

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

UNITED STATES OF AMERICA)	
and)	
STATE OF NEW MEXICO, ex rel. STATE)	
ENGINEER,)	
)	
Plaintiffs,)	
)	No. 01cv00072 BB
and)	
)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ADJUDICATION
)	
Plaintiffs in Intervention,)	
)	
v.)	
)	
A & R PRODUCTIONS, et al.)	
)	
Defendants.)	
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**MOTION TO VACATE SCHEDULING ORDER FOR FEDERAL WATER RIGHTS
CLAIMS**

The Plaintiff United States of America (“United States”), hereby requests the court to vacate the federal claims subproceeding deadlines in the April 4, 2005 *Procedural and Scheduling Order for Federal and Indian Water Rights Claims* (“Order”), (Doc. No. 323). The Order set the deadline for initiating the, “Cibola National Forest Subproceeding”, the "Federal Public Lands Subproceeding," and the "El Morro National Monument, El Malpais National Monument and El Malpais National Conservation Area Subproceeding”, by December 31, 2008.

The United States asserts its basis for this motion on the most recent *Joint Status Report Re: Inter-Case Scheduling*, (“Report”) (Doc No. 1420) filed on December 17, 2007. In which the United States, The State of New Mexico ex rel. State Engineer, the Zuni Indian Tribe, and the Navajo Nation all agreed that the Order should be vacated. Report at 3.

WHEREFORE, the United States respectfully move the Court to enter an order vacating the deadlines for these subproceedings until such time as the Court convenes a scheduling conference and establishes new deadlines.

Dated: February 22, 2008

Electronically Filed

/s/ David W. Gehlert

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