

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
and)	
ZUNI INDIAN TRIBE,)	07cv00681-MV/WPL
Plaintiffs,)	
)	ZUNI RIVER BASIN
v.)	ADJUDICATION
)	
STATE OF NEW MEXICO, ex rel.)	Subproceeding 1:
STATE ENGINEER, et al.,)	Zuni Indian Claims
)	
Defendants.)	
_____)	

JOINT STATUS REPORT CONCERNING STATUS OF NEGOTIATIONS

The State of New Mexico *ex rel.* State Engineer (“State”), the United States of America (“United States”), the Zuni Indian Tribe (“Zuni”), and the Navajo Nation (“Navajo”) (collectively, the “Parties”), through undersigned counsel, jointly submit this Status Report to the Court pursuant to its December 10, 2013 *Order Vacating Scheduling Orders and Directing Submission of Status Report* [Doc. 333] and its June 18, 2014 *Order Directing Submission of Status Report* [Doc. 337].

1. Counsel for the State, the United States, Zuni, and Navajo completed and executed a *Negotiation Process and Confidentiality Agreement For Settlement Discussions Concerning the Zuni River Cases in New Mexico*, dated July 22, 2014, to guide the settlement negotiation process.

2. The negotiation technical subcommittee continued to exchange information during the past six months but did not formally meet. Instead, the State’s and Zuni’s technical subcommittee representatives spent a great amount of time analyzing a model, participating in depositions, and developing technical reports pertaining to a state administrative proceeding involving a groundwater application filed by the City of Gallup. The Parties anticipate that much of the

technical work associated with the Gallup proceeding will be relevant to settlement efforts in this subproceeding.

3. Zuni is working on a settlement proposal it anticipates presenting to the other Parties.

4. The Parties jointly agree more time is necessary to determine whether these negotiations will prove fruitful. Therefore, the Parties propose to continue settlement discussions and related technical work for an additional six months and to provide the Court with a Status Report on the progress of negotiations six months from the date of filing this Status Report.

Respectfully submitted:

_____/s/_____
Bradley S. Bridgewater
U.S. Department of Justice
Suite 370, South Terrace
999 18th Street
Denver, CO 80202
Phone: (303) 844-1359
Attorney for the United States

APPROVED: 12/15/2014
Jane Marx
Jane Marx, Attorney at Law, P.C.
2825 Candelaria Rd. NW
Albuquerque, NM 87107
Phone: (505) 344-1176
Attorney for Zuni Indian Tribe

APPROVED: 12/15/2014
Arianne Singer
John E. Stroud
Special Assistant Attorneys General
Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
Phone: (505) 827-3866
Attorneys for the State of New Mexico

APPROVED: 12/15/2014

Stanley M. Pollack

Assistant Attorney General

Navajo Nation Department of Justice

P.O. Box 2010

Window Rock, AZ 86515

Phone: (928) 871-7510

Attorney for the Navajo Nation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on December 15, 2014, I filed the foregoing Joint Status Report Concerning Status of Negotiations electronically through the CM/ECF system, which caused CM/ECF Participants to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

_____/s/_____
Bradley S. Bridgewater