

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

UNITED STATES OF AMERICA,	)	
and	)	
ZUNI INDIAN TRIBE,	)	07cv00681-MV/WPL
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 its December 10, 2013 *Order Vacating Scheduling Orders and Directing Submission of Status Report* [Doc. 333], and the Parties’ *Joint Status Report Concerning Progress of Negotiations* [Doc. 345].

1. Since the Parties’ December 19, 2016 status report [Doc. 345], the negotiation technical committee met on January 19, 2017 and February 17, 2017, to continue information exchanges and discussions relevant to development of a model to assist settlement and administrative initiatives. The meetings included participation by counsel and technical staff for all Parties and consultants separately retained by the Zuni Tribe, the Navajo Nation, and the United States. The technical committee discussed conceptual issues related to model

development as well as technical details. In an effort to streamline the model development process, the Parties decided at the February meeting to continue with regular meetings of a technical subgroup of modelers, convening the larger group at decision points. The subgroup met in April, and members have conferred, as needed, while work progresses. Another subgroup meeting is in the process of being scheduled for the near future. Model development continues to progress, and the Parties intend to have a complete and fully calibrated steady state numeric model later this summer that will subsequently be converted to a transient model capable of being used to run possible water use scenarios and to evaluate potential impacts of such uses.

2. The Zuni Tribe anticipates continued work on development of a draft settlement proposal as resources permit. The Zuni Tribe expects to meet with the United States during the upcoming months and to present the draft settlement proposal to other Parties thereafter.

3. The Parties jointly agree further work by the technical committee is needed and that more time is necessary to determine whether these negotiation efforts will prove fruitful. Therefore, the Parties propose 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 six months from the date of filing this Status Report.

Respectfully submitted:

\_\_\_\_\_/s/\_\_\_\_\_  
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APPROVED: 6/14/2017

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on June 15, 2017, 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