

Verde River on the Yavapai-Apache Reservation



# YAVAPAI-APACHE NATION WATER RIGHTS SETTLEMENT OVERVIEW

Dated: September 16, 2024

## **OVERVIEW**

- Water Settlement Goals
- Benefits of Settlement
- Brief History of the Yavapai-Apache Nation and Its Lands
- Gila River Adjudication and the Nation's Water Rights Claims
- Major Elements of the Settlement
- Waivers of Claims and Retentions of Rights
- Costs of Settlement
- Additional Reservation Lands
- Next Steps in the Process

## THE NATION'S WATER SETTLEMENT GOALS

### WATER

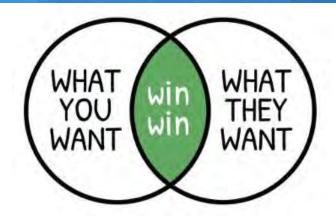
- Keep water flowing in the Verde River.
- Ensure continued physical and legal access to groundwater, surface water, and reclaimed water to meet the future needs of the Reservation.
- Secure funding to manage and develop the Nation's water supplies.
- Support the economic vitality of the Verde Valley region.

### LAND

❖Ensure the Nation can add lands to the Reservation to make the Reservation an adequate permanent tribal homeland without unnecessary legal obstruction.

## WHAT ARE THE MAJOR BENEFITS OF THE SETTLEMENT?

- Protects the flow of the Verde River which:
  - is culturally important to the Nation
  - provides habitat for plants and animals (including humans) to live
  - ensures that water is available to satisfy historic ditch rights
  - provides a place for recreation and respite
  - serves as an economic driver for the entire Verde Valley
  - supports the State of Arizona by ensuring that water will also be available to downstream users in the Phoenix metropolitan area



- Provides opportunities for an additional renewable water supply for the Verde Valley to use that will reduce pressure on local surface water and groundwater supplies.
- Saves time and money that would otherwise be spent fighting in the Adjudication case with little to no benefit for anyone.



### YAVAPAI-APACHE LANDS

Yavapai and *Dilzhe'e*Apache
Ancestral
Territory

>16,000 square miles

1871 Camp Verde Indian Reservation

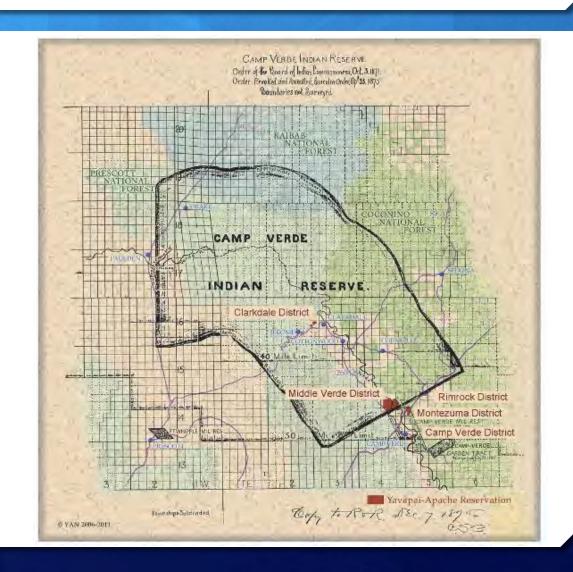
>900 square miles

Current
YavapaiApache
Reservation
Lands

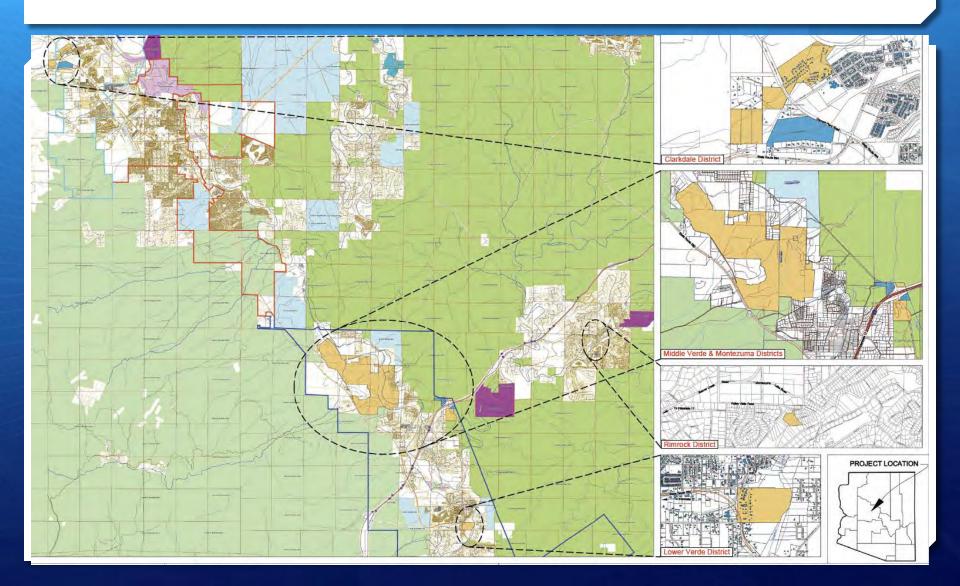
>2.86
square miles
~1,831 acres

## THE 1871 CAMP VERDE INDIAN RESERVATION

- The 1871 Camp Verde Indian Reservation stretched for 45 miles of the Verde River and 10 miles on each side.
- It was terminated in 1875 after the Yavapai and Apache were removed from their homeland in the Verde Valley and force marched to the San Carlos Apache Reservation over 180 miles away.



## THE YAVAPAI-APACHE RESERVATION TODAY



## THE GILA RIVER ADJUDICATION

- The Gila River Adjudication case began in the 1970's to determine all of the water rights in the Gila River System, which includes the Verde River Watershed.
- The Adjudication includes the water rights claims of the Federal government for Federal lands within the Gila River System.
- Indian Lands are also included in the Adjudication, and the United States, along with the Tribes, assert claims for water for these lands based on Federal and State law.

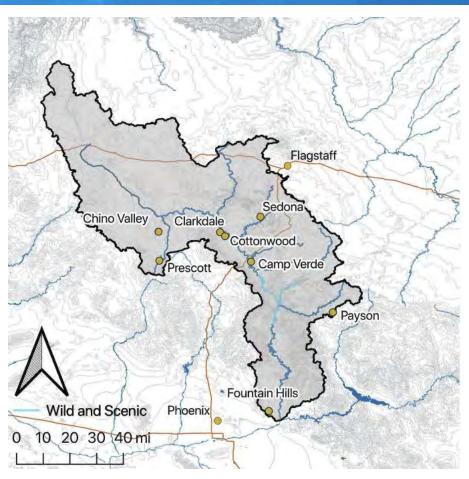


## THE NATION'S WATER RIGHTS CLAIM

- The Nation's claims for water rights are pending in the Gila River Adjudication.
- The Nation's claim was filed by the United States and by the Nation in the 1980's

US SOC No. 39-54025 YAN SOC No. 39-50059

As ordered by the Adjudication Court, the United States and the Nation both filed amended claims for the Nation's water rights on January 6, 2023



The Verde River Watershed

## Parties and Interested Stakeholders

#### THE PARTIES:

- Yavapai-Apache Nation
- United States of America
- State of Arizona
- Salt River Project
- Town of Camp Verde
- > Town of Clarkdale
- City of Cottonwood
- Central Arizona Water Conservation District

















#### **INTERESTED STAKEHOLDERS:**

- Other Local Communities
- ➤ Water Users in the Verde River Watershed (upstream and downstream)
- > Farmers, Ranchers and Ditch Users
- Private Water Companies
- Environmental and other Non-Governmental Organizations

## WATER BUDGET AND WATER SOURCES FOR SETTLEMENT

### HISTORIC STATE-BASED WATER RIGHTS

Verde Ditch OK Ditch Daley Decree

1,593.76 (Div) 865.18 (Dep)

### C.C. CRAGIN RESERVOIR WATER

YAN Cragin Water SRP Water

3,410.26 (Div) 3,410.26 (Dep)

#### YAN CAP WATER

via Exchange thru C.C. Cragin, Store or Lease

1,200 (Div) 1,200 (Dep)

#### YAN PUMPED WATER

Underground Water from Wells

684.48 (Div) 515.56 (Dep)

+ ADDITIONAL
YAN PUMPED WATER

93,329 AFV at Tunlii USGS Cage

#### OTHER RIGHTS CONFIRMED:

- > RECLAIMED WATER USE
- > RIGHT TO STORE WATER
- ➤ ADDITIONAL WATER RIGHTS
  ACQUISITION ALLOWED

- Div = Diversion
- Dep =Depletion
- Numbers are in acre-feet per

Total Maximum Annual Diversion Amount<sup>3</sup>: 6,888.50
Total Maximum Annual Depletion Amount<sup>3</sup>: 5,991.00

## HISTORIC VERDE RIVER SURFACE WATER RIGHTS

- > The Nation will continue to have the right to use its historic state-based Verde River surface water rights on the Reservation.
- The Settlement establishes agreed upon annual maximum amounts of use for these water rights.

Verde River Water	Maximum Diversion (AFY)	Maximum Depletion (AFY)	Priority Date
OK Ditch Right	1025.78	556.85	Jan. 12, 1877
Verde Ditch Right	107.38	58.29	Dec. 31, 1878
Daley Decree Right	460.60	250.04	Dec. 31, 1878 and Dec. 31, 1913

- Based upon a historic diversion water duty of 7.0 acre-feet per acre and depletion water duty of 3.8 acre-feet per acre.
- The Settlement will "square up" these surface water rights to the current irrigated lands on the Reservation through severances and transfers (S&Ts).

### **VERDE DITCH RIGHT**

- Confirms the right of the Nation and US to continue to participate in the administration of the Hance v. Arnold Judgment for the Verde Ditch.
- Allows the Nation to sell, transfer or modify the use of its 25 Verde Ditch shares if approved by the Court with jurisdiction over the Hance v. Arnold Judgment.

#### 5.2.5 Hance v. Arnold Judgment

- 5.2.5.1 The YAN and the United States acting as trustee for the YAN shall have the right to participate in the continuing administration of the Verde Ditch pursuant to the Conclusions of Law and Judgment entered on March 23, 1909, by the District Court of the Fourth Judicial District of the Territory of Arizona, in and for the County of Yavapai, in *Hance v. Arnold et al.*, No. 4772, attached as Exhibit 5.2.5, including all successive orders thereto (hereafter "*Hance v. Arnold* Judgment").
- 5.2.5.2 The YAN and the United Stated acting as trustee for the YAN holds 25 shares in the capacity of the Verde Ditch that are to be sufficient for the irrigation of 25 acres of land ("Verde Ditch Shares"). Subject to the approval of the court with jurisdiction over the administration of the Verde Ditch under the Hance v. Arnold Judgment, the YAN shall have the right, in its sole discretion, to sell, transfer or modify the use of its Verde Ditch Shares which are not otherwise required for use of the Verde Ditch Right described in Subparagraph 5.2.

### VERDE RIVER SURFACE WATER RIGHTS

- As in prior Indian water rights settlements, these Verde River Surface water rights will not be subject to forfeiture or abandonment for non-use.
- For some of these rights, the Nation will be diverting its water right from existing on-Reservation wells.
- The Settlement of these Verde River surface water rights cannot be used as precedent for claims made by anyone else for Verde River surface water.
  - 5.9 Nothing in this Paragraph 5.0 is intended to establish the attributes of Water Rights to Surface Water associated with the OK Ditch, Verde Ditch, or the Daley Decree, for any person or entity other than the YAN and the United States acting as trustee for YAN. The attributes to Surface Water described in Paragraph 5.0 shall not be used or relied upon as precedent by any party in the Gila River Adjudication Proceedings.

## INSTREAM FLOW RIGHT FOR SETTLEMENT

- A keystone of the Settlement is that a minimum instream flow is maintained in the Verde River at the Middle Verde District of the Reservation.
- A healthy ecosystem with a flowing Verde River supports the plants and animals of cultural, traditional and religious importance to the Nation.
- A flowing Verde River brings wildlife, recreation and economic opportunity to the entire Verde Valley.





## INSTREAM FLOW RIGHT FOR SETTLEMENT

The Nation will obtain a statebased Certificate of Water Right from the Arizona Department of Water Resources for this Instream Flow right.



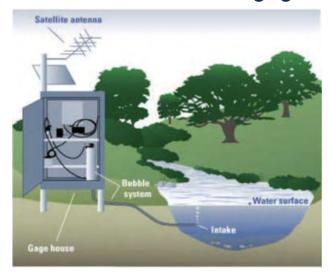
#### Exhibit 11.1B

Middle Verde District - Verde River Instream Flow Attributes Verde River Watershed - Lower Verde Valley Subwatershed

Point of Compliance	SW¼ NE ¼ NW ¼ of Sec. 14, Township 14 North, Range 4 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona  Current Gage: <u>USGS Gage No. 09504950 ("Verde River Above Camp Verde")</u> ; GPS: 34.6116972, -111.8984306		
Priority Date	June 1, 2010		
	Monthly Instream Flows		
Month	Median (cfs)	Ac-ft	
January	155	9,531	
February	148	8,293	
March	399	24,503	
April	102	6,087	
May	61	3,738	
June	46	2,712	
July	90	5,525	
August	108	6,610	
September	76	4,545	
October	107	6,573	
November	116	6,902	
December	135	8,301	
	Total AFY:	93,320	
	Instream Flows for Flood Ever	nts	
Overbank Flow	613	1,150	
Rejuvenating Flow	nating Flow 11,500 29,400		
Restructuring Flow	32,600	93,100	

## INSTREAM FLOW RIGHT

<u>USGS Gage No. 09504950 "Verde River Above Camp Verde"</u> is the gage installed by the United States Geological Survey (USGS) in 2018 within the Middle Verde District of the Reservation near the Nation's Ceremonial Grounds. The Nation refers to this gage as the "Tunlii Gage".





## **INSTREAM FLOW RIGHT**

- ➤ The Settlement Act in Congress will recognize the importance of instream flow in the Verde River for the Nation's traditional, cultural and religious purposes.
  - (5) to recognize the important cultural, traditional and religious value of the Verde River to the Yavepé (Yavapai) who know the Verde River as Hatayakehela ("big river"), and to the Dilzhé5 (Apache) who know the Verde River as Tú ńlí5?í5?níchoh ("big water flowing"), and to protect the existing flows of the Verde River, including flood flows, as described in the Agreement and this Act, on the Yavapai-Apache Reservation, now and in the future.



Nelinah Mix's Na'ii'ees (Coming-of-Age) Ceremony at Middle Verde Ceremonial Grounds (May 2024)

## RECLAIMED WATER USE

- > The Nation will have the right to use its reclaimed water.
- Reclaimed water will not count against the Nation's Water Budget.
- Integrating reclaimed water into the Nation's Farm will free-up Historic Water Rights and YAN Pumped Water for other Uses.

Middle Verde Water Reclamation Facility (MVRF)



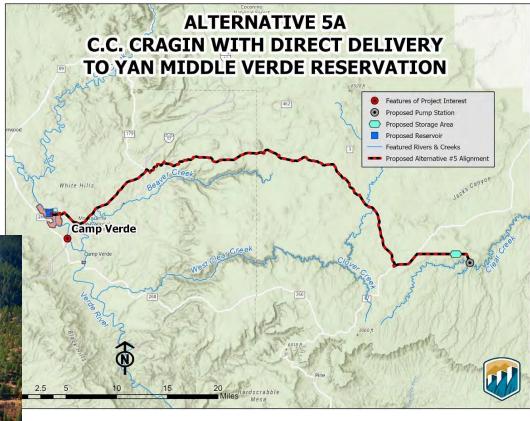
Upper Cloverleaf Pivots that can use Tunlii WRF



## Tú ňlíiníchoh Water Infrastructure Project

## TÚ ŃLĮĮNÍCHOH WATER INFRASTRUCTURE PROJECT COMPONENT 1: CRAGIN-VERDE PIPELINE PROJECT (CVPP)

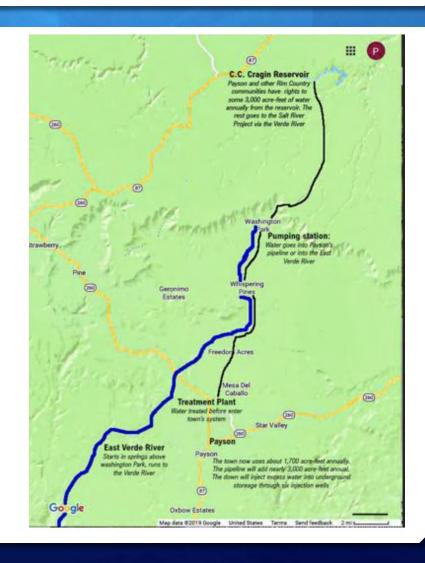
Water will be delivered in a 60-mile pipeline from the C.C. Cragin Reservoir (aka Blue Ridge Reservoir) to Camp Verde, Arizona.



The Nation will be entitled to delivery of 4,610 AFY from Cragin Reservoir (subject to conditions)

## TÚ ŃLĮĮNÍCHOH WATER INFRASTRUCTURE PROJECT COMPONENT 1: CRAGIN-VERDE PIPELINE PROJECT (CVPP)

- The CVPP Pipeline would be similar to the way the Town of Payson uses Cragin Water.
- Pump station, pipeline, and surface water drinking plant constructed and in operation.
- Payson uses groundwater or recovers long-term storage credits in years when the Cragin Water supply is limited.



## TÚ ŃLĮĮNÍCHOH WATER INFRASTRUCTURE PROJECT COMPONENT 1: CRAGIN-VERDE PIPELINE PROJECT (CVPP)

➤ Local communities will also have the opportunity to obtain a share of C.C. Cragin Water – up to **1,640 AFY** if they enter into an agreement with SRP for this water before December 31, 2029.

#### SUMMARY OF YAN AND VERDE VALLEY COMMUNITIES WATER SOURCES AND PIPELINE CAPACITY

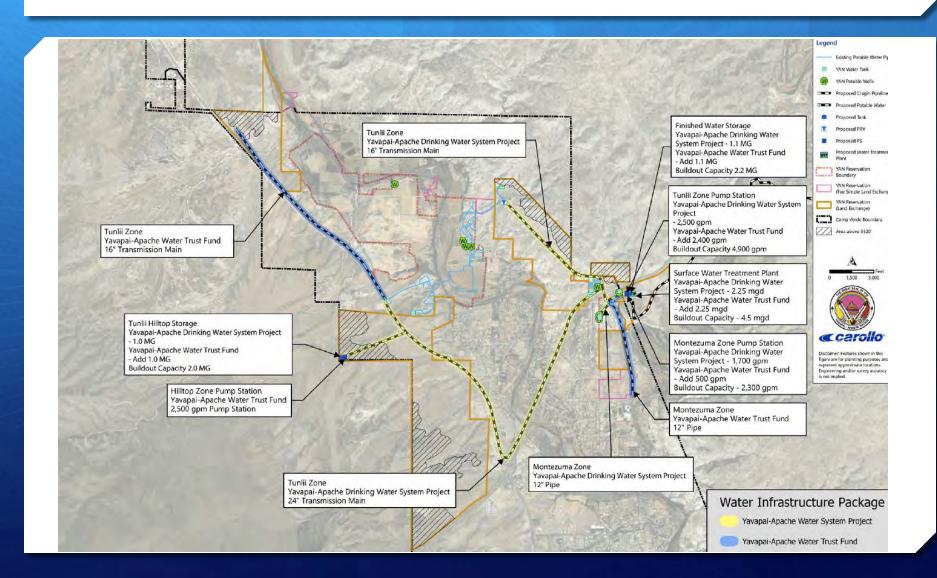
Water Source	Quantity (AFY)  Water Source  Pipeline Capacity <sup>1</sup> (AFY)		Construction Cost		
water source	Annual Average	Maximum	Tipeline capacity (ATT)	(millions)	
YAN Water from Cragin	3,410	3,977			
YAN CAP Indian Priority Water	1,200	1,200			
Total for YAN	4,610	5,177	6,836	\$651	
Yavapai County Communities Cragin Water <sup>2</sup>	1,640	1,912	1,912	\$80	
Total	6,250	7,089	8,748	\$731	

## TÚ ŃLĮĮNÍCHOH WATER INFRASTRUCTURE PROJECT COMPONENT 2: YAVAPAI-APACHE DRINKING WATER SYSTEM PROJECT

- At the end of the Cragin-Verde Pipeline Project, a surface water treatment plant (SWTP) and water delivery infrastructure will be built to deliver water to the Nation's Reservation lands located in and around Camp Verde.
- There are opportunities for potential joint use of the SWTP and associated infrastructure with the local communities to maximize water delivery infrastructure efficiencies for everyone.

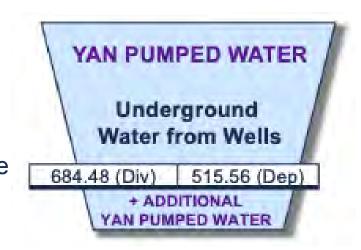


## TÚ ŃLĮĮNÍCHOH WATER INFRASTRUCTURE PROJECT COMPONENT 2: YAVAPAI-APACHE DRINKING WATER SYSTEM PROJECT



### YAN PUMPED WATER

- Once the **Tú ńlįį́níchoh Water Infrastructure Project** is built, the Nation will have a limited right to pump water from wells on the Reservation.
- In times when the Cragin Reservoir does not produce sufficient water to meet the Nation's need for water for M&I use, the Nation will be allowed to pump additional water as long as:
  - The water that is pumped is not appropriable surface water or the water that is pumped has a valid surface water right associated with it; OR
  - ➤ The Nation uses Effuent or recovers longterm storage credits to offset pumping for agricultural operations that is equal to at least 25% of the Nation's M&I uses



## THE COMMUNITY AGREEMENTS CLARKDALE, COTTONWOOD & CAMP VERDE

DRAFT YAN-Cottanwood Agreement - Exhibit \_

#### EXHIBIT

### AGREEMENT BETWEEN THE YAVAPAI-APACHE NATION, THE UNITED ST.

Table of Cont	ents	
1.0	Recitals	
2.0	Definitions	
3.0	List of Attachments	
4.0	Water Budget	
5.0	Mitigation for Exceedance of Water Budget	
6.0	Future Development	
7.0	New Well Development	
8.0	Historic Water Rights; Conversion to M&I Use	
9.0	Underground Storage	
10.0	Other Water Provisions	
11.0	Accounting	
12.0	Reporting	
13.0	Confirmation of Rights	
14.0	Waiver and Release of Claims	
15.0	Dispute Resolution	
16.0	Miscellaneous	

This Agreement is entered into as of the date executed below, by and Apache Nation, the City of Cottonwood, and the United States of Am as set forth in this Agreement.

#### 1.0 RECITALS

1.1 Proceedings to determine the nature and extent of rights to water of the Yavapai-Apache Nation, its Members, the United States acting as trustee for the Nation, the City,

DRAFT Clarkdale Agraement - Exhibit \_ DRAFT Version - February 11, 2024

#### EXHIBIT \_\_\_

### AGREEMENT BETWEEN THE YAVAPAI-APACHE NATION, THE UNITED STATES, AND THE TOWN OF CLARKDALE

	Table of Contents
1.0	Recitals
2.0	Definitions
3.0	List of Attachments
4.0	Water Budget
5.0	Water Use Plan
6.0	Temporary Exceedance of Water Budget
7.0	Mitigation
8.0	Future Developments
9.0	New Well Development
10.0	Historic Water Rights; Conversion to M&I Use
11.0	Underground Storage
12.0	Other Water Provisions
13.0	Potable Water and Sewer Service for the Nation
14.0	Accounting
15.0	Reporting
16.0	Confirmation of Rights
17.0	Waiver and Release of Claims
18.0	Dispute Resolution
19.0	Miscellaneous

This Agreement is entered into as of the date executed below, by and among the Yavapai-Apache Nation, the Town of Clarkdale, and the United States of America in the capacity as set forth in this Agreement. ERDE Agreement – Exhibit ebruary 12, 2024

#### EXHIBIT

### AGREEMENT : YAVAPAI-APACHE NATION, THE UNITED STATES, AND THE TOWN OF CAMP VERDE

Table of Contents	
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Miscellaneous	

This Agreement is entered into as of the date executed below, by and among the Yavapai-Apache Nation, the Town of Camp Verde, and the United States of America in the capacity as set forth in this Agreement.

## COMMUNITY AGREEMENTS CLARKDALE, COTTONWOOD & CAMP VERDE

- There are three (3) separate agreements with Verde Valley Communities attached to the Settlement Agreement.
- Each Community agrees to their own Water Budget which limits the total amount of water use from Surface Water and Groundwater to a specific number.
- Each Community agrees to not install any more wells in the Subflow Zone of the Verde River.



Help keep the Verde River flowing.

## THE COMMUNITY AGREEMENTS CLARKDALE, COTTONWOOD & CAMP VERDE

▶ If a Community exceeds their Water Budget, they have agreed to mitigate (or "pay back") the exceedance in their Water Budget. This helps protect the flows of the Verde River and the Nation's local water supply.

#### **TYPES OF MITIGATION**

Recovery and Use of Long-Term Storage Credits (LTSCs)

Acquisition of Historic Water Rights

Discharge to the Verde River (under strict standards)

Discharge to the Subflow Zone (under strict standards)

Mitigation by Mutual Agreement

➤ Each Year, the Communities will provide an accounting of their Water Use to the Nation and the Nation will provide an accounting of its Water Use to the Communities.

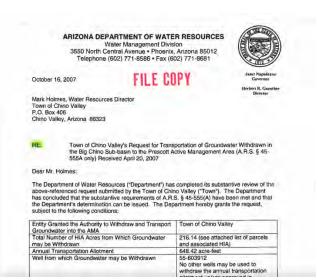
## WAIVERS OF CLAIMS AND RETENTION OF RIGHTS WHAT THE NATION MUST WAIVE AND WHAT IT RETAINS

- Waiver: The Nation must waive its historic claims for water rights damages against the US and all other state parties for harm to the Nation's water rights.
- Waiver: The Nation and the US as trustee for the Nation must waive its right to enforce its instream flow right against Camp Verde, Clarkdale, Cottonwood as long as those Communities comply with the terms of their Community Agreements, including their own Water Budgets.
- Retention: The Nation would retain its right to enforce its decreed rights against <u>future</u> direct diversions of Surface Water that are not from a well
- Retention: The Nation would retain its rights to protect its instream flow right against any potential <u>future</u> upstream dam or reservoir.



## WAIVERS OF CLAIMS AND RETENTION OF RIGHTS WHAT THE NATION MUST WAIVE AND WHAT IT RETAINS

- Waiver: The Nation must waive its right to enforce its decreed water rights against existing wells (in other words, the Nation must accept the status quo as it is today)
- Waiver: The Nation must waive against certain future water uses:
  - Domestic Wells
  - Stock Watering Uses
  - Stockponds with a capacity not to exceed 4 AF
  - A.R.S. § 45-555 Prescott AMA's right to withdrawal and transportation from the Big Chino & importation of groundwater from historically irrigated agricultural (HIA) lands into the Prescott AMA



## WAIVERS OF CLAIMS AND RETENTION OF RIGHTS WHAT THE NATION MUST WAIVE AND WHAT IT RETAINS

- Waiver: The Nation also must waive against other <u>future</u> wells that are:
  - For M&I uses by a Municipal Water Provider or Public Water System that is not otherwise a party to the Settlement if:
    - Any new well that is installed by the provider is not located within the lateral limits of the Subflow Zone
    - New buildings have current EPA WaterSense (or equivalent) fixtures
    - Native drought tolerant plants are used for landscaping
    - Turf is watered with only effluent, grey water, or harvested rainwater
    - No ornamental water features [does not include swimming pools]

## PARTICIPATION IN THE ADJUDICATION AFTER THE EFFECTIVE DATE

- In the Settlement, <u>after</u> the Effective Date (when the Parties to the Settlement all execute the Settlement Agreement, except for the US), the Parties will:
  - Ask the Adjudication Court to <u>put on hold</u> the water rights claims of the Nation and the US as trustee for the Nation in the Verde River Watershed.
  - Ask the Adjudication Court to remove the water rights claims of the Nation from inclusion in the Lower Verde Valley Hydrographic Survey Report (HSR) that is scheduled to be finalized on September 30, 2028.
- The Nation and the US will still be permitted to amend the water rights claims of the Nation and US as trustee for the Nation as long as the amendment is consistent with the Settlement Agreement.

## PARTICIPATION IN THE ADJUDICATION

### AFTER THE DATE OF THE ACT

- In the Settlement, <u>after</u> the date of enactment of the Act in Congress and until the Enforceability Date, the Nation and the US as trustee for the Nation will <u>only</u> be permitted to participate in the Gila River Adjudication for certain matters:
  - To seek approval of the Judgment that approves the Settlement.
  - To file motions or stipulations required by the Settlement Agreement.
  - To provide input related to technical reports prepared by ADWR related to the Subflow Zone.
  - ➤ To provide input related to any special procedural rule for the Gila River Adjudication.
- The Nation and the US as trustee for the Nation will also:
  - Withdraw all objections to the San Pedro Hydrographic Survey Report (HSR).
  - Not file objections to any future preliminary or final HSRs issued by ADWR.

## PARTICIPATION IN THE ADJUDICATION

### **AFTER ENFORCEABILITY**

- ➤ In the Settlement, <u>after</u> the Enforceability Date, the Nation will not participate in the Adjudication, except in certain limited situations, including:
  - To enforce the Settlement Agreement;
  - ➤ To assert claims for injury to and enforce YAN rights under the YAN Judgment and Verde River Decree (¶ 13.1.3(a)&(b));
  - ➤ To assert claims for water rights for land owned by the Nation in fee (¶ 13.1.3(c));
  - To object to the water rights of any other Indian Tribe (¶ 13.1.3(d));
  - To claim injury to water rights against any other Indian Tribe (¶ 13.1.3(e));
  - ➤ To assert claims for injury to water rights for off-Reservation water use by new water users directly diverting Surface Water after the Effective Date (¶ 13.1.3(f)); and
  - And to challenge wells in the Subflow Zone and wells pumping Subflow that support bad growth under under ¶ 13.1.3(g) (discussed earlier).

## **ADDITIONAL RESERVATION LANDS**

- To help the Nation provide for its people, additional lands will be added to the Reservation.
- ~ 209 acres of existing fee lands owned by the Nation will be added to the Middle Verde, Montezuma and Clarkdale Districts of the Reservation.
- ~ 3,088 acres of Forest Service Land Exchange lands will also be added to the Middle Verde and Montezuma Districts of the Reservation.



Middle Verde and Montezuma Districts

Yavapai-Apache Nation Water Rights Settlement Agreement Exhibit 2.98A - YAN Fee Land and YAN Land Exchange Land to be Taken into Trust and Added to the Reservation at the Middle Verde District and the Montezuma District Yavapai County Assessor Parcel Nos 404-17-032B 404-17-032H 404-17-030H 404-17-030J Sonic/Chevror 404-17-030F 404-17-030H YAN Fee Land to be Added to YAN Reservation Yavapai-Apache Reservation Forest Service Land Exchange Middle Verde District are approximate locations ands to be Added to the YAN Montezuma District

Clarkdale District

## **COSTS OF SETTLEMENT**

	Tù ńijinichoh Water Infrastructure Project
\$731,059,000	Cragin-Verde Pipeline Project (CVPP)
t \$152,490,000	Yavapai-Apache Drinking Water System Project
	Yavapai-Apache Water Settlement Trust Fund
t \$300,000	Yavapai-Apache Water Settlement Implementation Account
t \$58,000,000	Yavapai-Apache Water Projects Account
t \$31,000,000	Yavapai-Apache Wastewater Projects Account
t \$66,000,000	Yavapai-Apache OM&R Account
t \$700,000	Yavapai-Apache Watershed Rehabilitation and Restoration Account
\$1,039,549,00	Total:

- > \$13 million from the Tú ńlįį̃níchoh Water Infrastructure Project will be made available prior to the Enforceability Date to complete 30% design and environmental compliance for the Project.
- The \$731M includes \$80M required to upsize the CVPP for delivery of additional Cragin Water to the Verde Valley Communities
- ➤ The Trust Fund is to support the Nation in Settlement implementation, construction of water and wastewater infrastructure, OM&R, and rehabilitation and restoration of the Verde River watershed.

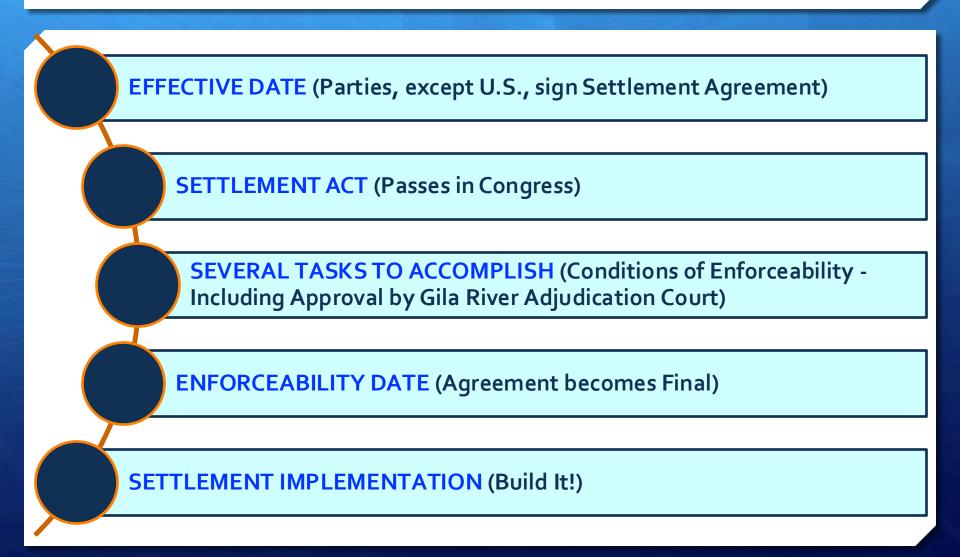
## CONDITIONS OF ENFORCEABILITY

## THINGS THAT HAVE TO HAPPEN BEFORE THE SETTLEMENT IS FINAL

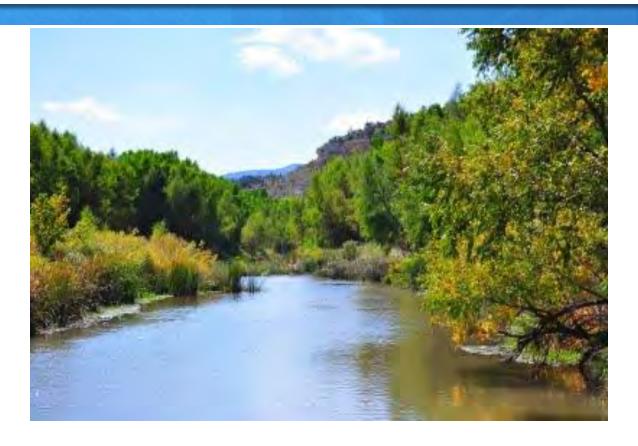
Settlement Agreement is revised to conform to the Act & Waivers have all been signed Gila Adjudication Court has approved the YAN Judgment and the Severance & Transfer of Verde Ditch, OK Ditch and Daley Rights Funding for Settlement Costs has been deposited to the required accounts ADWR has approved the Severance & Transfer of YAN Cragin Water & SRP Water from SRP to the Nation ADWR has approved Nation's Instream Flow Right Final NEPA Record of Decision to Build Cragin-Verde Pipeline and YA-DWSP is Issued (30% Design Completed)

Clarkdale and YAN finalize Water and Sewer Service Agreement; Camp Verde and YAN finalize Interconnection Agreement.

## MILESTONES FOR SETTLEMENT AGREEMENT



## THE END



"As long as the river flows, life will be good."

Mary Sine, Tribal Elder, circa 1937