

I. WORK PERFORMED

A. General Case Management

The court's data manager and I were involved in ensuring that the CM/ECF system operated to adequately accommodate the sometimes extraordinary logistical requirements of this case.

The Court's data manager continues to build the Court's data base which will track all pleadings and will be used to produce a partial final decree for non-federal rights.

B. Federal and Indian Claims

Pursuant to the April 5, 2004, Procedural and Scheduling Order, as amended, the United States of America filed its water rights claims on behalf of the Zuni Indian Tribe on April 30; the Zuni Tribe's claims will be filed at the end of July. On November 27, I held an initial scheduling and procedural conference in the "member case," United States v. State of New Mexico, 07cv00681-BB, and set up the procedure for the adjudications of the Zuni Indian Tribe's claims. This phase will be conducted as an "expedited *inter se*," that is, all water rights claimants have the opportunity to participate in the proceedings; those who waive their right to participate will be bound by the court's decree.

Last year, it became clear that better case planning and coordination was necessary in order to make any progress on the adjudication of these claims. State, federal, and private resources were strained in attempting to meet all existing case management deadlines; while simple extensions of time were ineffective and served simply to prolong an ineffectual process. On July 14 I held the first Pueblo and Tribal claims priorities meeting for this case and other federal cases. Discussions between attorneys continued productively for the rest of the year, as reported in joint status reports.

C. Non-federal Claims

The adjudication of non-federal water rights claims is ongoing. The hydrographic survey reports have been completed, and all known non-Indian water rights claimants have been joined and served with consent order packets pursuant to scheduling and procedural orders. Hundreds of subfile orders have been reviewed and entered. Default proceedings for those individuals who fail to timely respond to proposed consent orders are on-going.

II. DECLARATION

DECLARATION OF SPECIAL MASTER IN SUPPORT OF MOTION

I, Vickie L. Gabin, declare that the work described above is the basis for this Motion, and that the work of Sara Ellen Heath, administrative assistant, and Karla Bruner/AquaTek, the Court's data manager, has been performed satisfactorily. Hourly records of work performed are available from the contractors if needed.

Dated: February 21, 2008

Vickie L. Gabin

SPECIAL MASTER VICKIE L. GABIN