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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

Case no. 6417
Case no. 6417-201
Case no. 6417-203

ORDER TO VACATE AND
RESCHEDULE ORAL ARGUMENT

HSR INVOLVED: *Hopi Reservation HSR.*

DESCRIPTIVE SUMMARY: Order to vacate and reschedule oral argument on Hopi Tribe's Motion for Entry of Judgment Pursuant to Rule 54(b) and set oral argument on objections to the Special Master's Report dated August 24, 2017.

NUMBER OF PAGES: 4.

The Hopi Tribe filed a Motion for Entry of Judgment Pursuant to Rule 54(b) (Rule 54(b) Motion) with respect to the Court's minute entries filed March 2, 2009 in Case no. 6417 and January 25, 2016 in Case no. 6417-201. Oral Argument on the Rule 54(b)

1 Motion is scheduled for August 31, 2017. On August 28, 2017, the Hopi Tribe filed a
2 motion requesting that the oral argument on its Rule 54(b) Motion be rescheduled to
3 coincide with oral argument on objections that it intends to file to the Special Master's
4 Report issued August 24, 2017, in Case no. 6417-203. The Hopi Tribe further requested
5 that this Court set a schedule for the filing of objections, responses and replies with respect
6 to the Special Master's Report and schedule oral argument.
7

8 Effective March 17, 1995, A.R.S. § 45-257(A)(2) was amended to provide:
9

10 Each claimant may file written objections with the court to any rule 53(g)
11 report within the later of sixty days after the report is filed with the court or
12 within sixty days after the effective date of this amendment to this section.
13 If the report covers an entire subwatershed or federal reservation, each
14 claimant may file with the court written objections to the report within one
15 hundred eighty days of the date on which the report was filed with the
16 court.

15 The issues in the referenced report are limited to the claims asserted by the Hopi
16 Tribe in its Third Amended Statement of Claimant to water from sources located outside
17 the boundaries of the Hopi Reservation. The scope of this report is narrow as it addressed
18 the Hopi Tribe's claims to off-reservation water sources. The Hopi Tribe's claimed water
19 rights analyzed in the Hopi Reservation HSR for past and present use on the Hopi
20 Reservation as well as its claims for water rights for future use are in the process of being
21 adjudicated. Thus, the 60-day period specified in A.R.S. § 45-257(A)(2) for filing
22 objections governs the filing of objections to the Special Master's Report.
23

24 Accordingly,
25

26 **IT IS ORDERED** that the oral argument on the Hopi Tribe's Motion for Entry of
27 Judgment Pursuant to Rule 54(b) scheduled for August 31, 2017 is vacated.
28

1 On August 29, 2017, the original of the
2 foregoing was delivered to the Clerk of the
3 Apache County Superior Court for filing and
4 distributing a copy to all persons listed on the
5 Court approved mailing list for CV 6417, 6417-
6 201 and 6417-203.
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