

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: June 13, 2005

CIVIL NO. W1-11-1174  
(Consolidated)

ORDER

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

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master encourages the United States and the San Carlos Apache Tribe to discuss all appropriate and creative options that could result in a settlement of their issues in this contested case and states his plans for a hearing if required.

NUMBER OF PAGES: 2.

DATE OF FILING: June 13, 2005.

**ORDER**

On March 15, 2005, the Special Master directed the Arizona Department of Water Resources ("ADWR") to file "a technical report and appropriate maps showing the locations of all the water sources being considered in this case," and indicating "how those locations correspond to the boundaries of the San Carlos Apache Indian Reservation." ADWR filed its report on May 16, 2005.

After reviewing ADWR's report, the United States and the San Carlos Apache Tribe were requested to file "a joint report indicating if all the Tribe's objections have been mutually

resolved by agreement, and if not, which objections will require a hearing.” The joint report is due on August 1, 2005.

After reading ADWR’s report, the Special Master understands how the United States and the San Carlos Apache Tribe can have different views concerning the locations of some of the springs. The United States and the Apache Tribe are asked to explore every possible avenue that might lead to a resolution of their issues. The Special Master encourages counsel to discuss all appropriate and creative options that could result in a settlement.

A hearing will be set to determine the objections that cannot be resolved by agreement. The Special Master plans to allow thirty days for the United States, the Apache Tribe, and any other party whose objections may require a hearing to file disclosure statements and sixty days thereafter to complete discovery.

DATED: June 13, 2005.

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

On the 13th day of June, 2005, 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 October 21, 2004.

/s/ KDolge  
Kathy Dolge