

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,	)	
	)	
and	)	No. 01cv0072 BB/WDS
ZUNI INDIAN TRIBE and NAVAJO NATION,	)	
Plaintiffs-in-Intervention	)	
	)	
	)	ZUNI RIVER BASIN
v.	)	ADJUDICATION
	)	
A & R PRODUCTIONS, et al.,	)	SUB-AREA 6
Defendants.	)	Subfiles ZRB-6-0001 & ZRB-6-0002

SUPPLEMENTAL PROCEDURAL AND SCHEDULING ORDER FOR THE  
ADJUDICATION OF CERTAIN WATER RIGHTS CLAIMS IN SUB-AREA 6 OF THE ZUNI  
RIVER STREAM SYSTEM

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This matter comes before the Special Master upon the April 17, 2008 *Motion for Entry of Supplemental Procedural and Scheduling Order* (Doc. No. 1731) filed by the Plaintiffs United States of America (“United States”) and New Mexico ex rel. State Engineer (“State”) (collectively “Movants”). Having considered the grounds asserted by the Movants, and in the interests of efficient management of this proceeding, the Special Master enters this Order pursuant to Fed.R.Civ.P. 16(b) to guide the course of the adjudication of water rights claims for surface and groundwater use in Subfiles ZRB-6-0001 and ZRB-6-0002 in Sub-Area 6 of the Zuni River stream system.

**I. SUBFILES ZRB-6-0001 AND ZRB-6-0002**

This Order governs the adjudication of Subfiles ZRB-6-0001 and ZRB-6-0002 in the Zuni River stream system, as described below:

A. Subfile ZRB-6-0001 consists of all water rights claims for surface and groundwater use on real property owned of record by defendants TONY ERIACHO JR. and LEO ERIACHO in Section 3 of Township 8 North, Range 17 West.

B. Subfile ZRB-6-0002 consists of all water rights claims for surface and groundwater use on real property owned of record by defendants SEFFERINO ERIACHO and LORETTA ERIACHO in Section 8 of Township 8 North, Range 17 West.

**II. INCORPORATION OF THE TERMS OF THE PROCEDURAL AND SCHEDULING ORDER FOR SUB-AREAS 1, 2, AND 3 (EXCLUDING RAMAH)**

Because the Hydrographic Survey has identified only two subfiles in private ownership in Sub-area 6, the Special Master finds that an abbreviated scheduling order will best serve the interests of a just, speedy, and inexpensive determination of these subfiles. The Movants assert that they have already agreed on the terms of Consent Orders to be offered to the defendants in Subfiles ZRB-6-0001 and ZRB-6-0002. Accordingly, the provisions of Paragraphs II.B through II.H, and Parts III and IV of the September 28, 2006 *Procedural and Scheduling Order for the Adjudication of Water Rights Claims in Sub-Areas 1, 2, and 3 (Excluding Ramah) of the Zuni River Stream System* (Doc. No. 838) are hereby incorporated herein and made

applicable to Subfiles ZRB-6-0001 and ZRB-6-0002.

IT IS SO ORDERED.

*Vickie L. Gabin*

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SPECIAL MASTER VICKIE L. GABIN