

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.)	
_____)	

**PLAINTIFFS' JOINT STATUS REPORT CONCERNING ADJUDICATION OF WATER
RIGHTS OF DEFENDANTS IN DEFAULT**

COME NOW the Plaintiffs United States of America (“United States”) and State of New Mexico ex rel. State Engineer (“State”) and respond to the portion of the Special Master’s October 6, 2006 *Minute Order for Further Proceedings* (Doc. No. 843) requiring Plaintiffs to “submit to the Special Master proposals for adjudicating the water rights claims of defendants who may be in default pursuant to existing procedural orders” as follows:

1. As of the completion of mailing of required service packets for the Ramah Sub-area, there will be in excess of 750 subfiles in the present action. One hundred eighty two of these subfiles have been concluded, insofar as Plaintiffs are concerned, by entry of consent

orders. However, the vast majority of the subfiles will require continuing efforts by counsel for Plaintiffs in the consultation process or through active litigation.

2. Counsel for both Plaintiffs have made an earnest effort to assess realistically the resources necessary to proceed with this case under existing deadlines established by the Special Master and the Court. On-going efforts to meet pending deadlines with respect to the Ramah Sub-area and the Zuni Indian Tribe Claims Subproceeding, and to schedule consultations with the many defendants who have submitted Requests for Consultation, are fully occupying the attorney and staff resources available for this case. At the present time, it is not possible to move forward against those defendants who are in default under existing procedural orders without diverting resources necessary to respond appropriately to those defendants who have complied with the procedural orders.

3. Counsel for Plaintiffs believe it may be possible to begin proceedings against defendants in default by June 15, 2007.

Accordingly, Plaintiffs propose that, on or before June 15, 2007, they shall either initiate proceedings pursuant to Fed.R.Civ.P. 55, or submit a status report concerning their efforts to initiate such proceedings.

Dated: January 31, 2007

Electronically Filed

/s/ Bradley S. Bridgewater

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on January 31, 2007, I filed the foregoing *Plaintiffs' Joint Status Report Concerning Adjudication Of Water Rights Of Defendants In Default* 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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AND I FURTHER CERTIFY that on such date I served the foregoing on the following non-CM/ECF Participants via first class mail, postage prepaid, addressed as follows:

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