IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, for Itself and	
as Trustee for the Zuni Indian Tribe, Navajo Nation	.)
and Ramah Band of Navajos, and)
and)
STATE OF NEW MEXICO, ex rel. State)
ENGINEER,)
Plaintiffs,)
)
and) 01cv00072-BB-ACE
ZUNI INDIAN TRIBE, NAVAJO NATION,)
Plaintiffs-in-Intervention,) ZUNI RIVER BASIN
) ADJUDICATION
-V-)
)
STATE OF NEW MEXICO, COMMISSIONER)
OF PUBLIC LANDS and A & R PRODUCTIONS,	,)
et al.)
)
Defendants.)
	_)

MOTION OF SPECIAL MASTER FOR INTERIM FEES AND EXPENSES

TO: The Honorable Bruce D. Black FROM: Vickie L. Gabin United States District Judge Special Master

A Motion requesting the Court to approve interim fees and expenses, a brief summary of the work performed, and the Special Master's Declaration in support of Motion

This Motion is submitted pursuant to the Administrative Order entered May 4, 2001 (Docket No. 54), regarding the manner in which the Special Master, data manager and other personnel required by the Special Master are paid for services, costs, expenses and New Mexico gross receipts taxes related to this adjudication. The Special Master hereby moves for an order of the Court approving the work performed in this case from July 1, 2005, through December 31, 2005, as described herein, and the manner by which fees and expenses have been paid from the trust account.

I. WORK PERFORMED

A. General Case Management

The Court's data manager continues to build the Court's data base which will track all pleadings and will be used to produce a partial final decree for non-federal rights.

B. Federal and Indian Claims

Pursuant to the April 5, 2004, Procedural and Scheduling Order, the preparation of the United States' water rights claims on behalf of the Zuni Indian Tribe continues.

C. Non-federal Claims

The adjudication of non-federal water rights claims is active, and a handful of signed consent order have been approved and filed. I determined various motions, held a hearing on an order to show cause relating to the plaintiffs' offer of judgment for domestic wells, and held status conferences in July and November to monitor the progress of the hydrographic survey and to meet with the individual claimants. December 14, 2005, I entered the Procedural and Scheduling Order for the Adjudication of Water Rights Claims in Sub-areas 9 and 10 of the Zuni River Stream System. The Order describes the two sub-areas, provides for joinder of water rights claimants, and generally guides the process by which consent orders are served on the claimants and claimants respond.

II. DECLARATION

DECLARATION OF SPECIAL MASTER IN SUPPORT OF MOTION

I, Vickie L. Gabin, declare that the work described above is the basis for this Motion, and that the work of Geta A. Gatterman, paralegal and administrative assistant, and Karla McCall/ AquaTek,

the data manager, has been performed satisfactorily.	Hourly records of work performed are available
from the contractors if needed.	
Dated: February 6, 2006	/electronic signature/ SPECIAL MASTER VICKIE L. GABIN