

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

**UNITED STATES OF AMERICA,
Plaintiff,**

v.

01cv00072 BDB-ACE

**STATE OF NEW MEXICO, *ex rel*
State Engineer, A & R Productions, *et al.*,
Defendants,**

ZUNI RIVER ADJUDICATION

**Order On Special Master's Report
re Geographic Scope of Adjudication**

THIS MATTER is a part of the general adjudication of all water rights in the Zuni River stream system. It comes before me on the May 9, 2003 United States' Motion for Action (Docket No. 199) regarding the March 13, 2003 Special Master's Report and Recommendations Regarding the Geographic Scope of the Adjudication (No. 183). Objections were filed regarding the language describing the area to be adjudicated. Having considered the Motion, the Report and the Objections, the pertinent parts of the record and the law and being otherwise fully advised in the premises:

I grant the United States' motion for action.

I adopt the Special Master's recommendations A - C as set forth and as modified below:

A. The adjudication boundaries lie within the surface water drainage basin as depicted on the map dated December 2002 attached to the January 6, 2003 United States' Identification of Zuni River Stream System Boundary (No. 156) and as described in the January 14, 2003 Supplemental Identification of Zuni River Stream System Boundary (No. 158). Special Master's Report at pp. 10-11. The groundwater diversions which lie within the surface boundaries shall be included in the adjudication. The groundwater considered shall be limited to that which lies within the surface boundaries, as though their lines were drawn vertically through the earth. The surface boundaries shall not overlap with those of any other adjudication. Conflicts which may arise between claimants in this and other

