

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 4 & 8
)	
v.)	Subfiles Listed on Exhibit A
)	
A&R PRODUCTIONS, et al.)	
)	
Defendants.)	
_____)	

MOTION TO EXTEND CONSULTATION PERIOD AND ANSWER DATE

The United States of America (“United States”) hereby moves the Special Master to allow additional time for consultations with the defendants in the subfiles listed on Exhibit A hereto by extending the listed defendants’ deadline for filing a form Subfile *Answer* to May 12, 2006. In support of this motion, the United States asserts:

1. Paragraphs III.B.2, III.C.2, and III.C.3 of the *Amended Procedural and Scheduling Order for the Adjudication of Water Rights Claims in Sub-Areas 4 and 8 of the Zuni River Stream System* (“Amended Procedural and Scheduling Order”) (Doc. No. 387) established January 10, 2006 as the date by which defendants in all subfiles in Sub-areas 4 and 8 must either sign and return consent orders proposed by the Plaintiffs United States and the State of New Mexico *ex rel.* State Engineer (“State”), or file a form answer with the Court. That deadline was

previously extended for certain subfiles by orders entered by the Special Master on December 19, 2005 [Doc. No. 442], December 20, 2005 [Doc. No. 444], December 21, 2005 [Doc. No. 446], January 9, 2006 [Doc. No. 462], and February 24, 2006 [Doc. No. 491].

2. Defendants in the subfiles listed on Attachment A have all waived service of process and returned *Request for Consultation* forms or signed Consent Orders.

3. Defendants in the following subfiles have requested consultation, but counsel for the United States and the State have been unable to schedule consultations convenient for the Defendants:

Subfile No.	Defendant(s)
ZRB-1-0020	Barbara and Michael Normandin
ZRB-1-0035	Louis W. & Wilhelmina M. Gross
ZRB-1-0053	Dale Kuehnert & Peter Higgins
ZRB-1-0054	Lewis S. & Karen L. Ligon
ZRB-1-0058	Richard D. Mallery
ZRB-1-0062	George and MaryAnn McBeath
ZRB-1-0077	Colin E. & Johanne F. O'Neill, & Gregory C. Frank
ZRB-1-0079	Jonathan L. & Pamela L. Pickens
ZRB-1-0094	Janet L. Patterson & Peter J. McKenna
ZRB-1-0099	George and Martha Strauss
ZRB-1-0115	Meech-Cash, LLS
ZRB-1-0010	Ross H. Simmie Boehm
ZRB-1-0092	Theodore B. & Dorothy Schnaidt

The United States and State are attempting to schedule additional consultation sessions in the first week of April and the first week of May of this year and will contact these defendants to arrange in-person or telephonic consultations during those sessions.

4. Defendants in the following subfiles have already consulted with the United States and the State and such consultations have resulted in agreement on additional tasks to be performed by one or more parties in anticipation of additional negotiations:

Subfile No.	Defendant(s)
ZRB-1-0075	New Mexico State Land Office
ZRB-1-0135	Westley R. Logan
ZRB-1-0030	Kyle Casford, Sharon J. Dishongh & Dana Binnion
ZRB-1-0087	Estate of Catherine Reinschmidt ¹

5. The defendants in Subfiles ZRB-1-0055 and ZRB-1-0112, and counsel for the United States, have signed modified Consent Orders which have been transmitted for review and signature by counsel for the State.

6. Counsel for the United States discussed the terms of this motion with counsel for the State, Mr. Edward Bagley, who concurred in the extension of time sought herein.

Accordingly, the United States respectfully moves the Special Master to extend to May 12, 2006 the defendants' deadline for filing a form subfile *Answer* in the subfiles listed on Exhibit A.

DATED: March 7, 2006

¹ On February 24, 2006, the Special Master granted a joint motion by the United States and the defendant in Subfile ZRB-1-0087 to extend the answer date in that subfile to April 10, 2006. The United States now moves the Special Master to include that subfile in the currently-requested extension in order to minimize the diversity of deadlines.
Motion To Extend Consultation Period And Answer Date, Page 3

Respectfully submitted,



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COUNSEL FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I hereby certify that, on March 7, 2006, a copy of the forgoing *Motion To Extend Consultation Period And Answer Date* was mailed to the following distribution, which includes the affected defendants or their counsel of record.



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EXHIBIT A

ZRB-1-0010	Ross H. & Simmie Boehm
ZRB-1-0020	Barbara and Michael Normandin
ZRB-1-0030	Kyle Casford, Sharon J. Dishongh & Dana Binnion
ZRB-1-0035	Louis W. & Wilhelmina M. Gross
ZRB-1-0053	Dale Kuehnert & Peter Higgins
ZRB-1-0054	Lewis S. & Karen L. Ligon
ZRB-1-0055	Bruce Lowney
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ZRB-1-0099	George and Martha Strauss
ZRB-1-0112	Zuni Mountain Sanctuary
ZRB-1-0115	Meech-Cash, LLC
ZRB-1-0135	Westley R. Logan