

**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

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. 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 developing a Draft Settlement Proposal and has met with Counsel for the Zuni Tribe and the State of New Mexico. The Parties jointly agree that further work in pursuit of settlement 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 December 1, 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