

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

UNITED STATES OF AMERICA)	
and)	07cv00681-MV/LFG
ZUNI INDIAN TRIBE)	
Plaintiffs,)	ZUNI RIVER BASIN
)	ADJUDICATION
-v-)	
)	
STATE OF NEW MEXICO, ex rel. State)	Subproceeding 1
ENGINEER, et al.)	Zuni Indian Claims
Defendants)	
_____)	

**JOINT MOTION TO AMEND SCHEDULING ORDER
FOR SUBPROCEEDING 1**

The State of New Mexico *ex rel.* State Engineer (“State”) and the United States of America (“United States”), with the consent of the Zuni Indian Tribe and the Navajo Nation, move the Court to enter an order amending the August 14, 2012 *Order Granting Joint Motion to Amend Scheduling Order* (No. 323) governing discovery and trial in this subproceeding.

1. The State and the United States respectfully request that the deadlines set out in that order be amended as set out below in order to allow additional time for the State’s Rule 26(a)(2) disclosures, specifically: a) to extend by approximately one month the time for the State’s disclosures regarding its expert historian and hydrographic survey experts’ supplemental reports; and b) to extend by approximately six months the time for the State’s disclosures regarding its rebuttal expert report on historically irrigated acreage and crop consumptive irrigation requirements. In addition, the movants propose to extend the time for rebuttal reports

to the State's expert historical report by one month. No other changes are proposed, and no changes are proposed to the existing scheduling order for Subproceeding 2 concerning claims of the Navajo Nation. The proposed revised schedule changes are:

Activity	Previous Activity Date	Amended Date
PPPW Rebuttal/Supplemental Reports by non-US/Zuni parties and State's Rule 26(a)(2) expert historical report	April 5, 2013	May 10, 2013
State's Rebuttal Report on historically irrigated acreage and crop consumptive irrigation requirements	April 5, 2013	October 11, 2013
Rebuttal reports to State's expert historical report	October 5, 2013	November 8, 2013

2. The State's expert historian has just completed another report for the State, disclosed March 14, 2013, in the Rio Jemez adjudication, and the additional time is necessary to allow him to complete his report in this case. The State's hydrographic survey expert has also been extremely busy on other cases, and the additional time is necessary for completion of his report, as well. Finally, the State's water use expert has been heavily engaged in matters relating to the Texas v. New Mexico lawsuit recently filed regarding the lower Rio Grande, and the additional six months is needed to allow him to begin and complete what will be a complex rebuttal report.

3. The Zuni Indian Tribe and the Navajo Nation do not oppose this motion. The State has contacted other counsel in this subproceeding to request concurrence, and no notice of expected opposition to this motion has been received.

WHEREFORE, the undersigned movants request that the Court adopt the above proposed amendments to the existing Scheduling Order to govern the discovery, other pretrial, and trial activities of this subproceeding.

Electronically Filed

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 29, 2012, I filed the foregoing electronically through the CM/ECF system, which caused the parties or counsel reflected on the Notice of Electronic Filing to be served by electronic means.

/s/ Arianne Singer_____