

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

UNITED STATES OF AMERICA)
)
 Plaintiff,)
) 01cv00072-BDB-ACE
 -v-)
) ZUNI RIVER BASIN
 STATE OF NEW MEXICO, *ex rel.* State)
 Engineer, A & R Productions, *et al.*,)
)
 Defendants.)
_____)

MOTION OF SPECIAL MASTER
FOR INTERIM FEES AND EXPENSES

TO: The Honorable John E. Conway FROM: Vickie L. Gabin
United States District Judge Special Master

A Motion requesting the Court to approve interim fees and expenses, a brief summary of the work performed, and the Special Master's Declaration in support of Motion

This Motion is submitted pursuant to the Administrative Order entered May 4, 2001 (Docket No. 54), regarding the manner in which the Special Master, law clerk, data manager and other personnel required by the Special Master are paid for services, costs, expenses and New Mexico gross receipts taxes related to this adjudication. The Special Master hereby moves for an order of the Court approving interim fees and expenses for work performed in this case from July 1, 2001 through December 31, 2001. Most of the fees and expenses have already been paid from the trust account.

I. WORK PERFORMED

Following the entry of an initial Scheduling Order March 30, 2001 (No. 31), as amended, I held a second status conference September 7 to assess the progress of the United States of America and the State of New Mexico, ex rel. State Engineer, in planning the adjudication of the water rights in the Zuni River Basin, and to review counsel of record's comments regarding the United States' and State's proposals. The United States and State reported that they continued to discuss their respective roles and responsibilities in conducting the adjudication, and I conducted legal research relating to adjudication strategies in New Mexico and in other western states. Pursuant to the Court's December 20, 2001 Order (No. 92), I scheduled a third status conference for February, 2002, and solicited another round of comments on the second round of proposed scheduling orders.

II. DECLARATION

DECLARATION OF SPECIAL MASTER IN SUPPORT OF MOTION

I, Vickie L. Gabin, declare that the work described above is the basis for my fee application, and that the work of Geta A. Gatterman, paralegal and administrative assistant has been performed satisfactorily. Hourly records of work performed are available from the contractor if needed.

Dated: February 22, 2002

_____/electronic signature/
SPECIAL MASTER VICKIE L. GABIN