

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF APACHE

IN CHAMBERS (X) IN OPEN COURT ()

SPECIAL MASTER GEORGE A. SCHADE, JR.
Presiding

IN RE THE GENERAL ADJUDICATION
OF ALL RIGHTS TO USE WATER IN THE
LITTLE COLORADO RIVER SYSTEM
AND SOURCE

DATE: June 5, 2008

CIVIL NO. 6417

ORDER ALLOWING COMMENTS
AND PROPOSED ISSUES ON THE
QUESTION REFERRED TO THE
SPECIAL MASTER

CONTESTED CASE NAME: Undesignated.

HSR INVOLVED: None.

DESCRIPTIVE SUMMARY: The Special Master allows claimants to file comments and proposed specific issues related to the question the Court referred to the Special Master concerning the claimed time immemorial priority of water rights asserted by or on behalf of the Hopi Tribe.

NUMBER OF PAGES: 2.

DATE OF FILING: June 5, 2008.

At the telephonic conference held on June 2, 2008, the Navajo Nation suggested that parties be provided the opportunity to submit specific issues or comments to frame the questions that should be addressed to resolve the Court's reference to the Special Master of "whether the claims to water rights asserted by, or on behalf of the Hopi Tribe in this adjudication have a priority of 'time immemorial' or are otherwise senior to the claims of all other claimants." The Hopi Tribe and other parties supported this suggestion.

After considering all submissions, the Special Master will determine the specific questions for resolution and will organize a contested case. The structure of the contested case will provide for both briefing of substantive motions and evidentiary hearings.

IT IS ORDERED:

1. On or before **Monday, July 7, 2008**, claimants may submit comments or specific issues that will assist to resolve the question referred to the Special Master of “whether the claims to water rights asserted by, or on behalf of the Hopi Tribe in this adjudication have a priority of ‘time immemorial’ or are otherwise senior to the claims of all other claimants.”

2. No responses to comments shall be allowed.

3. Filings submitted to the Clerk of the Apache County Superior Court shall be considered timely filed if postmarked on or before July 7, 2008.

DATED: June 5, 2008.

/s/ George A. Schade, Jr.
GEORGE A. SCHADE, JR.
Special Master

On June 5, 2008, the original of the foregoing was mailed to the Clerk of the Apache County Superior Court for filing and distributing a copy to all persons listed on the Court approved mailing list for the Little Colorado River Adjudication Civil No. 6417 dated January 28, 2008.

/s/ Barbara K. Brown
Barbara K. Brown