

**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 MV/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’ December 1, 2022 status report, the Zuni River Basin Modeling Subgroup, consisting of representatives from 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.

Settlement Discussions. The Navajo Nation is continuing its work on developing a Draft Settlement Proposal and will continue to meet with Counsel for the Zuni Tribe and the State of New Mexico. The Parties jointly agree that further work by the Technical Committee and the 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:

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on June 16, 2023, 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 on the Manual Notice List for this matter who are not CM/ECF Participants.

/s/ G. Michelle Brown-Yazzie
G. Michelle Brown-Yazzie