

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

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

CV 6417

ORDER REGARDING NAVAJO
NATION STATEMENT OF
CLAIMANT AND SETTING A
HEARING

HSR INVOLVED: None.

DESCRIPTIVE SUMMARY: Hearing to begin adjudication of claims of the Navajo Nation.

NUMBER OF PAGES: 4

DATE OF FILING: April 14, 2016.

The interwoven histories and asserted water claims of the Hopi Tribe and the Navajo Nation necessitate that action must be taken with respect to the claims of the Navajo Nation, which pursuant to the authority granted by that Order dated July 15, 2016, in CV 6417, shall now be initiated. The Navajo Nation filed Statement of Claimant 39-91442, dated November 27, 1985, to assert rights to water that are within the Adjudication of the Little Colorado River System and Source. This Statement of Claimant was supplemented by letter dated December 20, 1985.

In order to initiate the process, the Statement of Claimant must be updated and, in

accordance with A.R.S. §45-256, the court must request assistance from Arizona Department of Water Resources (ADWR) with respect to areas in which it has hydrological or other expertise. Accordingly, a Navajo HSR which shall be prepared shall include:

1. Hydrological and technical information about available surface water and groundwater resources to meet each claim;
2. Information about historic and existing water uses on the land referenced in the Statement of Claimant;
3. Proposed water attributes for claims in the Statement of Claimant made by the Navajo Nation or the United States on behalf of the Navajo Nation, which are:

- i. Types of use of water;
- ii. Applicable filings made with ADWR;
- iii. Source of water;
- iv. Legal description of point of diversion of the water;
- v. Legal description of place of use of the water;
- vi. Quantity of use in acre feet per year; and
- vii. Dates on which any use of water listed in the statements of claimant began or ceased.

If applicable, water attributes will also include storage volume, name of reservoir or stock pond, and number of irrigated acres.

4. The priority date claimed in the Statement of Claimant for each water right.
5. An appendix that includes the Statement of Claimant and any supplements or amendments;

6. A statement that clearly identifies those claims for which the Director of Arizona Department of Water Resources does not make a recommendation concerning the water rights claimed and uses investigated.

IT IS ORDERED that Arizona Department of Water Resources shall review Statement of Claimant 39-39-91442 and file by July 7, 2016, a memorandum identifying specific data, including the format of the data, that should be included in an amended Statements of Claimant that would expedite its investigation of the claims asserted and preparation of an HSR that includes the elements listed above.

IT IS FURTHER ORDERED that if a party desires to submit written comments concerning appropriate data to be included in the Navajo HSR, additional statements of claimant that should be analyzed by the Navajo HSR or the deadlines by which the amended Statement of Claimant and the Navajo HSR should be filed, such memorandum, which will not exceed 10 pages, shall be filed by July 7, 2016.

IT IS FURTHER ORDERED setting a status conference on **July 12, 2016**, at 11:15 a.m. before:

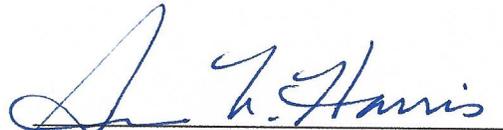
Special Master Susan Ward Harris
Superior Court of Arizona, Courtroom 301
201 West Jefferson Street
Phoenix, AZ 85003-2202

Instructions for telephonic participation:

1. Dial 1 602-506-9695 (toll free number)
2. Dial Participant Pass Code 163622# (pound)

The purpose of the conference is to:

1. Determine deadlines by which the relevant statements of claimant shall be updated and the preliminary Navajo HSR shall be completed.
2. Address information that shall be included in the Navajo HSR.


Susan Ward Harris
Special Master

On April 14, 2016, 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.