



candidates and to submit a proposed order of reference to the Court.”

Counsel for the State and the United States developed an advertisement for the position of Special Master which was sent to counsel of record in the Cases for review. The ad was placed with the New Mexico Bar Bulletin, and was published in its December 28, 2011, January 4, 2012 and January 12, 2012 editions. A copy of the ad is attached as Exhibit A. Thirteen applications for the position were received. Counsel for the State and the United States reviewed the applications and attached writing samples, and identified eight candidates for face-to-face interviews.

Counsel of record in the Cases were notified of the identification of candidates and the dates and times of the schedule of interviews. Mary Humphrey and Connie Ode, as counsel for the Truchas Acequias in the Santa Cruz & Truchas adjudication and for various acequias in the Chama adjudication; Susan Kery, as counsel for the Acequias Nortenas in the Chama adjudication; and Jane Marx, counsel for the Zuni Indian Tribe, joined counsel for the State and the United States in conducting interviews of the eight candidates during late February and early March. Fred Vigil, of the Rio Chama Acequia Association, also participated telephonically in the interview of one of the candidates.

Counsel who had participated in the interviews met again by telephone on March 20, 2011 to discuss the candidates, and agreed to unanimously recommend the Honorable Michael C. Nelson (retired), of Phoenix, Arizona, and Sue Anne Herrmann, of Santa Fe, New Mexico, to the Court as candidates for the position of Special Master in the Cases. Resumes for the candidates and writing samples will be provided to the Court along with an affidavit disclosing whether there are any grounds for disqualification under 28 U.S.C. 455 as required by Rule 53(a)(2).

The committee all agree that either of these two candidates could serve as Special Master

in any or all of the Cases. Counsel for the State respectfully suggest that the Court appoint two Special Masters, one to serve on the Zuni adjudication and its member case, and one to serve on the other two cases. Counsel for the United States respectfully suggests that the Court appoint one candidate to be Special Master for all three cases. All counsel in the committee recommend, however, that the Special Master be appointed to serve over both Indian and non-Indian claims in whichever adjudication or adjudications to which he or she may be assigned.

A proposed *Order of Reference* is attached hereto as Exhibit B.

Respectfully submitted,

/s/ Arianne Singer  
Arianne Singer  
Edward C. Bagley  
Special Assistant Attorneys General  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 827-6150  
*Attorneys for State of New Mexico*

(approved electronically)  
BRADLEY S. BRIDGEWATER  
U.S. Department of Justice  
South Terrace, Suite 370  
999 18th St.  
Denver, CO 80202  
(303) 844-1359  
COUNSEL FOR THE UNITED STATES

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 16<sup>th</sup> day of April, 2012 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

/s/ Arianne Singer