

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

UNITED STATES OF AMERICA and
STATE OF NEW MEXICO, *ex rel.* STATE ENGINEER,

Plaintiffs,

and

01cv72 BB/LFG

ZUNI INDIAN TRIBE, NAVAJO NATION,

Zuni River Basin Adjudication

Plaintiffs in Intervention

v.

A & R PRODUCTIONS, *et al.*

Defendants.

NOTICE

THIS MATTER comes before the Court on the State of New Mexico and the United States' Notice of Search Committee's Recommendation of Special Master Candidates (Doc. No. 2778, filed April 16, 2012).

When Special Master Vickie Gabin notified the Court that she would be resigning her position in this case, the Court referred all matters to the Honorable Lorenzo F. Garcia, United States Magistrate Judge, and allowed any party to suggest candidates for the Special Master position. (*See* Order, Doc. No. 2677, filed June 8, 2011). On April 16, 2012, the State of New Mexico and the United States recommended two candidates for the Special Master position. (*See* Doc. No. 2778). No other party recommended candidates. The Court finds that with the referral of all matters in this case to the Honorable Lorenzo F. Garcia, the services of a Special Master are no longer necessary. The Court will not appoint a new Special Master at this time. *See* Fed. R. Civ. P. 53(a)(3) (cost to the parties is one factor the Court must consider when deciding whether to appoint a Special Master). Counsel for the State of New Mexico and the United States do not oppose the Court's decision to not appoint a new Special Master.



BRUCE D. BLACK
CHIEF UNITED STATES DISTRICT JUDGE