

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

IN CHAMBERS (X) IN OPEN COURT ()

JUDGE EDDWARD P. BALLINGER, JR.

Presiding

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

W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)

Consolidated

Contested Case No. W1-11-19
Consolidated

Date: September 17, 2001

CONTESTED CASE NAME: *In re Sands Group of Cases (W1-11-19) and Other Related Cases (Consolidated)*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: Parties presenting oral arguments concerning former Special Master Thorson's *de minimis* report are ordered to adhere to certain time allocations. The oral argument is set for Thursday, September 27, 2001, at 1:30 p.m. in Courtroom 513. Other matters will be taken up following the oral arguments.

NUMBER OF PAGES – 2.

DATE OF FILING: Original delivered to the Clerk of the Court on September 17, 2001.

Minute Entry

To facilitate the hearing to be held on September 27, 2001, the Court intends to allot argument time based upon the issues presented. A party must have filed a pleading or joinder on the issues in order to participate in oral arguments. The following time allocations shall generally apply to the Court's consideration of the parties' positions on former Special Master John Thorson's report on *de minimis* uses:

ISSUES AND OBJECTIONS:

1. Use of mean vs. median water measuring methodology: 25 minutes
2. Scope of the recommended resolutions: Do the Special Master's recommendations purport to adjudicate water rights claims that are not properly part of this adjudication?: 25 minutes
3. Other objections: 20 minutes
4. Comments by parties generally supporting the report: 25 minutes

Counsel with the same or similar positions may agree with one another on the presentation of arguments and the allocation of time. Counsel will present to the Court a written schedule of the presentations immediately prior to commencement of the arguments. Time allocations will be strictly followed.

OTHER MATTERS

After the conclusion of oral arguments on September 27, 2001, the Court intends to set a date for oral argument on all pending motions dealing with the preclusive effect of the Globe Equity No. 59 decree on specified parties (Contested Case No. W1-206).

The Court also wishes to hear from the City of Phoenix the status of the City's Comments on ADWR's Settlement Activities filed on May 18, 2001, and to hear from ADWR the status of the mailing of new use summons.

The original of the foregoing mailed this 17th day of September 2001 to those parties who appear on the Court-approved mailing lists for Case No. W-1, W-2, W-3, & W-4 and Case No. W1-11-19, both dated July 13, 2001; also, sent by fax to those attorneys for whom a fax number is known.

/s/ KDolge
Kathy Dolge