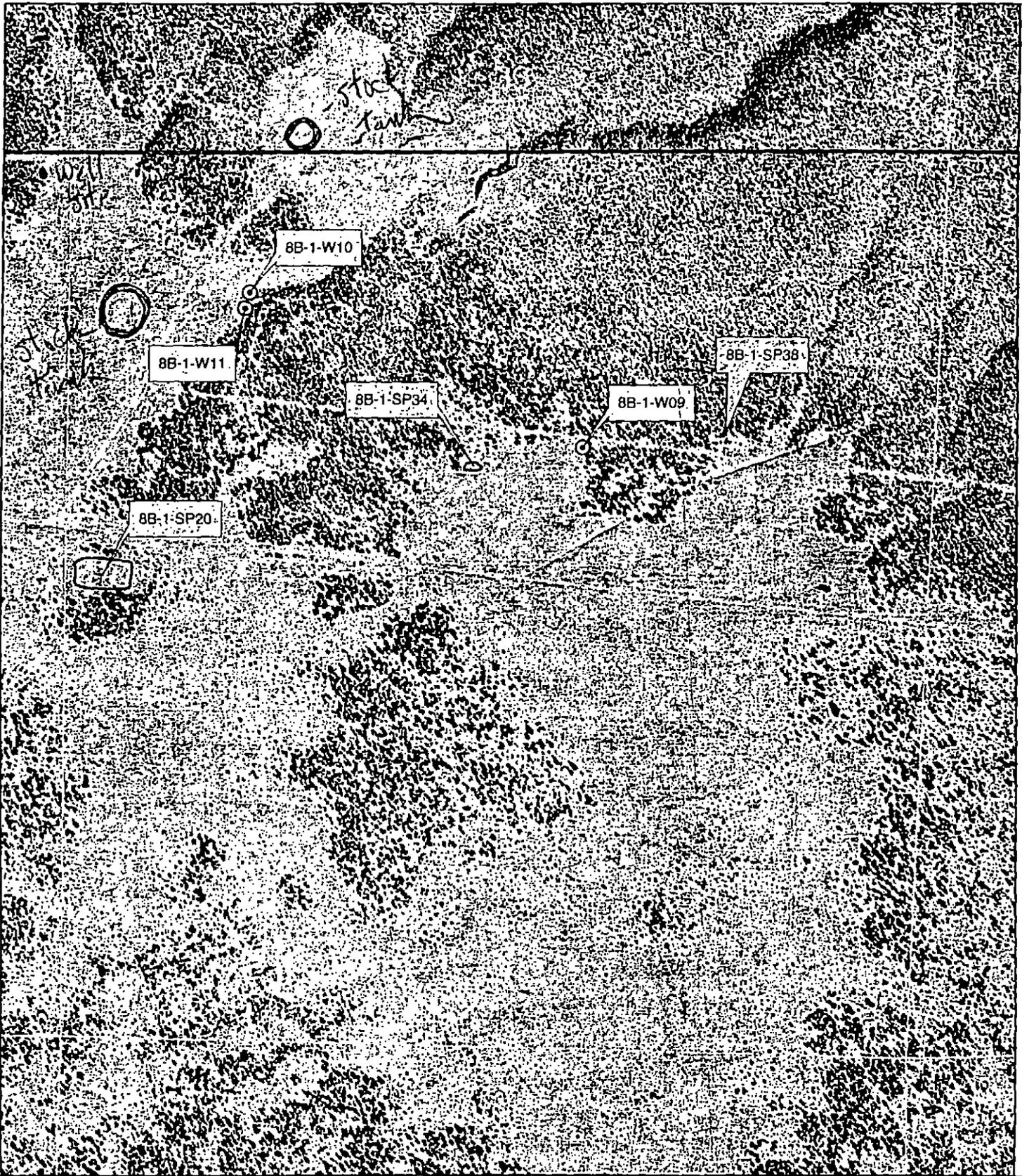
The unsigned on behalf of Defendant Walter Lee Meech, on behalf of C & E Concrete, Inc., a New Mexico corporation and on behalf of Meech-Cash, LLC, a New Mexico limited liability company, objects to Plaintiff's consent offer as follows:

1. With regard to Domestic Wells identified as 8B-1-W09 (File Number: G-1529) on the proposed Consent Order and well not shown on Zuni River Basin Hydrographic Survey (File Number: G-2421), Defendants object to Plaintiff's Consent offer for a NMSA 1978, § 72-12-1 well for any amount of water less than three (3) acre feet per year, based upon the existence of a property or vested right for three (3) acre feet per year as provided by statute and the rules and regulations of the State Engineer, and/or a property or vested right in a permit allowing the diversion of up to three (3) acre feet per year. The Defendant have used or intend to use up to three (3) acre feet per year for the irrigation of not more than one (1) acre of noncommercial trees, lawn or garden; in household or other domestic uses and /or for livestock purposes. Further, with regard the well not shown, it is assumed that the same offer will be tendered and the same objection is registered.

2. With regard to stock ponds as identified as Map Labeled 4B-3-SP22, 4B-3-SP23, 8B-1-SP20, 8B-1-SP34, 8B-1-SP35, 8B-1-SP38, 8B-1-SP64 on the proposed Consent offer together with two (2) additional stock ponds not located or shown on the survey but shown in their approximate location on map as attached hereto, Defendant objects to Plaintiff's consent offer as to the storage impoundment volume for those stock ponds as identified and shown by the proposed Consent Order as the Order does not adequately represent the true storage capacity of these ponds. Further, such proposed

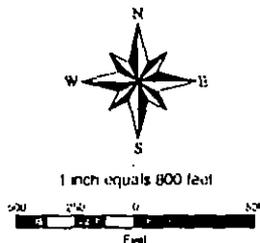
Consent Order does not recognize the existence of the two (2) additional stock ponds as referenced above.

3. With regard to Industrial Wells labeled 8B-1-W10 (File Number G-0336) and 8B-1-W11 (File Number: G-0337), Defendant also objects as such consent offer does not properly reflect the original permit date for both wells (being May 31, 1995 and drilled respectively on October 1988 and October 1990). Additionally, the amount of water permitted and/or used from each well is respectively 10.16 acre-feet (G-0336) and 87.10 acre feet (G-0337) not the amount as proposed being 0.7 acre feet.



**LEGEND**

- Well
- Town
- Stock Pond
- ▭ Sub-Area Boundary
- ▭ Section Boundary



Zuni River Basin  
Hydrographic Survey

Sub-Area B  
Subfile Number: ZRB-1-0064  
PLSS: S04, T09N, R13W  
Sheet 3 of 3

January 2005



**Natural Resources Consulting Engineers, Inc.**

Fort Collins, CO    Oakland, CA    Asmara, ERITREA

Project Manager: L. Niel Allen, P.E., Ph.D.