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6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
7 IN AND FOR THE COUNTY OF MARICOPA  
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9 IN RE THE GENERAL ADJUDICATION  
10 OF ALL RIGHTS TO USE WATER IN  
11 THE GILA RIVER SYSTEM AND  
12 SOURCE

W-1, W-2, W-3, W-4 (Consolidated)

Contested Case No. W1-103

12 **ORDER ESTABLISHING**  
13 **GROUNDWATER FLOW MODEL**  
14 **TECHNICAL COMMITTEE**

14 **CONTESTED CASE NAME:** *In re Subflow Technical Report, San Pedro Watershed*  
15 **REPORT INVOLVED:** Addendum to the Groundwater Flow Model of the Upper San  
16 Pedro Groundwater Basin, February 2025.  
17 **DESCRIPTIVE SUMMARY:** The order establishes a technical committee to develop  
18 a groundwater flow model for the upper San Pedro Groundwater Basin. A Technical  
19 Committee progress consultation is scheduled for **Wednesday, May 14, 2025, at 10:00**  
20 **am.**

20 On February 20, 2024, Arizona Department of Water Resources (“ADWR”) filed  
21 the Groundwater Flow Model of the Upper San Pedro Groundwater Basin (“the  
22 Model”), intended to underlie the cone of depression and subflow depletion tests for the  
23 San Pedro River Watershed. In response to objections filed to ADWR’s technical  
24 report, the Special Master issued an order instructing ADWR to file an addendum to its  
25 technical report that clarifies various aspects of the report. The addendum, filed on  
26 February 7, 2025, provided clarification regarding the basis for certain parameters and  
27 assumptions in the model, the geographical orientation of the model, and the rigor of  
28 the model’s calibration. The addendum also proposed updates to the current model and

1 a timeline for completion of those updates.

2 To minimize technical objections to the revised model recommendation, and to  
3 expedite the updates themselves, the Special Master instructed the parties and ADWR  
4 to form a technical committee. W1-103, Minute Entry (Mar. 6, 2025). Specifically, the  
5 Special Master requested that parties provide nominations to the Court for individuals  
6 with qualified modeling expertise willing and able to work with the Arizona  
7 Department of Water Resource on finalizing the Upper San Pedro Groundwater Basin  
8 Groundwater Flow Model. *Id.*

9 **IT IS ORDERED** that the Upper San Pedro Groundwater Model Technical  
10 Committee (“the Committee”) shall consist of the following members:

- 11 • Jerry Shi and Emily LoDolce – ADWR
- 12 • Dean Alford – City of Tempe
- 13 • Doug Bartlett – Clear Creek Associates
- 14 • Dave Colvin – LRE Water
- 15 • Amy Hudson – Tetra Tech
- 16 • Colin Kikuchi – Montgomery & Associates
- 17 • Conor Kingston – Stetson Engineers, Inc.
- 18 • Nathan Miller – Matrix New World Engineering
- 19 • Peter Mock
- 20 • James Wells – LEA Environmental, Inc.

21 **IT IS FURTHER ORDERED** that, no later than **March 28, 2025**, Committee  
22 members shall forward their email, phone number, and time zone information to  
23 [water@jbazmc.maricopa.gov](mailto:water@jbazmc.maricopa.gov). After the office of the Special Master has received the  
24 above requested contact information, it will forward the contact information to ADWR  
25 who will reach out to committee members to set up an initial meeting.

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27 **COMMITTEE PURPOSE**

28 The fundamental reason for the Committee is to bring together a collection of

1 qualified technical experts who will collaboratively work through the technical  
2 challenges associated with creating a complex groundwater analytical model. The  
3 expected outcome of this Committee is the development of the best possible  
4 groundwater analytical model of the Upper San Pedro Groundwater Basin.

5 The Committee will not be an adversarial forum. Committee members are not  
6 invited by this Court to participate as representatives for a client or a position, but rather  
7 as representatives for science and advocates for the most reasonable scientific solution  
8 given time and cost constraints. Committee members should aim for robust discussion  
9 without fear of disagreement, but discussion must revolve around science. Advocacy for  
10 a legal position will result in removal from the Committee.

11 Further, in keeping with the goals of the Committee, the Court will appoint only  
12 experts to the Committee. This Committee comprises technical people doing technical  
13 work. Nonetheless, parties who did not provide a nomination for the Committee can  
14 keep apprised of Committee discussions and may ultimately contest Committee  
15 recommendations incorporated in the Model. The Committee will regularly report  
16 progress to the Court and interested parties through quarterly progress consultations. In  
17 addition, minutes of Committee meetings will be filed with the Court and posted online.  
18 Any party concerned about the direction of the Committee may voice their opinion to  
19 the Special Water Master during any scheduled progress consultation.

20 It cannot be overstated that, in the development of the Model, all parties should  
21 be aligned with the goal of an accurate model. To foster an environment of cooperation  
22 and promote straightforward dialogue regarding the Model, Committee discussions  
23 should focus only on the technical aspects of the Model. Minutes of the Committee  
24 meetings will be filed with the Court for anyone to review, and progress consultations  
25 with the Court will be open to the public.

## 26 27 **MEETING GUIDELINES**

28 The Committee shall meet at least monthly in a meeting space provided by

ADWR. The Committee shall discuss progress with the Special Master during quarterly (or more frequent) progress consultations scheduled by the Special Master. Two chairs will lead the Committee, one member elected by the Committee and one representative from ADWR. In the event that a member is not able to attend a meeting, a proxy is permitted to attend. However, any proxy must still be able to provide meaningful input. Committee members are free to contact each other and research or discuss issues outside of scheduled meetings, especially where there are scheduling conflicts and challenges. Committee members shall communicate about substantive matters with ADWR only during scheduled meetings.

ADWR shall file, within five business days of a Committee meeting, a summary of the meeting. Meeting summaries will not be subject to comment or objection. Errors in a summary, though unlikely, may be addressed at the next progress consultation. Each summary shall include the following:

- A copy of the agenda
- A list of attendees
- Start and stop times
- A brief description of discussion items
- Assigned action items with due dates
- Issues assigned to the next meeting
- Any issues that need the attention of the Special Master

## **PRELIMINARY MEETINGS AND INITIAL PROGRESS CONSULTATION**

ADWR shall schedule the first meeting, which shall be held no later than **April 11, 2025**. A second meeting shall be scheduled at the convenience of Committee members, but no later than **May 9, 2025**. The first two Committee meetings may be scheduled as online only. The following Committee meetings must be hybrid, i.e. held in-person and accessible online.


After the first two Committee meetings, the Special Master will hold a progress

1 consultation on **Wednesday, May 14, 2025, at 10:00 a.m.** A process to expediently  
2 resolve disagreements within the Committee, if necessary, will be discussed at that  
3 time. The members of the Committee shall attend and provide the Special Master with  
4 the following information:

- 5 1) A proposed schedule for Committee meetings between June and  
6 November 2025,
- 7 2) A proposed schedule for two or more progress consultations with the  
8 Special Master between June and November 2025 held at least once a  
9 quarter.
- 10 3) A list of all issues subject to disagreement.
- 11 4) Requests for direction from the Special Master.
- 12 5) A proposed timeline for development of the final model.

13 The Minute Entry from the May 14, 2025, progress consultation will announce  
14 the schedule for progress consultations between June and November 2025.

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16 Signed this 24<sup>th</sup> day of March 2025.

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23 Sherri L. Zendri  
24 Special Master

25 The original of the foregoing was delivered to  
26 the Clerk of the Maricopa County Superior  
27 Court on March 24, 2024, for filing and  
28 distributing a copy to all persons listed on the  
Court approved mailing list for this contested  
case.

  
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Emily Natale

**Attachment A**



**Court Connect Hearing Notice for  
In re Subflow Technical Report, San Pedro Watershed**

*This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.*

*All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.*

**Participants:** Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

**Case Name: In re Subflow Technical Report, San Pedro Watershed**

**Contested Case No. W1-103**

**Start Date/Time: Wednesday, May 14, 2025, at 10:00 a.m.**

**JOIN COURT CONNECT HEARING**

**Dial-in Information:** +1 917-781-4590

**Private Dial-in Information:** for privacy purposes, you can block your phone number by dialing \*67 +1 917-781-4590

**Dial-in Access Code:** 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

*To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)*