

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: March 23, 2006

CIVIL NO. W1-11-1174
(Consolidated)

ORDER EXTENDING THE TIME
TO FILE A RESPONSE TO THE
MEMORANDUM OF THE UNITED
STATES AND REPLY

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

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master grants the request of the San Carlos Apache Tribe to extend the time to respond to the memorandum of the United States to June 5, 2006, and extends the time for the United States to file a reply to June 30, 2006.

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DATE OF FILING: March 23, 2006.

The United States has filed a legal memorandum setting forth its arguments regarding the Court's jurisdiction to adjudicate sixteen water rights located within areas on which the United States and the San Carlos Apache Tribe ("Apache Tribe" or "Tribe") differ as to the demarcation of the San Carlos Indian Reservation's southwest boundary. The Apache Tribe has requested an extension of thirty days after May 5, 2006, to file a response which is now due on March 24, 2006.

The United States has been directed to file a report on or before May 5, 2006, concerning the locations of the nine springs for which only cadastral locations are available and the locations of any of the other springs that have been better ascertained. It would be very helpful if the report presents as much information as is legally possible concerning the locations of the sixteen springs at issue.

The United States and the Apache Tribe have been in the process of executing stipulations addressing the Tribe's objections to the remaining fourteen springs of the thirty involved in this case. This briefing schedule has had three extensions granted. It is expected that the United States and the Apache Tribe are speaking with each other about mutually agreeable resolutions or next steps in litigating the remaining issues.

The Apache Tribe avows that the United States does not oppose, and has agreed, to the Tribe's request for an extension of time subject to the Special Master's approval. The Special Master finds that there is good cause to grant the requested extension. Further, although a request to extend the time to reply has not been made, it is proper to extend the time for the United States to file a reply to June 30, 2006.

IT IS ORDERED:

1. The parties in this contested case shall have until **Monday, June 5, 2006**, to file responses to the United States' Memorandum Regarding Claims Affected by Boundary Issues.
2. The United States shall have until **Friday, June 30, 2006**, to reply.
3. No further extensions will be granted in this briefing schedule except for extraordinary reasons.

DATED: March 23, 2006.

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

On March 23, 2006, the original of the foregoing was delivered 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 February 28, 2006.

/s/ KDolge

Kathy Dolge