

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

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
GILA RIVER SYSTEM AND SOURCE

DATE: November 25, 2014

CIVIL NO. W1-11-1174
(Consolidated)

ORDER REQUESTING A STATUS
REPORT ON SETTLEMENT

CONTESTED CASE NAME: *In re PWR 107 Claims.*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master requests a status report on settlement due on or before March 13, 2015.

NUMBER OF PAGES: 2.

DATE OF FILING: November 25, 2014.

The United States and the San Carlos Apache Tribe (“Tribe”) have worked diligently to reach a settlement agreement concerning sixteen springs. At the recent conference, these parties reported that they are close to finalizing an agreement. The Tribe’s governing Council plans to review this matter. Counsel avows that by March 13, 2015, the process will be clearer and request to report to the Special Master by that date.

In the order dated June 20, 2013, the Special Master set forth the procedures that will be implemented following the submission of a settlement agreement. At the conference, the Arizona Department of Water Resources (“ADWR”) requested additional time to prepare its technical report concerning the agreement and proposed abstracts of water rights. This order reiterates the procedures contained in the June 20, 2013, order

with the exception of an additional thirty days for ADWR to prepare its technical report.

IT IS ORDERED that:

1. On or before **Friday, March 13, 2015**, the United States and the Tribe shall report if a settlement agreement has been executed, and if so, when will the stipulation and proposed abstracts of water rights be filed.

2. After an agreement is reached and properly executed by parties, the United States shall submit to ADWR the complete proposed stipulation and abstracts of water rights.

3. Whether all or some objectors executed the proposed stipulation, within ninety days thereafter, ADWR shall review the stipulation and proposed abstracts of water rights in accordance with the following directives previously used in this case and file its recommendations:

A. A comprehensive technical report is not contemplated but rather a review and recommendations regarding the settlement agreement.

B. ADWR's review shall be limited to the accuracy and completeness of the factual information contained in the proposed stipulation and abstracts of water rights. During the course of ADWR's review, if it would facilitate and expedite, but not delay, the process, ADWR and the settling parties may discuss the stipulation and abstracts and make factual corrections.

4. If all the objectors have not executed the proposed stipulation, the non-settling objectors in this case will have a period of thirty days to comment on the stipulation, abstracts of water rights, and ADWR's recommendations. And,

5. Claimants will have sixty days to file objections to the Special Master's report. The last day to file objections will be set forth in the report. Thereafter, the Court will take up the report for consideration.

DATED: November 25, 2014.

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

On November 25, 2014, Barbara K. Brown delivered the original of the foregoing to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to all persons listed on the Court approved mailing list for Contested Case No. W1-11-1174 dated November 24, 2014.