

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
	)	
and	)	
	)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,	)	ADJUDICATION
	)	
Plaintiffs in Intervention,	)	
	)	SUB-AREA 6
v.	)	
	)	Subfiles ZRB-6-0001 &
A&R PRODUCTIONS, et al.	)	ZRB-6-0002
	)	
Defendants.	)	
_____	)	

**Before Special Master Vickie L. Gabin**

**MOTION FOR ENTRY OF SUPPLEMENTAL PROCEDURAL AND SCHEDULING  
ORDER**

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The Plaintiffs United States of America (“United States”) and State of New Mexico *ex rel.* State Engineer (“State”) hereby move the Special Master to approve and enter the *Supplemental Procedural And Scheduling Order For The Adjudication Of Certain Water Rights Claims In Sub-Area 6 Of The Zuni River Stream System* submitted herewith. In support of this motion, Plaintiffs assert:

1. The Hydrographic Survey has identified two, and only two, tracts within the boundaries of Sub-area 6 that are in private ownership and have surveyed water uses. One of these tracts, located in Section 3 of Township 8 North, Range 17 West, is owned of record by

defendants TONY ERIACHO JR. and LEO ERIACHO, and has been assigned Subfile Number ZRB-6-0001. The other tract, located in Section 8 of Township 8 North, Range 17 West, is owned of record by defendants SEFFERINO ERIACHO and LORETTA ERIACHO, and has been assigned Subfile Number ZRB-6-0002.

2. Plaintiffs have already agreed on the terms of Consent Orders to be offered to the defendants in Subfiles ZRB-6-0001 and ZRB-6-0002.

3. There will be no prejudice to any party if 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), concerning service of Consent Order packets and defendants' obligations to respond to same, are made applicable to Subfiles ZRB-6-0001 and ZRB-6-0002. Extending the application of these provisions of the September 28, 2006 order to Subfiles ZRB-6-0001 and ZRB-6-0002 will obviate the need for entry of a separate, and largely duplicative, procedural and scheduling order to govern these two subfiles.

WHEREFORE Plaintiffs respectfully move the Special Master to approve and enter the supplemental procedural and scheduling order submitted herewith.

DATED: April 17, 2008

Electronically Filed

/s/Bradley S. Bridgewater

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COUNSEL FOR THE UNITED STATES

(approved 4/17/08)  
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EX REL. STATE ENGINEER

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on April 17, 2008, I filed the foregoing *Motion For Entry Of Supplemental Procedural And Scheduling Order* electronically through the CM/ECF system, which caused CM/ECF Participants to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

\_\_\_\_\_/s/\_\_\_\_\_  
Bradley S. Bridgewater