

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

UNITED STATES OF AMERICA)	
and)	
NAVAJO NATION,)	No. 12cv1298 MV/JHR
Plaintiffs,)	
)	ZUNI RIVER BASIN
v.)	ADJUDICATION
)	
STATE OF NEW MEXICO, <i>ex rel.</i> STATE)	Subproceeding 2
ENGINEER, <i>et al.</i>)	Navajo Indian Claims
Defendants.)	

JOINT STATUS REPORT

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 30, 2015 *Order for Periodic Status Reports* [Doc. 375].

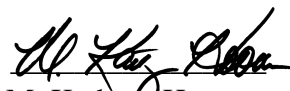
The Parties are engaged in a cooperative effort to develop factual information necessary to provide the foundation for a settlement. Since the Parties’ November 30, 2017 status report [Doc. 415], the technical working group, consisting of technical staff representing each of the Parties, has continued to meet and confer regarding the development of a hydrologic model capable of assessing impacts of proposed water uses to provide information to the Parties in settlement discussions. There were no meetings or teleconferences between the members of the technical working group during the last six months. However, the technical staff for the Navajo Nation and Zuni Tribe are tasked with constructing the model and confer weekly on the model development.

The Parties had anticipated beginning the steady state model calibration process by the end of 2017, but there were issues with the convergence of the model. While failure to converge is not uncommon, the high level of complexity in this model results in a particularly difficult convergence problem. In response, the modeling team decided to reduce the complexity of the model. The model team identified several ways to reduce the complexity and these changes are in the process of being implemented.

Once model convergence is achieved, the next step is calibration. Existing data has already been collected from wells within the model domain and all data has been imported into the model. The final step in this process is to run scenarios to determine if there is impairment. At this step, the model will be available to all parties, and an as yet undetermined number of scenarios will be run to bound the problem with best and worst-case scenarios.

On May 18, 2018, counsel for the Navajo Nation, the Zuni Tribe and the United States met to discuss settlement concepts. Discussions included the development and proposed uses of the hydrologic model, including identifying buffer zones and areas where the tribes can develop in the future without negatively impacting each other. The Navajo Nation, the Zuni Tribe, and the United States will meet in August 2018 to continue preliminary settlement discussions.

Respectfully submitted:



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of May, 2018, I filed the foregoing *Joint Status Report* 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.

AND I FURTHER CERTIFY that a copy of the foregoing was mailed to the persons listed below who are not CM/ECF Participants.

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