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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF APACHE**

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

Contested Case No. CV6417-300

**ORDER DENYING REQUEST FOR  
COURT-EMPLOYED COURT  
REPORTER AND WAIVING**

Arizona Rules of the Supreme Court regarding the “Use of Court Reporting Resources,” Rule 30(b), require the court to use a certified reporter under limited circumstances:

- a. Grand jury proceedings;
- b. As required by A.R.S. Title 36, Chapter 5;
- c. When the trial or hearing arises out of an indictment or information and either party requests a certified reporter;
- d. When a trial or hearing is held pursuant to A.R.S. Title 36, Chapter 37 and either party requests a certified reporter; or
- e. All proceedings in a first degree murder case, pursuant to A.R.S. § 13-1105, unless or until the State declines to file a notice of intent to seek the death penalty.

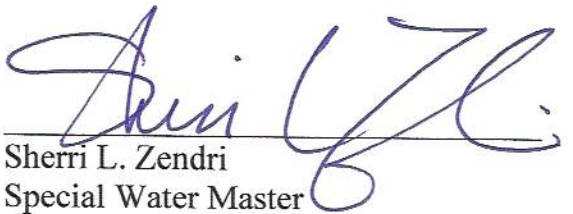
While the Court agrees this is a potentially historic case, that is not a criterion listed to require the use of a court reporter. Unfortunately, there are enough cases within Maricopa

1 County that do meet the requirements for mandatory court reporting that court-employed  
2 reporting staff will not be available for every day of this trial. Given the inability to guarantee  
3 a court reporter for each day, it does not make sense to have sporadic attendance and subject  
4 all parties to a daily uncertainty.

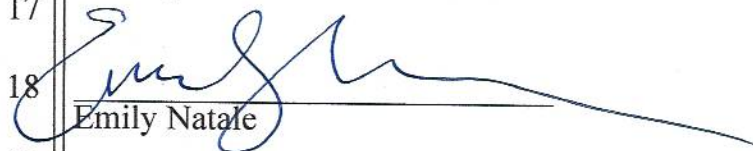
5 Rule 30(b)(3)(f) provides for the transcription of an electronic recording. A transcript  
6 may be requested by contacting Electronic Records Services (602-506-7100). If this is not  
7 sufficient for any party, Rule 30(b)(3)(b) through (e) provide the procedures for a Party(ies)  
8 to bring in a private court reporter.

9 **IT IS ORDERED** denying the request for a court-employed court reporter.

10 dated this 10<sup>th</sup> day of April, 2023.

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14 Sherri L. Zendri  
Special Water Master

15 On April 10, 2023, the original of the  
16 foregoing was delivered to the Clerk of  
17 the Apache County Superior Court for  
18 filing and distributing a copy to all  
19 persons listed on the Court-approved  
20 mailing list for this contested case.

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22   
23 Emily Natale