

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

UNITED STATES OF AMERICA,	)	
and	)	
STATE OF NEW MEXICO, <i>ex rel.</i> STATE	)	
ENGINEER,	)	
	)	
Plaintiffs,	)	
	)	No. 01cv00072 BB-ACE
and	)	
	)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,	)	ADJUDICATION
	)	
Plaintiffs in Intervention,	)	Sub-Areas 9 & 10
	)	
v.	)	Subfiles ZRB-2-0108 & 2-0109
	)	
A&R PRODUCTIONS, et al.	)	
	)	
Defendants.	)	
_____	)	

**MOTION TO EXTEND CONSULTATION PERIOD AND ANSWER DATE**

The Plaintiff United States of America (“United States”) hereby moves the Special Master to allow additional time for consultations concerning Subfiles ZRB-2-0108 and ZRB-2-0109 by extending the Defendants’ deadline for filing a form Subfile Answer in said subfiles to September 29, 2006, and establishing July 31, 2006, as the date by which the Defendants, Jaralosa Cattle Company, LLC (Subfile ZRB-2-0108), and ORC, LLC, Hinkson Ranch Investors, LLC, R.D.S., Inc., Terrestrial Acquisitions, LLC, and JFT Investors, LLC (Subfile ZRB-2-0109), must serve the United States with Requests for Consultation setting forth the nature of their objections to the proposed Consent Orders, if they do not accept the Consent Orders proposed by Plaintiffs. In support of this motion, the United States asserts:

1. The United States sent service packets by mail to counsel for Defendants on May 23, 2006, after the Court entered an Order Granting Motion to Join Additional Parties Defendant, on April 18, 2006.

2. Counsel for Defendants has informed the United States that the Defendants' representative for purposes of this adjudication is out of the country until June 30, 2006. Accordingly, Defendants cannot review the proposed consent orders prepared by the United States until the month of July.

3. An extension of one month to the current deadlines would provide Defendants with the same amount of time to consult with the United States and file Subfile Answers, if necessary, as Defendants would have had if they were available during the month of June.

4. Counsel for Defendants and Counsel for the State of New Mexico ex rel. State Engineer concur in the requested extension.

Accordingly, the United States respectfully moves the Special Master to extend to September 29, 2006 the Defendants' deadline for filing form Subfile Answers in Subfiles ZRB-2-0108, and ZRB-2-0109, and to set July 31, 2006, as the deadline for Defendants to submit Request for Consultation forms.

DATED: May 31, 2006

Respectfully submitted,



BRADLEY S. BRIDGEWATER

U.S. Department of Justice  
1961 Stout Street – 8<sup>th</sup> Floor  
Denver, CO 80294  
(303) 844-1359

COUNSEL FOR THE UNITED STATES

**CERTIFICATE OF SERVICE**

I hereby certify that, on May 31, 2006, a copy of the foregoing *Motion To*

*Extend Consultation Period And Answer Date* was mailed to the following persons:

Special Master Vickie L. Gabin  
U.S. District Court  
District of New Mexico  
P.O. Box 2384  
Santa Fe, NM 87504-2384

Edward Bagley  
Office of the State Engineer, Legal Division  
P.O. Box 25102  
Santa Fe, NM 87504

James M. Noble  
Ryley Carlock & Applewhite  
1775 Sherman Street, 21st Floor  
Denver, CO 80203

  
\_\_\_\_\_