

SUPERIOR COURT OF ARIZONA
APACHE COUNTY
MARICOPA COUNTY

07/16/2009

CLERK OF THE COURT
FORM V000

HONORABLE EDDWARD BALLINGER, JR.

M. Wetherell
DEPUTY

FILED: 9/04/2009

CV-6417

In Re the General Adjudication of
All Rights to Use Water in the Little
Colorado River System and Source

COPY

In Re Summary Judgment Issues

MINUTE ENTRY

Courtroom 112 – NE RCC

2:50 p.m. This is the time set for hearing on Navajo Nation and the Hopi Tribe's Joint Motion for Limited Stay and the United States' Motion to Stay Proceedings. All parties appear telephonically. Present are: Special Master, George A. Schade, Jr.; Assistant Attorney General, Theresa M. Craig, on behalf of the State of Arizona; John B. Weldon, Jr. and Mark A. McGinnis on behalf of Salt River Project; Scott M. Deeney and Richard T. Burtell for the Arizona Department of Water Resources; Harry R. Sachse, Colin Cloud Hampson and Jen Thomas for the Hopi Tribe; Lauren J. Caster and Gregory L. Adams for Catalyst Paper (Snowflake), Inc.; Scott B. McElroy and Daniel E. Steuer on behalf of the Navajo Nation; Stanley M. Pollock also for the Navajo Nation; Robyn L. Interpreter and Susan B. Montgomery for Yavapai-Apache Nation; Jenny Winkler for Arizona Public Service and Freeport McMoRan Copper and Gold; Joe P. Sparks for San Carlos Apache Tribe and Tonto Apache Tribe; Stephen G. Bartell, U.S. Department of Justice on behalf of the United States; Lee A. Storey on behalf of the City of Flagstaff; David A. Brown on behalf of various Little Colorado River Adjudication claimants; Vanessa Boyd Willard and Andrew "Guss" Guarino, also with the U.S. Department of Justice on behalf of the Bureau of Indian Affairs.

Court Reporter, Kim Hannon, is present as well as a record of the proceedings being made by CD/videotape.

The Hopi Tribe's and Navajo Nation's Joint Motion for Limited Stay and the United States' Motion to Stay Proceedings are argued to the Court.

In light of the Hopi Tribe's agreement to file its amended claims within 120 days, the Court will grant relief insofar as directing the Special Master to extend by 120 days all prospective deadlines set forth in the Third Order Modifying the Case Initiation Order.

IT IS ORDERED directing the Special master to extend the prospective deadlines set forth in the Third Order Modifying the Case Management Order by 120 days. In all other respects, the requests for a limited stay are denied.

Discussion was held concerning issues the Court could consider for summary disposition. Mr. Caster suggested an issue. Mr. Hampson requested additional time to consider the suggestion and submit written comments.

Claimants who wish to propose alternative issues for the Court to take up for potential summary disposition shall file a memorandum explaining their proposals on or before **August 14, 2009**.

Any responses to such proposals or requests for additional relief shall be filed by **September 4, 2009**.

Any replies to those supplemental proposals or comments shall be filed by **October 2, 2009**.

IT IS FURTHER ORDERED setting a Telephonic Status Conference on **October 30, 2009 at 2:00 p.m.**

Claimants wishing to participate in the hearing shall:

- 1) Dial 1-866-921-2203.
- 2) Dial the room number *2743132* and enter the * star key before and after the room number.

3:45 p.m. Matter concludes.

A copy of this order is mailed to all parties on the Court-approved mailing list for the Little Colorado River Adjudication Civil No. 6417, dated July 27, 2009.