

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: November 25, 2008

CIVIL NO. W1-11-1174
(Consolidated)

ORDER REQUESTING STATUS
REPORT FROM THE SAN
CARLOS APACHE TRIBE
CONCERNING THE
RESERVATION'S BOUNDARY

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

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master requests a status report from the San Carlos Apache Tribe concerning the reservation's boundary issue raised in this case.

NUMBER OF PAGES: 2.

DATE OF FILING: November 25, 2008.

In his partial report dated June 12, 2007, the Special Master indicated that the United States was unable to execute a stipulated agreement with the San Carlos Apache Tribe ("Tribe") for sixteen springs because the Tribe claimed that until the southwest boundary of its reservation is determined, it is not known if these springs are located inside or outside the reservation. The United States claimed the springs are located on federal public domain.

The matter was specifically addressed in an order dated July 19, 2006, in which the Special Master stayed the adjudication of the sixteen springs “until such time as the southwest boundary of the San Carlos Indian Reservation has been established or is no longer in dispute between the United States and the Tribe.”¹

The Tribe had indicated it was engaged in discussions with the United States concerning the reservation’s southwest boundary. The Special Master wants to know the outcome, if any, or progress of the discussions between the Tribe and the United States to resolve the location of the reservation’s southwest boundary, and if the Special Master can proceed with the adjudication of those springs.

Accordingly, IT IS ORDERED directing the San Carlos Apache Tribe to file a status report on or before **March 27, 2009**, reporting on the outcome, if any, or progress of the discussions between the Tribe and the United States to resolve the boundary issue related to the sixteen springs which remain to be adjudicated in this case, and if the Special Master can proceed with the adjudication of those springs.

DATED: November 25, 2008.

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

On November 25, 2008, 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 July 25, 2008, as revised.

/s/ Barbara K. Brown _____
Barbara K. Brown

¹ Order 6 (July 19, 2006).