

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

IN CHAMBERS ( X ) IN OPEN COURT ( )

SPECIAL MASTER SUSAN WARD HARRIS.  
Presiding

IN RE THE GENERAL ADJUDICATION  
OF ALL RIGHTS TO USE WATER IN THE  
GILA RIVER SYSTEM AND SOURCE

DATE: September 24, 2015

CIVIL NO. W1-11-1174  
(Consolidated)

ORDER SETTING A STATUS  
CONFERENCE

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

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master sets a status conference on October 28, 2015, to address the resolution of 16 claims asserted by the United States on behalf of the Bureau of Land Management.

NUMBER OF PAGES: 3.

DATE OF FILING: September 24, 2015.

Pursuant to Public Law Water Reserve No. 107, the United States on behalf of the Department of the Interior, Bureau of Land Management (Safford District), asserted federal reserved water rights in the San Pedro River Watershed to certain springs. In 2008, the United States withdrew eight of those claims and the Court adjudicated and decreed the water rights of the United States as to fourteen claims. Claims to sixteen springs remain unresolved due to objections asserted by the San Carlos Apache Tribe. Those springs and their related claim numbers are as follows:

<u>Spring Name</u>	<u>Statement of Claimant</u>	<u>ADWR Map Identification No.</u>
Oak	39-11181	28
John	39-11182	29
Juniper	39-11183	22
Bull Mulhy	39-11187	25
No. 2	39-11201	12
Upper Boulder	39-11202	9
Claridge	39-11203	7
Cottonwood	39-11204	8
Deer Creek No. 2	39-11205	23
Indian Draw	39-11206	27
Deer Creek No. 1	39-11207	24
Goat	39-11209	10
Horse	39-11210	21
Juniper	39-11211	5
Warm	39-11445	15
Chest	39-14446	26

According to numerous representations by counsel over the succeeding seven years, the parties have engaged in settlement negotiations regarding the sixteen springs. The most recent joint status report was filed by the parties on March 16, 2015, which indicated that settlement negotiations were ongoing and any final settlement agreement would require the approval of the newly elected governing Tribal Council of the San Carlos Apache Tribe.

IT IS ORDERED that:

1. A conference is set for **Wednesday, October 28, 2015, 9:00 a.m. (MST)**.
2. The United States and the San Carlos Apache Tribe shall report if a settlement agreement has been executed, and if so, the date when the stipulation and proposed abstracts of water rights be filed and submitted to ADWR.
3. If no settlement has been reached, then the parties shall identify the outstanding issues that must be resolved. The identified issues shall not include the location of the southern boundary of the San Carlos Apache Tribe Reservation, which is an issue that this court does not have jurisdiction to resolve.

The conference will be held in the Maricopa County Superior Court, Courtroom 703, Central Court Building, 201 West Jefferson Street, Phoenix, Arizona 85003-2202.

Parties who wish to participate in the conference telephonically will call 1-877-820-7831 and dial the Participant Passcode 2743132 followed by the pound key (#). The pound key is not dialed before the passcode. Each participant will bear any long distance telephonic charges.

DATED September 24, 2015.

  
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SUSAN WARD HARRIS  
Special Master

On September 24, 2015, Barbara K. Brown delivered the original of the foregoing 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 20, 2015.