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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, W-2, W-3, W-4 (Consolidated)
Contested Case No. **W1-106**
**APPROVAL OF MOTIONS TO
INTERVENE**

CONTESTED CASE NAME: *In re Subflow Technical Report, Verde River Watershed*
TECHNICAL REPORTS INVOLVED: Arizona Department of Water Resources, *Subflow Zone Delineation Report for the Remainder of the Verde River Watershed*, April 2023.
DESCRIPTIVE SUMMARY: Approval of Motions to Intervene filed by the City of Prescott and the Town of Prescott Valley.
NUMBER OF PAGES: 8

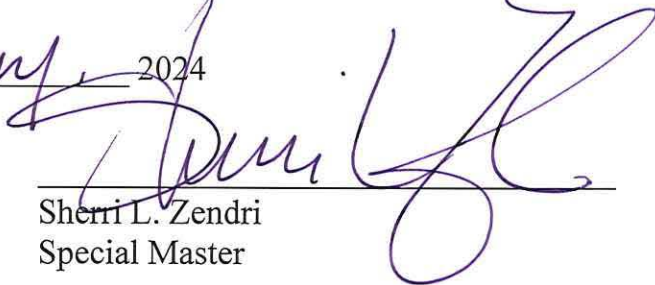
The General Stream Adjudication proceedings are open to anyone to observe. However, to maintain a manageable courtroom, only parties who have submitted valid objections to whatever report is under consideration are permitted to argue before the Court regarding that report unless otherwise permitted by the Court. Arizona law requires that any objections to a particular report must be specific and responsive to the recommendations from Arizona Department of Water Resources (“ADWR”) in that report. Ariz. Rev. Stat. §45-526(B). Filing objections to one report does not automatically permit a party to argue regarding a different report. Where a party has no specific objection to a report but has a valid interest in the controversy, a motion to

1 intervene should be filed pursuant to Ariz. R. Civ. Pro. Rule 24 and the Rules for
2 Proceedings Before the Special Master.

3 The City of Prescott and the Town of Prescott Valley both filed separate motions
4 to intervene on February 14, 2024. The City of Prescott did not file an objection for
5 either the *Subflow Zone Delineation Report for Verde River Mainstem and Sycamore*
6 *Canyon Subwatershed* (“Mainstem Report”) or the *Subflow Zone Delineation Report for*
7 *the Remainder of the Verde River Watershed* (“Remainder Report”). The Town of
8 Prescott Valley filed an “objection” on May 2, 2022, for the Mainstem Report, however
9 the filing specifically stated, “The Town of Prescott Valley (“Town”) is not providing
10 technical comments regarding the [ADWR] methodology for delineating the subflow
11 zone in the Verde River mainstem and the Sycamore subwatershed at this time.”¹ As
12 such, the filing was dismissed as an invalid objection. The Town of Prescott Valley did
13 not file an objection for the Remainder Report. The proceeding in question is an
14 evidentiary hearing on the Remainder Report.

15 Both motions state that each party has a property interest in the Big Chino
16 subbasin and that any changes that may be made to the subflow delineation of the
17 subbasin could impact their (separate) interests. Both parties request permission to
18 present evidence to adequately represent their interests. Having reviewed the motions
19 and considered the interests of both the City of Prescott and the Town of Prescott Valley:

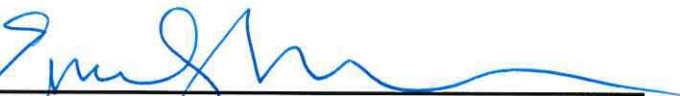
20 **IT IS ORDERED** approving the Motions to Intervene filed by the City of
21 Prescott and the Town of Prescott Valley.

22
23 Signed this 15th day of February, 2024.
24
25 
26 Sherri L. Zendri
Special Master

27
28 ¹ “Objection to the Subflow Zone Delineation Report the Verde River Mainstem and Sycamore
Canyon Subwatershed, filed May 2, 2022, p 1.

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The original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court on February 15, 2024 for filing and distributing a copy to all persons listed on the Court approved mailing list for this contested case.



Emily Natale

Court Approved Mailing List
In re Subflow Technical Report, Verde River Watershed, Case No. W1-106
W1-106 (60 Names)
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2/15/2024

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