

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

UNITED STATES OF AMERICA,)	
and)	
ZUNI INDIAN TRIBE,)	07cv00681-DHU/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’ December 20, 2021 status report [Doc. 363], the Parties, through the efforts of each Party’s staff and/or technical consultants, have continued to collaborate in developing a hydrologic model capable of assessing impacts of historical and proposed water uses to assist settlement discussions and, ultimately, to be used for water use administration. Technical consultants for the Zuni Tribe and the Navajo Nation confer regularly concerning the model development and seek input from the other technical representatives on an ongoing basis.

The Parties’ modeling subgroup met with the larger technical working group, including attorneys, on April 1, 2022 to provide an update on the status of efforts to develop and refine a transient model capable of predicting effects from various future well pumping scenarios. The

modeling subgroup continues to work on several key concerns relating to how the model is functioning and on June 21, 2022, will brief the larger technical working group on their progress.

2. In addition, Zuni, the State of New Mexico and the United States have been meeting bi-weekly and have made significant progress toward settlement of Zuni's water rights claims in this subproceeding. The negotiating parties are hopeful they will have a settlement agreement finalized within the next several months. Zuni's attorneys met on several occasions with counsel and staff for the Navajo Nation to provide updates and have also met with the attorney for Ramah Land and Irrigation Company.

3. The Parties jointly agree further work by the technical working group is needed and that additional time is necessary to reach a negotiated resolution of Zuni's litigation claims. 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 December 20, 2022, 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 June 17, 2022, 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