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

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

CIVIL NO. W1-11-2694

ORDER DENYING MOTION
TO STAY DISCLOSURE AND
VACATE HEARING

CONTESTED CASE NAME: *In re Pima County Irrigation*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.
DESCRIPTIVE SUMMARY: Motion to stay due date for filing disclosure statements and expert reports and vacate status conference denied.
NUMBER OF PAGES: 3.
DATE OF FILING: January 31, 2019

By minute entry dated June 19, 2018, a deadline of December 14, 2018 was set for the parties to file disclosure statements and expert report. On December 7, 2018, Pima County filed a motion to extend the deadline to January 28, 2019. The motion was granted and a status conference was set for February 8, 2019. On January 28, 2019, Salt River Project and Arizona

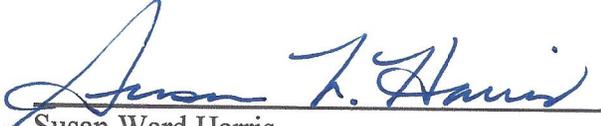
1 State Land Department timely filed Initial Rule 26.1 Disclosure Statements and Salt River
2 Project filed an expert report. On January 28, 2019, Pima County filed a motion to stay
3 disclosure and discovery and vacate the status conference set for February 8, 2019, (the
4 “Motion”) representing that it had negotiated proposed abstracts for the water rights at issue
5 with all parties except the Tonto Apache Tribe and San Carlos Tribe (the Tribes) because on
6 January 22, 2019 the Tribes raised a chain of title issue.
7

8 Proposed abstracts for water rights were not attached to the Motion. Consequently, a
9 determination cannot be made as to whether the resolution of the single issue identified by Pima
10 County will resolve all outstanding disputes regarding water right characteristics involved in the
11 abstracts. In addition, Salt River Project and the Arizona State Land Department have filed
12 suggested corrections to proposed abstracts that have been issued. By February 4, 2019, the
13 Tribes will be filing any suggested corrections they may have to those abstracts. The Arizona
14 Department of Water Resources has filed a Report with recommended changes to proposed
15 abstracts for 113-12-023-SP001 and 113-12-023-SW001. Due to the uncertainty as to the
16 status of the agreement among the parties to proposed abstracts,
17

18 IT IS ORDERED denying the Motion. Pima County and the Tribes shall file Initial
19 Disclosure Statements and expert reports with respect to those issues that they believe are in
20 dispute by **February 5, 2019**. Based on the information received at the status conference, an
21 appropriate deadline will be set for the parties to file supplemental initial disclosure statements
22 and expert reports.
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24 IT IS FURTHER ORDERED that the parties will provide proposed abstracts at the
25 status conference that contain water characteristics for which there is mutual agreement and
26 identify those specific water characteristics about which there is disagreement.
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1 IT IS FURTHER ORDERED that Pima County will provide title documents at the status
2 conference that it has currently available concerning the land for which water rights are claimed.
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8 Susan Ward Harris
Special Master
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11 The original of the foregoing was delivered to
12 the Clerk of the Maricopa County Superior
13 Court on January 31, 2019, for filing and
14 distributing a copy to all persons listed on the
Court approved mailing list for Contested Case
No. W1-11-2694.

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16 Barbara Brown
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