

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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CLERK-ALBUQUERQUE

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-ACE

Plaintiffs,

and

ZUNI INDIAN TRIBE,
NAVAJO NATION,

ZUNI RIVER BASIN
ADJUDICATION

Plaintiffs in Intervention,

v.

STATE OF NEW MEXICO COMMISSIONER
OF PUBLIC LANDS,

Subfile No: ZRB-3-0018

and
A & R PRODUCTIONS, et. al.,

Defendants.

SUBFILE ANSWER

COME(S) NOW RICHARD BROOKS & BEVERLY BROOKS and
answer(s) the complaint as follows:

<u>Subfile No.:</u>	<u>Object</u>	<u>Claim No Right</u>
ZRB-3-0018	<input type="checkbox"/> <u>BB/R.B.</u>	<input type="checkbox"/>

(Instructions: **Initial** in one of the two boxes to indicate whether you object to the description of water right(s) contained in the proposed Consent Order offered by the United States and the State, or whether you make no claim as to the water right(s) described in the proposed Consent Order. Provide the appropriate explanation below, and indicate what you have done to resolve your disagreement with the United States and the State, in the spaces provided below.)

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I (We) object to the description of the water right(s) described by the proposed Consent Order for Subfile Number ZRB-3-0018 because:

(explain) during the Consultation, no one assured us that the plaintiffs, the Zuni and Navajo Nations, would be good stewards of the water. No one at the meeting checked out excessive pumping of water on the Zuni reservation. The way the lawsuit is worded, the Zuni's & Navajos are claiming first rights to all the water in the Zuni River Basin

(Attach additional pages if necessary)

I (We) made a good faith effort to resolve my (our) disagreement with the Consent Order proposed by the United States and the State by:

(describe) meeting with officials in a Consultation on Tuesday, July 25, 2006, in Gallup at 9:45 am. We drove 120 miles round trip expecting answers and received none - To the pertinent questions

(Attach additional pages if necessary)

I (We) claim no right for the water right(s) described by the proposed Consent Order for Subfile Number ZRB-3-0018 because:

(explain)

(Attach additional pages if necessary)

I (We) understand that by making this claim and filing this document I (we) am (are) not waiving my (our) rights to later raise, in an Amended Answer, any jurisdictional or affirmative defenses I (we) may have.

(Instructions: Each named defendant, or the defendant's attorney, must sign and date this Answer. If multiple defendants are named and you have separate addresses or telephone numbers, please attach an additional page providing address information for each defendant. If you are signing on behalf of a named defendant, you must indicate the source of your legal authority to do so and provide both your address and the address of the named defendant.)

Signature(s) – RICHARD BROOKS & BEVERLY BROOKS:

Beverly Brooks / Richard Brooks

new mailing →
address HC 61 Box 1024
Ramah, NM 87321
(Address: Print Clearly)

505-775-3056
(Phone Number: Print Clearly)

IMPORTANT: If you have been served with a summons and copy of the complaint in this action, or if you waived service of process, you must file an answer in this subfile with United States District Court for the District of New Mexico by August 12, 2006. Any right you may have to use waters of the stream system may be adjudicated by default judgment in conformity with the Consent Order proposed by the United States and the State if you fail to file an answer by August 12, 2006. The court's address is 333 Lomas NW, Suite 270, Albuquerque, NM 87102. A copy of the answer filed with the district court must also be sent to counsel for the United States at the following address:

**BRADLEY S. BRIDGEWATER
U.S. Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294**