



## I. WORK PERFORMED

### A. General Case Management

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

Federal proprietary and Indian claims are controlled by scheduling orders which set forth the sequence by which those claims will be heard, *see*, Procedural and Scheduling Order for Federal and Indian Water Rights Claims, *see*, April 5, 2004, as amended (No. 323). The "member case" United States v. State of New Mexico, 07cv00681-BB, was filed for the adjudication of the Zuni Indian Tribe's claims in 2007. On January 3, 2008, I entered the Initial Scheduling and Planning Order for the Subproceeding (No. 151). The Preliminary Procedural and Scheduling Order for Subproceeding 2: The Adjudication of Navajo Indian Water Rights Claims, was entered May 21, 2008 (No. 1767).

### C. Non-federal Claims

The adjudication of non-federal water rights claims continues. 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. Hearings on contested subfiles have not yet been scheduled.

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 Karla Bruner/AquaTek, the Court's data manager, has been performed satisfactorily. Hourly records of work performed are available from the contractor if needed.

Dated: September 8, 2008

*Vickie L. Gabin*

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SPECIAL MASTER VICKIE L. GABIN