

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

UNITED STATES OF AMERICA
and
NAVAJO NATION,
Plaintiffs,

v.

STATE OF NEW MEXICO, *ex rel.* STATE
ENGINEER, *et al.*
Defendants.

No. 12cv1298 DHU/JHR

ZUNI RIVER BASIN
ADJUDICATION

Subproceeding 2
Navajo Indian Claims

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].

Technical Work in Support of Settlement Negotiations. The Parties are engaged in a cooperative effort to develop factual information necessary to provide the foundation for a settlement. Since the Parties’ June 2, 2022 status report [Doc. 463], the Zuni River Basin Technical Committee (“Technical Committee”), 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. Since the last report, the Technical Committee held meetings on June 21, 2022 and September 22, 2022 to discuss the status of the model and action items.

Settlement Discussions. The Navajo Nation is continuing its work on developing a Draft Settlement Proposal and has met with Counsel for the Zuni Tribe on several occasions since the June Status Report. The Parties jointly agree that further work by the Technical Committee and the

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Settlement Teams is needed and that further time is necessary to determine whether a negotiated resolution of Subproceeding 2 is feasible. The Parties respectfully request the Court to hold all litigation deadlines in Subproceeding 2 in abeyance so that the Parties may continue their settlement negotiations and related efforts.

Respectfully submitted:

/s/ Bradley S. Bridgewater

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APPROVED: 12/1/2022

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on December 1, 2022, 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, on December 2, 2022, a copy of the foregoing will be mailed to the persons listed on the Manual Notice List for this matter who are not CM/ECF Participants.

/s/Amber Engelkes
Amber Engelkes, Paralegal