

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,)	
)	
v.)	
)	
A&R PRODUCTIONS, et al.)	
)	
Defendants.)	
_____)	

JOINT STATUS REPORT RE: INTER-CASE SCHEDULING

Pursuant to the Special Master’s July 16, 2007 *Order Setting Deadlines for Proposed Case Priorities Order* (Doc. No. 2550)(“Special Master’s July 16, 2007 Order”), the United States of America (“United States”) and the State of New Mexico ex rel. State Engineer (“State”) hereby report on their efforts to formulate a proposed order concerning inter-case scheduling, and propose an amendment to the schedule established by the Special Master’s July 16, 2007 Order.

1. Counsel for the United States and the State have exchanged detailed proposals concerning the scheduling of litigation tasks, focused primarily on the adjudication of Indian water rights claims in the present case, and in New Mexico ex rel. State Engineer v. Aragon, No. 69cv07941-BB (D.N.M.) (Rio Chama Adjudication), and New Mexico ex rel. State

Engineer v. Abbott, Nos. 68cv7488-BB & 70cv8650-BB (D.N.M.) (Rios Santa Cruz/Truchas Adjudication), but also with due regard to competing resource demands from the adjudication of Non-Indian claims in those cases, and in New Mexico ex rel. State Engineer v. United States, No. CV 75-184 (11th D.N.M.) (San Juan River Adjudication), New Mexico ex rel. State Engineer v. Aamodt, No. 66cv06639 (D.N.M.) (Rio Pojoaque Adjudication), and New Mexico ex rel. State Engineer v. Abeyta, Nos. 69cv07896-BB & 69cv07939-BB consolidated (D.N.M.)(Taos Adjudication), and from the on-going adjudication of Indian water rights claims in the San Juan River Adjudication and in New Mexico ex rel. State Engineer v. Kerr-McGee Corp., No. CB-83-190-CV & CB-83-220-CV consolidated (13th D.N.M) (Rio San José adjudication).

2. The proposals developed by the United States and by the State reflect widely different interests, responsibilities, and conceptual approaches to inter-case schedule management, and counsel for these parties have not yet agreed on a single joint proposal. Nonetheless, counsel for the United States and the State believe there is significant common ground in the two proposals. Given the diverse and complex relationships that the United States and the State have with other parties to the affected cases, the undersigned counsel now believe meetings with counsel for the other parties are a necessary next step toward development of a common proposal.

3. Counsel for the United States and the State are today circulating summations of their differing proposals to the other parties represented at the July 11, 2007 multi-case status and scheduling working session. However, in lieu of the September 7, 2007 comment deadline established by the Special Master's July 16, 2007 Order, the United States and the State request that the interested parties meet on September 5, 2007 at the Office of the State

Engineer Litigation and Adjudication Program , 130 S. Capitol Ave., in Santa Fe, NM. The United States and the State propose to meet separately with Tribal representatives from 10:00am to 12:00am, with Non-Indian representatives from 1:30pm to 3:30pm, and with representatives of all parties beginning at 3:30pm. Parties not able to attend are requested to communicate their concerns and suggestions to counsel for the United States or the State by email no later than the close of business on September 4, 2007.

4. Counsel for the United States and the State intend to submit a further status report on or before September 28, 2007, to include recommendations for further proceedings.

Respectfully submitted: August 16, 2007

Electronically Filed

/s/ Bradley S. Bridgewater

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_____ (approved via telephone 8/17/2007)

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EX REL. STATE ENGINEER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on August 17, 2007, I filed the foregoing *Joint Status Report Re: Inter-Case Scheduling* electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

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