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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

Civil Case No. CV6417-300  
ORDER TO FILE STATUS REPORT  
AND  
ORDER SETTING STATUS  
CONFERENCE

CONTESTED CASE NAME: *In re Navajo Nation*  
HSR INVOLVED: Navajo Reservation Hydrographic Survey Report.  
DESCRIPTIVE SUMMARY: Status Report and Status Conference set regarding appeal in *Masayesva v. Zah* case and federal legislation. Status Report due **January 9, 2023**. Status conference set for **January 19, 2023**.  
NUMBER OF PAGES: 3  
DATE OF FILING: February 17, 2022

On January 10, 2022, the Navajo Nation and the San Juan Southern Paiute Tribe filed a joint report stating that they had agreed to a continuing stay of the appeal pending before the Ninth Circuit in *Masayesva v. Zah*. They also stated that the attorneys for the San Juan

1 Southern Paiute Tribe and the Navajo Nation had agreed on draft Treaty legislation that would  
2 settle *Masayesva v. Zah*.


3 The San Juan Southern Paiute Tribe supports the proposed legislation. The Navajo  
4 Nation adopted a procedure to provide a statement of support. The procedure requires public  
5 presentation in the Navajo Chapters most affected by the Treaty to education Chapter members  
6 and confirm local support. After the public presentations, the Naabik'iyáti Committee of the  
7 Navajo Nation Counsel will make a decision about its support of the legislation.  
8

9 The San Juan Southern Paiute Tribe represented that if the Navajo Nation does not  
10 support the introduction of the Treaty legislation by June 1, 2022, it will seriously consider  
11 requesting the Ninth Circuit Court of Appeals to reinstate the appeal of *Masayesva v. Zah* on  
12 or before June 30, 2022.  
13

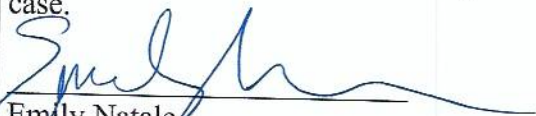
14  
15 **IT IS ORDERED** that Navajo Nation and the San Juan Southern Paiute Tribe shall  
16 file a joint report on **January 9, 2023** about the status of the appeal in *Masayesva v. Zah* and  
17 the proposed legislation. If the legislation has not been approved, the joint report shall provide  
18 the following information: the dates of the public presentations to the Navajo Chapters, the  
19 date the Naabik'iyáti Committee met to consider the proposed legislation, and the dates of  
20 meetings between the parties to address resolution of issues presented by the proposed  
21 legislation. If the parties have agreed on proposed legislation, but it has not been approved by  
22 Congress, then the joint report shall provide a brief explanation of the status of the proposed  
23 legislation in the Congressional process.  
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**IT IS FURTHER ORDERED** that a Status Conference shall be held on **January 19, 2023 at 2:00 p.m.** in the Superior Court of Arizona, 201 West Jefferson Street, Courtroom 301, Phoenix, AZ 85003-2202

  
Susan Ward Harris  
Special Master

On February 17, 2022, the original of the foregoing was delivered 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 this contested case.

  
Emily Natale