

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

UNITED STATES OF AMERICA,)	
and)	
ZUNI INDIAN TRIBE,)	07cv00681-MV/JHR
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 PROGRESS 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 the June 21, 2017 *Order Directing Submission of Status Report* [Doc. 347].

1. Since the Parties’ June 18, 2019 status report [Doc. 354], the Parties, through cooperative efforts by each Party's staff and/or technical consultants, have continued to develop a hydrologic model capable of assessing impacts of historical and proposed water uses to assist settlement discussions and, ultimately, administrative initiatives. Technical consultants for the Zuni Tribe and the Navajo Nation confer almost weekly about the model development, and they seek input from the other technical representatives on an ongoing basis.

On September 19, 2019, the Parties' modeling subgroup met with the larger technical working group, including attorneys, to provide an update on the status of the model's development. The modeling subgroup reported they were comfortable with the calibrated

steady-state model. The Parties discussed compilation of historical water use data necessary to transition the steady-state model into a transient model. Each of the Parties is tasked with gathering the relevant data, and the modeling subgroup continues to work on the model conversion. The Tribes are also engaged in refining their analyses of anticipated water uses that will be used for the transient model. The larger technical working group is scheduled to meet again on January 16, 2020 to receive an update on the status of the modeling subgroup's efforts to convert the steady-date model into a predictive transient model.

2. On June 10, 2019, representatives of the Zuni Tribe met with representatives of the Navajo Nation and the Zuni River Basin federal negotiation team to discuss the Navajo Nation's preliminary settlement proposal concepts, and the Navajo Nation has met with the United States on several occasions since that time. The Zuni Tribe and Navajo Nation are scheduled to meet on December 20, 2019 to receive an update from the Navajo Nation on its settlement goals. In addition, Zuni initiated communications with the State of New Mexico, and the governments intend to meet in February 2020 to discuss Zuni's settlement proposal and move forward with negotiation efforts.

3. The Parties jointly agree further work by the technical working group is needed and that more time is necessary to determine whether negotiation efforts will prove fruitful. Therefore, the Parties intend 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 no later than June 20, 2020, pursuant to the Court's *Order Directing Submission of Status Report* [Doc. 347].

Respectfully submitted:

_____/s/_____
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on December 19, 2019, I filed the foregoing *Joint Status Report Concerning Progress 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/_____
Jane Marx