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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

No. W-1 (Salt)  
No. W-2 (Verde)  
No. W-3 (Upper Gila)  
No. W-4 (San Pedro)

Contested Case No. W1-106

**ORDER GRANTING JOINT MOTION  
TO ADOPT STIPULATED  
PROCEDURE FOR ADDRESSING  
ADWR'S RECENT PRODUCTION OF  
DOCUMENTS IN RESPONSE TO  
SRP's 2023 PUBLIC RECORDS ACT  
REQUEST**

Contested Case Name: *In re Subflow Technical Report, Verde River Watershed.*

Descriptive Summary: Order granting the parties' proposed procedure for addressing additional documents produced by the Arizona Department of Water Resources after the August 2024 trial in response to SRP's May 2023 Public Records Act request.

Date of Filing: November 18, 2024.

Number of Pages: 9

The Special Master has read and considered the Joint Motion to Adopt Stipulated Procedure for Addressing ADWR's Recent Production of Documents in Response to SRP's 2023 Public Records Act Request ("Motion"). The Motion is unopposed by any of the parties that actively participated in the trial in this matter. Good cause appearing therefor,

1 IT IS HEREBY ORDERED:

- 2 1. The Motion is GRANTED.
- 3 2. The Salt River Valley Water Users' Association and Salt River Project  
4 Agricultural Improvement District (collectively, "SRP") has moved to admit  
5 the Additional Exhibits, and the Court hereby adopts the procedures set forth  
6 in this Order to resolve SRP's motion to admit the Additional Exhibits. For  
7 purposes of this Order, "Additional Exhibits" collectively refers to the  
8 documents that are attached to the Motion as Attachments 1 through 14.
- 9 3. On or before **November 25, 2024**, any Moving Parties that intend to object to  
10 the Additional Exhibits on any evidentiary basis shall provide their objections  
11 to SRP. Through the Motion, the Moving Parties waived their right to object  
12 to the admission of the Additional Exhibits on authenticity, foundation,  
13 disclosure or any other evidentiary basis that could be resolved by the use of  
14 these exhibits with a witness at deposition or trial, and therefore the Moving  
15 Parties shall not raise any such objections to the Additional Exhibits. The  
16 objections shall be provided to SRP in writing and with enough specificity to  
17 enable SRP to understand, evaluate, and respond to the objections. The  
18 objections shall not be filed. For purposes of this Order, the "Moving Parties"  
19 collectively refers to SRP, the City of Prescott, the Town of Prescott Valley,  
20 the Town of Chino Valley, the City of Phoenix, the Yavapai-Apache Nation,  
21 the Arizona State Land Department, and Chino Grande, LLC.
- 22 4. The Arizona Department of Water Resources ("ADWR") is not considered a  
23 Moving Party and shall not object to the admission of the Additional Exhibits.  
24 However, ADWR may provide comments regarding the context of any of the  
25 Additional Exhibits.
- 26 5. On or before **December 2, 2024**, for any Additional Exhibit any other Moving  
27 Party contends constitutes inadmissible hearsay in its submission pursuant to

1 Paragraph 3 above, SRP shall provide all Moving Parties with a brief  
2 explanation of its rationale for why the exhibit does not constitute  
3 inadmissible hearsay. That explanation will not be filed.


4 6. On or before **December 9, 2024**:

- 5 a. SRP shall submit a filing of not more than five pages in length in which  
6 SRP may (1) respond to the evidentiary objections raised by any of the  
7 other Moving Parties, and (2) provide any additional information regarding  
8 the proper context or interpretation of the Additional Exhibits, including by  
9 addressing any comments submitted by ADWR with respect to the  
10 Additional Exhibits. Other Moving Parties may participate in SRP's filing  
11 or file separate joinders, but only one five-page filing will be submitted in  
12 support of admitting the Additional Exhibits. Any joinders in SRP's filing  
13 will be limited to stating that the Moving Party joins in SRP's filing.
- 14 b. Any Moving Parties may submit a filing of not more than five pages in  
15 length in which those Moving Parties may (1) raise the evidentiary  
16 objections to the Additional Exhibits that they previously provided to SRP  
17 pursuant to Paragraph 3, and (2) provide any additional information  
18 regarding the proper context or interpretation of the Additional Exhibits,  
19 including by addressing any comments submitted by ADWR with respect  
20 to the Additional Exhibits. Only one joint five-page filing will be  
21 submitted by the other Moving Parties in response to the Additional  
22 Exhibits.
- 23 c. ADWR is not a Moving Party, therefore ADWR may submit a separate  
24 filing of not more than five pages in length in which ADWR may provide  
25 any additional information regarding the proper context or interpretation of  
26 the Additional Exhibits.
- 27 d. No additional filing shall be submitted by ADWR or any of the Moving

Parties with respect to the Additional Exhibits.

7. The Special Master will review the Additional Exhibits and the filings submitted pursuant to Paragraph 5(a) through (c), above, and either make a ruling on SRP's motion to admit the Additional Exhibits or schedule additional proceedings. If the Court determines that additional proceedings are needed in order to determine the admissibility of one or more of the Additional Exhibits or to provide additional context for the Special Master's interpretation of one or more of those exhibits, the Moving Parties and ADWR will participate in those proceedings as directed by the Special Master.

DATED this 18<sup>th</sup> day of November, 2024.



Sherri L. Zendri  
Special Master

On November 18, 2024 the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to the persons included on the Court-approved mailing list for Case No. W1-106.



Emily Natale

Court Approved Mailing List  
In re Subflow Technical Report, Verde River Watershed, Case No. W1-106  
W1-106 (57 Names)  
Prepared by the Special Master  
11/18/2024

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Alexander B. Ritchie  
San Carlos Apache Tribe  
Office of the Attorney General  
PO Box 40  
San Carlos, AZ 85550

Charles L. Cahoy, Asst. City  
Attorney  
Phoenix City Attorney's Office  
200 W. Washington 13th Flr.  
Phoenix, AZ 85003

Andrew J. Corimski  
U. S. Army Legal Services  
Environmental Law Division  
9275 Gunston Road  
Fort Belvoir, VA22060

Clerk of the Superior Court  
Maricopa County  
Attn: Water Case  
601 West Jackson Street  
Phoenix, AZ 85003

Brandon R & Natasha M.  
Pacheco  
Pacheco Brandon & Natasha  
Living Trust  
19400 N. Lower Territory Rd.  
Prescott, AZ 86305

Cottonwood Ditch Association  
Peter Andrew Groseta,  
President  
PO Box 445  
Cottonwood, AZ 86326

Burch & Cracchilo, P.A.  
1850 North Central, Suite 1700  
Phoenix, Az 85004

D. Brown, J. Brown, A. Brown  
G Perkins, B. Heiserman, B.  
Pew  
Brown & Brown Law Offices  
P.C.  
PO Box 1890  
St. Johns, AZ 85936

Carla A. Consoli  
May Potenza Baran & Gillespie  
P.C  
1850 N. Central Avenue, 16th  
Floor  
Phoenix, AZ 85004

Daniel Brenden /Peter Muthig  
Maricopa County Attorney's  
Office  
225 W. Madison St  
Phoenix, AZ 85003

Carlos D. Ronstadt  
Law Office of Carlos D.  
Ronstadt, PLLC  
7000 North 16th Street, Suite  
120, No. 510  
Phoenix, AZ 85020-5547

Daniel D. Haws  
U. S. Army  
Environmental Attorney  
2387 Hatfield Street  
Fort Huachuca, AZ 85613

Dara Mora  
Liberty Utilities, Inc.  
1225 West Frontage Road  
Rio Rico, AZ 85648

Eric L. Hiser  
Hiser Joy  
5080 N. 40th Street,, Suite 245  
Phoenix, AZ 85018

David Gehlert and Andrew  
Guarino  
United States Dept. of Justice -  
ENRD  
Natural Resources Section  
999 18th Street, South Terrace  
Ste 370  
Denver, CO 80202

Frederick E. Davidson  
P.O. Box 556  
Grand Saline, TX 75140

David Jacobs, Kevin Crestin, &

Eric Wilkins  
Arizona Attorney General  
Natural Resources Section  
2005 N. Central Avenue  
Phoenix, AZ 85004

Gregory L. Adams  
Central Arizona Water  
Conservation District  
P. O. Box 43020  
Phoenix, AZ 85080-3020

Diandra D. Benally  
Fort McDowell Yavapai Nation  
Legal Department  
P. O. Box 17779  
Fountain Hills, AZ 85269-7779

J. B. Weldon, M. A. McGinnis,  
M. K. Foy  
Salmon, Lewis & Weldon  
2850 E. Camelback Rd. Suite  
200  
Phoenix, AZ 85016

Duane C. Wyles  
205 Farm Circle Drive  
P. O. Box 1537  
Cornville, AZ 86325-1537

Jacob Kavkewitz  
Pima County Attorney's Office  
Civil Division  
32 N. Stone Avenue, Ste 2100  
Tucson, AZ 85701

Emily Jurmu  
City of Peoria, City Attorney  
Office  
8401 West Monroe Street,  
Room 280  
Peoria, AZ 85345-6560

Janis L. Bladine  
Tempe City Attorney's Office  
21 E. Sixth Street #201  
Tempe, AZ 85281

Jason Simon  
Lewis Roca Rothgerber  
Christie L.L.P.  
One South Church Avenue,  
Ste. 2000  
Tucson, AZ 85701-1611

John C. Lemaster  
CLARK HILL PLC  
3200 North Central Ave., Suite  
1600  
Phoenix, AZ 85012

Javier Ramos & Michael Carter  
Gila River Indian Community  
Office of the General Counsel  
P. O. Box 97  
Sacaton, AZ 85147

John D. Burnside  
Snell & Wilmer, L. L. P.  
One E. Washington Street,  
Suite 2700  
Phoenix, AZ 85004-2556

Jenny J. Winkler & Michelle N.  
Stinson  
Pierce Coleman P.L.L.C.  
7730 East Greenway Road,  
Suite 105  
Scottsdale, AZ 85260

Joseph Young, Chris Resare,  
& Matthew Podracky  
City of Prescott Legal  
Department  
221 S. Cortez St.  
Prescott, AZ 86303

Jeremiah Weiner, Brett Stavin,  
Jay Lee  
ROSETTE, LLP.  
120 S. Ash Avenue, Suite 201  
Tempe, AZ 85281

Josh Edelstein Phoenix Field  
Solicitor  
Office of the Solicitor  
U.S. Department of the Interior  
Sandra Day O'Connor U.S.  
Courthouse  
401 W. Washington St., Ste.  
404, SPC 44  
Phoenix, AZ 85003

Joe P. Sparks and Laurel A.  
Herrmann  
The Sparks Law Firm, P.C.  
7503 First Street  
Scottsdale, AZ 85251-4573

Judy Mikeal  
San Pedro NRCD  
P. O. Box 522  
St. David, AZ 85630

John C. Lacy and Paul M.  
Tilley  
2525 East Broadway Blvd,  
Suite 200  
Tucson, AZ 85716-5303

Karen Tyler  
City of Scottsdale  
City Attorney's Office  
3939 N. Drinkwater Blvd.  
Scottsdale, AZ 85251

Kelly Schwab & Daniel L.  
Brown  
City of Chandler  
City Attorney's Office  
Mail Stop 602, P. O. Box 4008  
Chandler, AZ 85244-4008

Kimberly R. Parks and Karen J.  
Nielsen  
Arizona Department of Water  
Resources  
1110 West Washington  
Suite 310  
Phoenix, AZ 85007

KLUMP RANCHES, L.L.C.  
c/o Wayne D. Klump  
P. O. Box 357  
Bowie, AZ 85605

L. Richard Mabery  
L. Richard Mabery, P.C.  
234 North Montezuma Street  
Prescott, AZ 86301

L. William Staudenmaier  
Snell & Wilmer, L. L. P.  
One E. Washington Street  
Suite 2700  
Phoenix, AZ 85004

Lauren Caster  
Fennemore Craig, P.C.  
2394 East Camelback Road  
Ste 600  
Phoenix, AZ 85016

Lee Storey  
TSL Law Group, PLC  
8767 E. Via De Ventura, Suite  
126  
Scottsdale, AZ 85258

Lucas J. Narducci  
Snell & Wilmer, L.L.P.  
One E. Washington Street,  
Suite 2700  
Phoenix, AZ 85004-2556

M'Leah Woodard and Leigh  
Sellari  
United States Department of  
Agriculture  
P. O. Box 586  
Albuquerque, NM 87103-0586

M. Gabel; P. Londen; E.  
Ancharski  
Osborn Maledon P.A.  
2929 North Central Ave.  
Suite 2000  
Phoenix, AZ 85012

M. Widerschein, M. Woodward,  
A. Penalosa  
United States Dept. of Justice -  
ENRD  
Natural Resources Section  
PO Box 7611  
Washington, DC 20044

Merrill C. Godfrey and Brette A.  
Pena  
Akin Gump Straus Hauer &  
Feld LLP  
2001 K Street, N.W.  
Washington, DC 20006



Michael P. Rolland  
Engelman Berger, P.C.  
2800 N. Central Ave., Ste.  
1200  
Phoenix, AZ 85004

Sherri L. Zendri  
Special Master  
Central Court Building, Ste 3A  
201 West Jefferson  
Phoenix, AZ 85003-2205

Nicholle Harris  
City of Avondale  
City Attorney  
11465 West Civic Center Drive  
Avondale, AZ 85323

Steve Wene  
Moyes Sellers & Sims  
1850 North Central Avenue,  
Suite 1100  
Phoenix, AZ 85004

Robert B. Hoffman  
6035 North 45th Street  
Paradise Valley, AZ 85253

Tony Gioia  
P. O. Box 464  
Camp Verde, AZ 86322

Roric V. Massey  
City of Goodyear  
Office of the City Attorney  
1900 N. Civic Sq  
Goodyear, AZ 85395-2012

Susan B. Montgomery, Robyn  
Interpreter  
Montgomery & Interpreter PLC  
3301 E. Thunderbird Road  
Phoenix, AZ 85032

Sean T. Hood & Nyla B. Knox  
Fennemore Craig, P.C.  
2394 E Camelback Rd, St 600  
Phoenix, AZ 85016