



property to perform the hydrographic survey will be enhanced. Moreover, as the Tribe has previously commented, the court's jurisdiction over the defendants will provide a forum to address any issues or conflicts that may arise while the hydrographic survey is being developed, thus facilitating timely completion of the survey.

The Special Master reasons that dismissal of the individual defendants pending completion of the hydrographic survey will help clarify that this is a general adjudication and minimize concerns that the litigation will jeopardize land titles. However, the Special Master's recommendation that the State be realigned as a co-plaintiff, in conjunction with public meetings explaining the nature of this case, should help to allay community concerns over land titles and effect on property values resulting from this adjudication, even without dismissal of the defendants. Water users within the Zuni River basin are really in the same position as water users elsewhere in the state. Consistent with New Mexico's statutory scheme, the State Engineer has stated his intention to adjudicate all presently unadjudicated water sources within the State of New Mexico as resources permit over time. To date, nearly every adjudication in this state has been initiated with the participation of the individual defendants. It is not necessary to dismiss the existing defendants to clarify that this is a general adjudication and, indeed, to do so may hinder efficient determination of relative rights and priorities.

In all other respects, Zuni agrees with the Special Master's Report and Recommendations.

Respectfully submitted,

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