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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

W-1 (Salt)  
W-2 (Verde)  
W-3 (Upper Gila)  
W-4 (San Pedro)  
Consolidated

Contested Case No. W1-11-3311

ORDER TO CLARIFY NOTICE OF  
DESIGNATION OF AN ISSUE OF BROAD  
LEGAL IMPORTANCE


CONTESTED CASE NAME: *In re Luebbermann*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.  
DESCRIPTIVE SUMMARY: Clarification issued in response to Request filed by Salt River Project Agricultural Improvement and Power District and Salt River Valley Water Users' Association.  
NUMBER OF PAGES: 2  
DATE OF FILING: February 25, 2019

On February 21, 2019, Salt River Project Agricultural Improvement and Power District and Salt River Valley Water Users' Association filed a Request for Clarification on Notice of

1 Designation of Issue of Broad Legal Importance filed December 31, 2018, as to three points.  
2 Clarification is provided as follows:

- 3
- 4 1. The scope of the Notice of Designation of Issue of Broad Legal Importance is limited  
5 to the issue of whether a claimant seeking a water right has the burden of producing  
6 the set of deeds that conveyed title to the land from the original user of the water to  
7 the claimant currently asserting a water right. This proceeding is not intended to  
8 address factual or legal issues related to continuous use, forfeiture, or abandonment of  
9 water uses. Instead, the focus of the proceeding concerns only the evidentiary issue  
10 as to the production of legal documentation related to transfers of water rights, i.e.,  
11 the "chain of title".
- 12 2. The Notice of Designation of Issue of Broad Legal Importance was only filed in the  
13 Gila River Adjudication and applies only to the Gila River Adjudication.
- 14 3. Parties may file a responsive pleading by **March 19, 2019** to the Response filed by  
15 the Yavapai-Apache Nation and Pascua Yaqui Tribe on February 11, 2019. A party's  
16 responsive pleading shall not exceed 11 pages.

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19 \_\_\_\_\_  
20 Susan Ward Harris  
21 Special Master

22 On February 25, 2019 the original of the foregoing was  
23 delivered to the Clerk of the Maricopa County Superior  
24 Court for filing and distributing a copy to all persons listed  
25 on the Court-approved mailing list for this contested case  
26 and to the Court-approved mailing list for W-1, W-2, W-3  
27 and W-4.

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