

RESOLUTION NO. 150-23
OF THE GOVERNING BODY OF THE
YAVAPAI-APACHE NATION

A Resolution Authorizing Submittal of a Request for FY2024 Federal Funding from the
Bureau of Indian Affairs' Water Rights Litigation/Negotiation (R3120) and Water
Management, Planning and Pre-Development (N3420) Programs

- WHEREAS:** The Yavapai-Apache Tribal Council ("Council") is authorized to represent the Yavapai-Apache Nation ("Nation") and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution of the Yavapai-Apache Nation ("Constitution") as provided by Article V (a) of the Constitution; and
- WHEREAS:** The Council is authorized to negotiate with Federal, State, and local governments as provided by Article V (b) of the Constitution; and
- WHEREAS:** For many years, the Nation has worked diligently to assert and protect its water rights in the Verde River Watershed as part of the General Stream Adjudication of the Gila River and its sources, *In Re the General Adjudication of All Rights to Use Water in the Gila River System and Source, W1-4*, Maricopa County Superior Court, Arizona ("Gila River Adjudication"); and
- WHEREAS:** On July 6, 2011, the United States appointed a Federal Indian Water Rights Negotiating Team for the negotiation of a settlement of the Nation's water rights and claims in the Gila River Adjudication; and
- WHEREAS:** Negotiations with the Salt River Project ("SRP"), the Arizona Department of Water Resources ("ADWR"), the Towns of Camp Verde and Clarkdale, and the City of Cottonwood, among others, to reach a water rights settlement for the Nation have intensified; and
- WHEREAS:** The Nation is committed to pursuing a settlement of its water rights and claims in the Gila River Adjudication, and has committed substantial resources, including its own financial resources, to this end; and
- WHEREAS:** The Nation requires continuing technical assistance funding in order to engage in settlement negotiations, to continue the necessary technical work to prepare for the adjudication of the Nation's water rights in the Gila River Adjudication, and to effectively manage the Nation's water resources, all in support of the Nation's water rights; and
- WHEREAS:** The Bureau of Indian Affairs ("BIA") has technical assistance funds available under its Bureau of Indian Affairs' Negotiation/Litigation Support (R3120) Program and Water Management, Planning, and Pre-Development (N3420) Program to fund the work of the Nation's water technical experts and for the effective management the Nation's water resources; and
- WHEREAS:** The Council finds it in the best interest of the Nation to apply to the BIA for funds under its Bureau of Indian Affairs' Negotiation/Litigation Support (R3120) Program and Water Management, Planning, and Pre-Development (N3420)

Program for FY2024 to help pay for the work of the Nation's water rights technical experts and to gather technical information that is necessary to effectively manage the Nation's water resources.

NOW THEREFORE BE IT RESOLVED that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, hereby authorizes the Nation to submit a Request for Funding, in the form attached to this Resolution as **Exhibit A**, for FY2024 federal funding from the Bureau of Indian Affairs' Negotiation/Litigation Support (R3120) Program and the Water Management, Planning, and Pre-Development (N3420) Program, as applicable; with said funds to be used to fund the Nation's technical work that is necessary to continue water rights settlement negotiations, support the adjudication of the Nation's water rights in the Gila River Adjudication, and effectively manage the Nation's water resources.

BE IT FURTHER RESOLVED that all future correspondence and communications regarding this Resolution shall be sent to the attention of the Nation's Chairperson, and to the Nation's Attorney General, and the Attorney General shall be responsible for administering any funds received under the request for funding authorized by this Resolution and shall do so in accordance with any required budget approvals and authorizations as may be given by the Tribal Council.


BE IT FINALLY RESOLVED that the Nation's Chairperson, or Vice Chairperson, or either of them, are hereby authorized to execute all documents as may be necessary to apply for, receive and thereafter use any federal funding received for the purposes for which grant funds are requested under this Resolution, or as otherwise authorized by federal law and regulations, including, but not limited to, entering into a P.L. 93-638 Indian Self-Determination and Education Assistance Act agreement, and to take such further action as deemed necessary to carry out the intent and purposes of this Resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was adopted by an affirmative vote of the Tribal Council at a regular meeting of the Tribal Council, with a quorum present, on August 31, 2023, by a vote of 8 in favor, 0 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation.


Tanya Lewis, Chairwoman

ATTEST:


Karla Reimer, Council Secretary

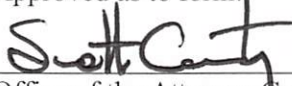
Approved as to form:

Office of the Attorney General

EXHIBIT A

Yavapai-Apache Nation

Request for Federal Funding from the Bureau of Indian Affairs' Water Rights Litigation/Negotiation (R3120) and Water Management, Planning and Pre-Development (N3420) Programs for FY2024.

- 1. Request for Funding – Technical Expert Assistance for Litigation/Settlement Negotiations**
- 2. Request for Funding – Phase II Recharge Site Investigation**

August 31, 2023

TECHNICAL EXPERT ASSISTANCE FOR GILA RIVER ADJUDICATION AND WATER RIGHTS SETTLEMENT NEGOTIATIONS



1. **Date of Request.** August 31, 2023
2. **Tribes and Reservation Name.** YAVAPAI-APACHE NATION
Yavapai-Apache Reservation, Arizona
3. **Project Name and Purpose.** Technical Assistance for Water Rights Litigation/Negotiation. The goal of this Project is for the Nation to continue to retain technical expert assistance to prepare for the adjudication of the Nation's water rights in the Gila River Adjudication and to continue to utilize technical experts to engage in active water rights settlement negotiations.
4. **Funding Amount Requested.** \$302,425.00
5. **Type of Request.** Court Mandate **AND** Active Water Rights Litigation/Negotiation Support
6. **Project Manager and Contact Information.** Scott Canty, Attorney General, Yavapai-Apache Nation, 2400 W. Datsi Street, Camp Verde, Arizona 86322, acanty@yan-tribe.org, p. (928) 567-1040, c. (928) 301-9160.
7. **Name and Contact Information of Person Preparing Request.** Tanya Lewis, Vice-Chairwoman, Yavapai-Apache Nation, 2400 W. Datsi Street, Camp Verde, Arizona 86322, p. (928) 567-1021, f. (928) 567-1048.
8. **Project Description.**
 - a. **Scope of Work.** Since 2009, the Nation has devoted substantial resources to work on water rights settlement negotiations and to prepare for the impending adjudication of the Nation's water rights in the Gila River Adjudication, *In Re the General Adjudication of All Rights to Use Water in the Gila River System and Source, W1-4*, Maricopa County Superior Court, Arizona. This scope of work continues that effort.

Litigation – Gila River Adjudication. The Gila River Adjudication has become extremely active in the past few years. By Minute Entry dated March 4, 2020, the Court set a **deadline of January 6, 2023**, for the United States and the Nation to submit amended Statements of Claimant (SOCs) for water rights in the Adjudication. The Nation submitted its amended claim on January 6, 2023, and also provided underlying factual data to help the U.S. support its claim as trustee.

There still remains a substantial amount of work necessary to prepare the Nation's water rights claims for litigation, including the preparation of additional assessments and expert reports related to discrete issues that must be researched and developed in support of the claims, as well as providing technical information to the Arizona Department of Water Resources (ADWR) as the technical advisor to the Adjudication Court, to support ADWR's preparation of an accurate Hydrographic Survey Report (HSR) which will review the Nation's and the United States' SOC's. The Nation's expert team, working in coordination with the Nation's water rights attorneys, will be responsible for this work.

Settlement Negotiations. On July 6, 2011, the United States appointed a Federal Indian Water Rights Negotiating Team for the Nation (Federal Team). For the past few years, the Nation and the Federal Team have been meeting with a major potential settling party to outline the elements of a settlement for the Nation. One critical component of negotiations was the identification of water sources and associated water delivery infrastructure that can be used to support the Nation's water budget in settlement. Recently, the Federal Team, the Nation, and the Salt River Project (SRP) conducted a Value Planning Study (VPS) through the Bureau of Reclamation to evaluate water supply alternatives. As a result of the VPS, the parties have come to agreement on the water supply source to pursue for settlement. Now, the Nation, the Federal Team and the settling parties are beginning intensive settlement negotiations and settlement drafting to finalize the terms of settlement. The Nation requires the use of its technical experts to carefully evaluate the various elements of the settlement, including hydrologic reliability of the water supplies, and the infrastructure required for delivery of the water supply to the Nation. The Nation will

need to rely upon its technical experts to conduct these investigations in order to continue productive water rights settlement negotiations with potential settling parties. Further, as the settlement is finalized, the Nation will require the use of its technical experts to support the settlement approval process, including seeking approval from the Gila River Adjudication Court.

b. **Proposed Methodology.**

The Nation has current or anticipated contracts with technical experts retained for water rights negotiation and litigation work in the following areas:

- (1) Principal hydrologist (for evaluating surface and groundwater conditions in the Verde River Watershed and on-Reservation for litigation and negotiation purposes);
- (2) Principal hydrologist (to develop and report on the data for the Nation's instream flow claim);
- (3) Principal hydrologic modeler (for developing the Nation's water model to evaluate water rights settlement proposals, support the Nation's water rights claims, and evaluate the Verde River Subflow zone delineation as it relates to the Nation's groundwater use and claim);
- (4) Engineers (for developing and supporting the irrigation and domestic, commercial, municipal and industrial (DCMI) claims and for conducting a detailed evaluation of aerial imagery and other documentation related to historic and present irrigation use on the Reservation)
- (5) Ecologist (to report on the Nation's ecological needs for the Reservation);
- (6) Ethnographer/historian (to provide historic documentation and information supporting the Nation's claims for various types of water uses, including for cultural and religious purposes);
- (7) Economics (for evaluating past, present, and future economic conditions on the Reservation and the viability of Nation's future economic development plans); and
- (8) Population demographics (to provide past, present, and future population statistics for domestic, commercial, municipal and industrial (DCMI) calculations).

Under this scope of work, the Nation will utilize funds to continue to retain its existing technical experts listed above and to retain additional experts as the demands of the Gila River Adjudication and settlement negotiations require. The Nation's technical experts will continue to conduct rigorous scientific studies and will prepare reports in support of the Nation's water rights claims in the Gila River Adjudication. The technical experts will evaluate settlement scenarios under consideration in ongoing negotiations. Experts will attend settlement negotiation meetings as requested by the Nation; collect and interpret scientific data in the context of those negotiations, and analyze various water rights settlement scenarios using hydrological models, GIS, and other scientific methods.

- c. **Deliverables:** The Nation's technical experts will collect and analyze technical information pertaining to the Nation's water rights claims and prepare reports in support of the Nation's water rights claims and settlement negotiations. The Nation's technical experts will maintain an active database of data collected under this funding request. The Nation's technical experts will coordinate with the United States' technical experts to share information in support of the United States' updating of its own claims on behalf of the Nation. The Nation's technical experts will provide memoranda and reports to the Nation regarding various water rights settlement scenarios. This information is confidential and proprietary information and is litigation sensitive.
- d. **Current Status of Litigation/Negotiation Cases.** *See above.* The Nation requires continuing technical assistance to effectively assert and defend the Nation's water rights in the Gila River Adjudication and to obtain a fair and equitable settlement of the Nation's rights.

9. Budget Justification.

Litigation/Negotiation Technical Assistance						
Task Description	Principal Hydrologist	Principal Hydrologic Modeler	Principal Engineer(s)	Assistant Engineer(s)	Demographer	Economist
	\$190	\$190	\$175	\$130	\$200	\$275
Providing scientific analysis, litigation and negotiation technical assistance and expert report preparation.	340	150	300	250	150	275
Hours	\$64,600	\$28,500	\$52,500	\$32,500	\$30,000	\$75,625
Expenses*	\$5,000	\$1,350	\$5,000	\$2,500	\$2,350	\$2,500
*Travel, lodging, site visits, postage, report production, etc.					Total:	\$302,425

Project Completion. The participation in settlement negotiations and preparation for the Adjudication are multi-year activities. The funding requested here is for FY2024 work.

Other Costs Considered Necessary for Project Success. The funding provided by these federal funding programs is a critical component of the Nation's ability to negotiate for a fair and reasonable water rights settlement and to prepare for the impending Adjudication of the Nation's water rights. The Nation requests funding for these projects for what it expects it can accomplish each year. Generally, federal funding has not been awarded in the full amount of the project requests and as a result, the Nation adjusts the level of effort that will be expended to conform to the amount of funding provided.

10. History of Funding.

FY2023: (\$289,785) The Nation was awarded funding to the Nation for technical support in its water rights settlement negotiations and in the Gila River Adjudication. As of August 2023, this funding has not been placed under contract with the Nation, although processing of the contract modification is expected soon. Once the funds are under contract, the Nation will deploy the funds for the purposes stated.

FY2022: (\$447,000) The Nation was awarded funding for:

- Adjudication claim preparation and water rights settlement negotiations technical assistance (\$300,000)
- Alluvial aquifer well testing (\$87,000)
- Middle Verde well testing (\$30,000)
- Reservation recharge study (\$30,000)

These funds were placed under contract by the BIA under Mod. 9 dated April 17, 2023. As of August 2023, the Nation's hydrologist has completed pit testing in furtherance of the Reservation Recharge Study. Well testing is expected to begin in Fall 2023.

FY2021: (\$100,000) The Nation was awarded funding for:

- Geologic modeling to contribute to the Nation's Integrated Model of the Verde River Watershed (\$39,975)
- Litigation/Negotiation technical assistance for claim preparation and water rights settlement negotiations technical assistance (\$60,025)

This funding was not placed under contract with the Nation until September 2021. The main geologic modeling work is now completed and is being integrated into the Integrated Model. Litigation/Negotiation technical assistance work is continuing.

Description of Past Accomplishments. Past funding has enabled the Nation to:

- Hire engineers, a hydrologist, modeling experts, ethnographers, and an instream flow expert to collect and analyze information for the drafting of memoranda and reports to be used during negotiations and to provide evidentiary support for the adjudication of the Nation's water rights claims.
- Collect critical low-flow measurements on the Verde River to support efforts to secure necessary water supplies for settlement.
- Enter into a Cooperative Agreement with USGS to install a USGS gage on the Yavapai-Apache Reservation at Middle Verde to collect at least 5 years of streamflow data and support the Nation's claim for an instream flow right.
- Create a baseline hydrologic model of the Verde River system that provides a higher level of accuracy from prior models that can be used in negotiations and the adjudication to support the Nation's claims and a potential settlement that would adequately protect the Nation's water rights.

Past 3 Years Undelivered Orders. For Litigation/Negotiation technical assistance, the Nation's work with its experts is continuing, and funding awards are being expended in support of the Nation's efforts to prepare its amended water rights claims and to negotiate a settlement of its water rights. Due to the deadline to submit updated claims set by the Adjudication court, the Nation is very actively dedicated in its efforts to prepare supporting evidence for the Nation's water rights claims. Certain preliminary draft reports have been prepared, however, to protect this litigation sensitive information from disclosure, drafts will be held as drafts to ultimately contribute to a final work product that will not be finalized by the Nation until later when needed for presentation in the Adjudication and/or for support of a settlement. For discrete projects, the progress and completion are as stated in the review of past funding stated above.

11. Water Rights Funding Request Information:

Department of Justice Attorney: Yosef Negose, Guss Guarino, Daniel McCarl
 U.S. Dept. of Justice
 Land and Natural Resource Division
 P.O. Box 44378
 Washington, D.C. 20026-4378
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Guss.Guarino@usdoj.gov
Daniel.McCarl@usdoj.gov

Solicitor's Office Contact: Sonia Overholser
 U.S. Department of the Interior
 Office of the Field Solicitor - Phoenix
 Phoenix, Arizona
sonia.overholser@sol.doi.gov

Federal Indian Water Rights
 Negotiation Team Chair: Lawrence Marquez
 U.S. Bureau of Reclamation
 Lower Colorado Region
 Phoenix Area Office
 6150 W. Thunderbird Rd.
 Glendale, Arizona 85306-4001
lm Marquez@usbr.gov
 (602) 379-6249

In Re the Adjudication of All Rights to Use Water in the Gila River System and Source

The Adjudication has been pending for more than 40 years, during which time the Nation's water rights have been, and are continuing to be, irreparably injured, and taken by upstream diversions and uses by others. The Nation also participates in the Adjudication and its companion case, *In Re the Adjudication of All Rights to Use Water in the Little Colorado River System and Source*, as this case is also addressing issues of broad legal importance which can impact the ultimate adjudication of the Nation's water rights. The Nation and the United States must be prepared to fully assert and defend the water rights claims of the Nation.

PHASE II RECHARGE SITE INVESTIGATION



1. **Date of Request.** August 31, 2023
2. **Tribes and Reservation Name.** YAVAPAI-APACHE NATION
Yavapai-Apache Reservation, Arizona
3. **Project Name and Purpose.** Phase II Recharge Site Investigation. This project builds on the findings of the Phase I investigation and aims to collect necessary information on groundwater-surface water interactions to assess the hydrologic effects of recharging water into the upper floodplain of the Middle Verde District.
4. **Funding Amount Requested.** \$50,000.00
5. **Type of Request.** Water Management, Planning/Pre-Development **AND** Active Water Rights Litigation/Negotiation Support
6. **Project Manager and Contact Information.** Scott Canty, Attorney General, Yavapai-Apache Nation, 2400 W. Datsi Street, Camp Verde, Arizona 86322, scanty@yan-tribe.org, p. (928) 567-1040, c. (928) 301-9160.
7. **Name and Contact Information of Person Preparing Request.** Tanya Lewis, Vice-Chairwoman, Yavapai-Apache Nation, 2400 W. Datsi Street, Camp Verde, Arizona 86322, p. (928) 567-1021, f. (928) 567-1048.
8. **Project Description.**

- a. **Scope of Work.** The Phase I Recharge Site Investigation (FY22 funding request) yielded detailed soils and groundwater-level data and estimated the amount of potential groundwater storage available in the upper floodplain east of the Verde River in the Nation's Middle Verde Reservation District. That data supports this Phase II investigation to evaluate the potential for groundwater recharge into the alluvial aquifer and the likely fate of any recharged water. This Project will use geochemistry, hydrologic field parameters, and hydrogeologic mapping to characterize the origin of well water on the Middle Verde District and to evaluate the seasonal hydrologic interaction between the wells and the Verde River. This information will ultimately support a detailed integrated hydrologic model of the Middle Verde District area to simulate groundwater recharge (Phase III investigation) and will provide vital information for the Nation's active water rights litigation/negotiation efforts on the hydrologic role of Subflow in the Middle Verde District.

This Project will use borehole logs from (i) four new alluvial monitoring wells, funded under a separate project, (ii) one alluvial well, funded under another FY2022 BIA Water Management, Planning/Pre-Development AND Active Water Rights Litigation/Negotiation Support grant to the Nation, and (iii) at least two existing water-supply wells on the Nation's Middle Verde Reservation District. The new wells (planned for completion in winter/spring 2023) and the two existing water-supply wells will be instrumented with water-level recording devices. At least four wells will also be instrumented with water-quality sensors. The other wells will be manually sampled quarterly during water-level calibration site visits. These water level and water quality data will be compared to the continuous stream flow and water quality data being collected at the nearby USGS stream-gaging station "Verde River Above Camp Verde, AZ" (09504950) and to field parameters measured quarterly in the Verde River. Over a full year of hourly to seasonal fluctuations, and in conjunction with hydrogeologic mapping of the aquifer units penetrated by the monitoring and production wells, the data collected in this Phase II study aims to characterize any measurable groundwater-surface water exchange between the wells and the Verde River. This information will also help determine whether the YAN's water supply wells may be at risk of being classified as Groundwater Under the Direct Influence of Surface Water (GWUDI).

b. **Proposed Methodology.**

The proposed scope of work includes:

Task 0 - Project Management and Coordination: Project coordination and management of access to the Nation's wells, use of local contractors for quarterly well and river sampling, sounding tube installation in existing wells and other related tasks, obtaining USGS water quality and flow data, and lab analyses of water quality data. A health and safety plan will be prepared for all field activities.

Task 1 – Hydrogeologic Mapping: Assemble lithologic data from all wells, borings, and test-pit data in the Middle Verde District area. Use RockWorks® program to develop lithologic cross sections to illustrate the subsurface production and confining units near the Verde River. Water-level data obtained from pressure transducers installed in monitoring wells and from quarterly sampling of production wells (Task 2) will be plotted on the RockWorks® cross sections to illustrate the range of groundwater-level variation over the year.

Task 2 – Hydrologic Data Collection: Purchase 1" PVC sounding tubes for YAN wells where installation is permitted. Hire pump professional to install sounding tubes. Measure depth-to-water in all available Middle Verde District wells and collect water quality field parameters from the Verde River quarterly. Download and calibrate water-level and water-quality probes in wells quarterly. Obtain continuous streamflow and water quality data from the USGS.

Task 3 – Data Analysis and Reporting: Assess all data collected, hydrologic mapping produced, and pumping test data collected in the previous (FY22) grant period to identify the nature of groundwater-surface water interactions, if any, in the study area.

c. **Deliverables:** Final Phase II Recharge Site Investigation Report and Presentation to Nation's Tribal Council.

d. **Current Status of Litigation/Negotiation Cases.**

Litigation – Gila River Adjudication. The Gila River Adjudication has become extremely active in the past few years. By Minute Entry dated March 4, 2020, the Court set a **deadline of January 6, 2023**, for the United States and the Nation to submit amended Statements of Claimant (SOCs) for water rights in the Adjudication. The Nation submitted its amended claim on January 6, 2023, and also provided underlying factual data to help the U.S. support its claim as trustee.

There still remains a substantial amount of work necessary to prepare the Nation's water rights claims for litigation, including the preparation of additional assessments and expert reports related to discrete issues that must be researched and developed in support of the claims, as well as providing technical information to the Arizona Department of Water Resources (ADWR) as the technical advisor to the Adjudication Court, to support ADWR's preparation of an accurate Hydrographic Survey Report (HSR) which will review the Nation's and the United States' SOC's. The Nation's expert team, working in coordination with the Nation's water rights attorneys, will be responsible for this work.

Settlement Negotiations. On July 6, 2011, the United States appointed a Federal Indian Water Rights Negotiating Team for the Nation (Federal Team). For the past few years, the Nation and the Federal Team have been meeting with a major potential settling party to outline the elements of a settlement for the Nation. One critical component of settlement negotiations was the identification of water sources and associated water delivery infrastructure that can be used to support the Nation's water budget in settlement. Recently, the Federal Team, the Nation, and the Salt River Project (SRP) conducted a Value Planning Study (VPS) through the Bureau of Reclamation to evaluate the water supply alternatives. As a result of the VPS, the parties have come to agreement on the water supply source to pursue for settlement. Now, the Nation, the Federal Team and the settling parties are beginning intensive settlement

negotiations and settlement drafting to finalize the terms of settlement. The Nation requires the use of its technical experts to carefully evaluate the various elements of the settlement, including hydrologic reliability of the water supplies, and the infrastructure required for delivery of the water supply to the Nation. The Nation will need to rely upon its technical experts to conduct these investigations in order to continue productive water rights settlement negotiations with the potential settling parties. Further, as the settlement is finalized, the Nation will require the use of its technical experts to support the settlement approval process, including for seeking approval of the Gila River Adjudication Court.

9. Budget Justification.

Phase I Recharge Site Investigation			
Task Description	Princ. Hydrologist	Expenses*	Hydro- Tech/Pump Subcontractor
	\$190/hr.		
Project Management & Coordination	\$ 10,000	\$ 1,500	--
Hydrologic mapping	\$ 6,000	--	\$ 2,500
Data Collection	\$ 11,000	\$ 1,500	\$ 5,500
Data Analysis & Reporting	\$ 12,000	--	--
<i>Subtotals</i>	\$ 39,000	\$ 3,000	\$ 8,000
*travel, lodging, sounding tube materials		Total:	\$ 50,000

Phases of Project Completion. Phase II of this Project can be completed within one (1) year.

Other Costs Considered Necessary for Project Success. None.

10. History of Funding.

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Description of Past Accomplishments. Past funding has enabled the Nation to:

- Hire engineers, a hydrologist, modeling experts, ethnographers, and an instream flow expert to collect and analyze information for the drafting of memoranda and reports to be used during negotiations and to provide evidentiary support for the adjudication of the Nation's water rights claims.
- Collect critical low-flow measurements on the Verde River to support efforts to secure necessary water supplies for settlement.
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- Create a baseline hydrologic model of the Verde River system that provides a higher level of accuracy from prior models that can be used in negotiations and the adjudication to support the Nation's claims and a potential settlement that would adequately protect the Nation's water rights.

Past 3 Years Undelivered Orders. For Litigation/Negotiation technical assistance, the Nation's work with its experts is continuing, and funding awards are being expended in support of the Nation's efforts to prepare its amended water rights claims and to negotiate a settlement of its water rights. Due to the deadline to submit updated claims set by the Adjudication court, the Nation is very actively dedicated in its efforts to prepare supporting evidence for the Nation's water rights claims. Certain preliminary draft reports have been prepared, however, to protect this litigation sensitive information from disclosure, drafts will be held as drafts to ultimately contribute to a final work product that will not be finalized by the Nation until later when needed for presentation in the Adjudication and/or for support of a settlement. For discrete projects, the progress and completion are as stated in the review of past funding stated above.

11. Water Rights Funding Request Information:

Department of Justice Attorney: Yosef Negose, Guss Guarino, Daniel McCarl
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Solicitor's Office Contact: Sonia Overholser
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Federal Indian Water Rights
Negotiation Team Chair: Lawrence Marquez
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(602) 379-6249

In Re the Adjudication of All Rights to Use Water in the Gila River System and Source

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importance which can impact the ultimate adjudication of the Nation's water rights. The Nation and the United States must be prepared to fully assert and defend the water rights claims of the Nation.