

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 16, 2006

CIVIL NO. W1-11-1174
(Consolidated)

ORDER SETTING TELEPHONIC
CONFERENCE ON JANUARY 18,
2007, AT 11:15 A.M.

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

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master schedules a telephonic conference on January 18, 2007, at 11:15 a.m. or promptly after the conclusion of a prior conference to review issues that have arisen between the United States and the San Carlos Apache Tribe.

NUMBER OF PAGES: 2, Attachment A - 2, Attachment B - 1; total 5 pages.

DATE OF FILING: November 16, 2006.

On September 27, 2006, the Arizona Department of Water Resources (“ADWR”) requested an extension of time to submit its recommendations concerning the proposed stipulation and abstracts of water rights to be submitted in this case. ADWR stated that it had not received the stipulated abstracts when they were due “and understands that their submittal will be delayed.” On October 5, 2006, the Special Master requested the United States and the San Carlos Apache Tribe (“Apache Tribe” or “Tribe”) to confer and advise when the abstracts would be submitted to ADWR.

By letter dated October 20, 2006, the United States advised the Special Master that negotiations were occurring between the United States and the Apache Tribe regarding the fourteen claims remaining to be determined. By letter dated November 9, 2006, the United States informed the Special Master “that the parties have reached an impasse and are unable to resolve the objections filed by the Tribe” and stated that a status conference would be useful “for discussing future litigation involving these claims and, if appropriate, scheduling dispositive motions and trial dates.” Copies of both letters are attached to this order as Attachments A and B.

The Special Master has been led to believe that the Tribe’s objections to the fourteen claims had been resolved. A telephonic conference will be set immediately following the telephonic conference already scheduled on January 18, 2007, as this is the most convenient time to have the parties present.

IT IS ORDERED:

1. A telephonic conference shall be held on **Thursday, January 18, 2007, at 11:15 a.m. (MST)**, or immediately following the conclusion of the telephonic conference scheduled that morning for *In re Fort Huachuca* and *In re San Pedro Riparian National Conservation Area*. Because the office of the Special Master is moving in late December, the parties will be informed later of the conference telephone number to call. The number will be posted on the Special Master’s Web site. Each participant will bear any long distance telephonic charges.

2. On or before **Friday, January 12, 2007**, the United States and the Apache Tribe shall individually or jointly file a summary of the disputed issues between them. The summary shall not exceed six pages.

3. All pending deadlines are suspended until further order.

DATED: November 16, 2006.

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

On November 16, 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 July 7, 2006.

/s/ George A. Schade, Jr.
George A. Schade, Jr.