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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. **W1-11-2089**

**ORDER DENYING THE SAN CARLOS  
APACHE TRIBE’S LIMITED MOTION  
FOR RECONSIDERATION ON  
RELATION BACK**

CONTESTED CASE NAME: *In re Valley National Bank*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report  
DESCRIPTIVE SUMMARY: This Order denies the San Carlos Apache Tribe’s Motion for Reconsideration of the Court’s May 13, 2025, *Order on Motions for Summary Judgment*.  
NUMBER OF PAGES: 3

On May 20, 2025, the San Carlos Apache Tribe (“the Tribe”) requested that the Court reconsider its decision “not to resolve the issue of whether claimants Salomon and Manchester produced sufficient evidence to present at trial the relation back doctrine between the March 1, 1880, Notice of Appropriation and the perfection of its claimed right.”<sup>1</sup> The Tribe’s motion is limited, requesting reconsideration only to “correct the record and ask the Special Master to resolve the question of whether, in light of the Tribe's

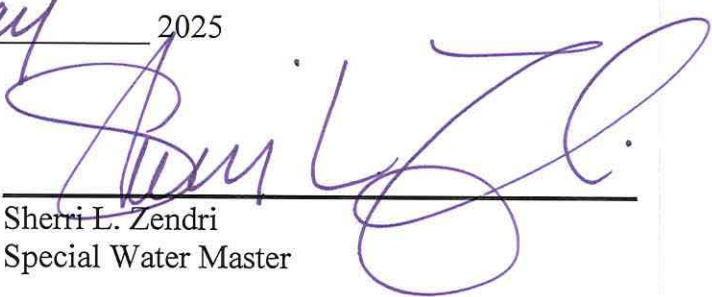
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<sup>1</sup> W1-11-2089, *The San Carlos Apache Tribe's Limited Motion for Reconsideration on Relation Back* (May 20, 2025).

1 Response to St. David Irrigation District's February 21, 2025 Motion for Partial Summary  
2 Judgment on Priority ("Response"), Claimants Salomon and Manchester produced any  
3 evidence demonstrating reasonable diligence between the March 1, 1880 Notice of  
4 Appropriation and the perfection of its claimed rights."<sup>2</sup> The Tribe states the Special  
5 Master's Order erroneously stated that the Tribe has not "argued that the claimants cannot  
6 prove reasonable diligence."<sup>3</sup> The Tribe claims they did argue that Claimants cannot  
7 prove reasonable diligence and specifically asked the Court to enter judgment against  
8 Claimants in their Response. Ultimately, the Tribe moves the Court to enter judgment  
9 against the Claimants on that issue.

10 Ariz. R. Civ. Pro. Rule 7.1(e) states that "No motion for reconsideration may be  
11 granted . . . without the court providing all other parties an opportunity to respond." Given  
12 the extensive round of briefing that all parties just completed, the upcoming hearings, and  
13 a potential round of post-trial briefing following those hearings, it is impractical to add  
14 another round of briefing to this matter.

15  
16 **IT IS ORDERED** denying the San Carlos Apache Tribe's *Limited Motion for*  
17 *Reconsideration on Relation Back.*

18  
19 Signed this 29<sup>th</sup> day of May 2025  
20  
21   
22  
23 \_\_\_\_\_  
24 Sherri L. Zendri  
25 Special Water Master  
26

27 <sup>2</sup> *Id.* at 2  
28 <sup>3</sup> W1-11-2697, W1-11-2708, W1-11-2081 *et al.*, *Order on Motions for Summary*  
*Judgement* at 23 (May 13, 2025).

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On May 29, 2025, the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to all persons listed on the Court-approved mailing list for this contested case.

  
Emily Natale