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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

Contested Case No. CV6417-203

**ORDER APPROVING STIPULATION
AND AMENDING THE CASE
MANAGEMENT ORDER**

(Before Special Master Susan Ward Harris)

Contested Case Names: *In re Hopi Reservation HSR* (No. CV 6417-203)
Descriptive Summary: The Navajo Nation and the Hopi Tribe filed a stipulation to extend the deadline for the submission of the expert report of Dennis Gilpin. The Special Master approves the stipulation and grants the extension.
Number of Pages: 3
Date of Filing: October , 2017

The Navajo Nation and the Hopi Tribe have stipulated as follows:

1. In his report entitled Hopi Use and Development of Water Resources in the Little Colorado River Drainage Basin of Arizona: An Archeological Perspective to 1700, dated April 2007, Charles Adams, a witness for the Hopi Tribe, relied in part on reports and information found in the Walpi Archeological Project, ("Project") which is located in the Museum of Northern Arizona ("Museum"). Access to the Project requires the permission of the Hopi Tribe.
2. Counsel for the Navajo Nation has requested that counsel for the Hopi Tribe obtain access to the Project for Dennis Gilpin, a witness retained by the Navajo Nation, to review the Project in the course of preparing a response to the Adams Report.

1 3. Counsel for the Hopi Tribe advised that a protective order and permission from
2 his client would be required for Mr. Gilpin to review the material. Counsel informally
3 agreed that an extension might be required for the filing of Mr. Gilpin's report. Counsel
4 have also tentatively agreed upon the form of a protective order which must be approved by
5 the Hopi Tribe

6 4. It has taken longer than originally anticipated to obtain the required permission
7 and approval of the proposed protective order by the Hopi Tribe and its constituents. It is
8 not clear when permission and approval will be obtained; or whether other conditions may
9 be requested by the Hopi Tribe. Because Mr. Gilpin expected to review information from
10 the Project in the course of preparing his report and was aware of the delay in obtaining the
11 necessary approvals, he will not have completed his report by the Navajo Nation's
12 disclosure deadline of Oct. 13, 2017.

13 5. In light of these circumstances, counsel for the Hopi Tribe and the Navajo Nation
14 have agreed that the Navajo Nation may disclose Mr. Gilpin's report on October 23, 2017,
15 which report will not respond in full to all aspects of Mr. Adams' statements that rely on
16 information found in the Project.

17 6. Counsel have further agreed that once permission (including any necessary
18 communication with the Museum) is obtained to provide Mr. Gilpin with access to the
19 Project and the required protective order is approved by the Special Master, Mr. Gilpin may
20 review the information in the Project and prepare a supplemental report, which shall be
21 disclosed by the Navajo Nation within 21 days after Mr. Gilpin is allowed access to the
22 Project.

23 The Special Master approves the stipulation, and grants the extension as requested.

24 **IT IS THEREFORE ORDERED:**

25 All dates shall remain the same except as follows:

26 1. The Navajo Nation may disclose the expert report of Dennis Gilpin on or before
27 October 23, 2017, which report will not respond in full to all aspects of the statements of
28 Charles Adams that rely on information found in the Walpi Archeological Project; and

