

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN CHAMBERS (X) IN OPEN COURT ()

SPECIAL MASTER GEORGE A. SCHADE, JR.
Presiding

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

DATE: October 20, 2005

CIVIL NO. W1-105

ORDER SETTING CONFERENCE

CONTESTED CASE NAME: Not yet organized.

HSR INVOLVED: None.

DESCRIPTIVE SUMMARY: The Special Master sets a conference to receive comments and discuss the organization of a contested case to establish standards for the adjudication of *de minimis* agricultural, municipal, industrial, and other water uses.

NUMBER OF PAGES: 2.

DATE OF FILING: October 20, 2005.

On September 28, 2005, the Hon. Eddward P. Ballinger, Jr. directed the Special Master “to seek input from the [Arizona Department of Water Resources] and claimants and take such other necessary steps to fashion standards for identifying non-domestic *de minimis* water uses.” The order listed agricultural, municipal, industrial, and other uses. The Court has already adopted for the San Pedro River Watershed summary adjudication procedures for *de minimis* stockwatering and certain stockpond and domestic water uses.

The Special Master is setting a conference to receive comments and discuss the organization of a contested case to establish standards and guidelines for identifying agricultural, municipal, industrial, and other water uses that can and should be summarily adjudicated as *de minimis* water rights.

Comments are requested regarding the following: (1) scope of the Court's directive, (2) scope of the final determinations, (3) potential legal issues and technical problems, (4) the role of the Arizona Department of Water Resources ("ADWR"), (5) timeline for filing disclosure statements, (6) timeline for completing discovery, (7) timelines for motions and briefing schedules, (8) scope of evidentiary hearing(s), and (9) use of expert evidence.

IT IS ORDERED:

1. A conference shall be held on **Thursday, December 15, 2005**, at 10:00 a.m., in Courtroom 503-Central Court Building, Maricopa County Superior Court, 201 West Jefferson, Phoenix, Arizona, to discuss the matters listed above.
2. Claimants, ADWR, and the Gila River Adjudication Steering Committee may submit written comments concerning any of the matters listed above on or before **Friday, December 9, 2005**.
3. Persons filing comments shall provide a copy to all persons listed on the Gila River Adjudication Court-Approved Mailing List.

DATED: October 20, 2005.

/s/ George A. Schade, Jr.
GEORGE A. SCHADE, JR.
Special Master

On October 20, 2005, a copy of the foregoing was delivered to the Distribution Center for distribution to all persons listed on the Court-approved mailing list for Case No. W-1, W-2, W-3, and W-4 (Consolidated) dated June 15, 2005.

/s/ KDolge
Kathy Dolge