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6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
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8 IN AND FOR THE COUNTY OF APACHE

9 IN RE THE GENERAL ADJUDICATION
10 OF ALL RIGHTS TO USE WATER IN
11 THE LITTLE COLORADO RIVER
12 SYSTEM AND SOURCE

No. 6417

ORDER OF APPOINTMENT AND
REFERENCE

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15 This matter came before the Court on its own motion upon the retirement of George
16 A. Schade, Jr. as the Special Master. Pursuant to A.R.S. § 45-255 and Ariz. R. Civ. P. 53,
17 the Court has appointed **Susan Ward Harris** as the Special Master in this proceeding. Her
18 employment is to begin on July 20, 2015, and she is eligible to participate in the Arizona
19 State Retirement System. It is appropriate to issue an order of reference specifying the
20 duties being assigned by the Court to the Special Master in this proceeding. Due to the
21 expected duration and complexity of the proceeding, exceptional conditions require the
22 issuance of such an order of reference.

23 IT IS ORDERED:

24 1. Powers and Duties. The Special Master shall conduct such hearings and take
25 such testimony as shall be necessary to determine the relative water rights of each claimant
26 in this proceeding (excepting those matters that the Court reserves for itself from time to
27 time). In completing this undertaking, the Special Master shall (a) supervise discovery
28 proceedings; (b) provide guidance to the Arizona Department of Water Resources in

1 providing technical assistance to the Special Master pursuant to A.R.S. § 45-256; (c) report
2 on all legal and factual matters pursuant to A.R.S. § 45-257 and Rule 53(g), Ariz. R.
3 Civ. P.; (d) prepare a draft of a proposed decree or decrees; (e) exercise those other powers
4 conferred upon the Special Master by Title 45, Chapter 1, Article 9 of the Arizona Revised
5 Statutes and by Rule 53 of the Arizona Rules of Civil Procedure; and (f) perform such
6 additional duties in this proceeding as directed by the Court from time to time.

7 2. Rules of Procedure and Evidence. In conducting proceedings pursuant to this
8 Order, the Special Master shall adhere to the Arizona Rules of Civil Procedure, the Arizona
9 Rules of Evidence, The Rules for Proceedings Before the Special Master, and the Arizona
10 Code of Judicial Conduct. The Special Master may promulgate other procedural rules and
11 guidelines to provide fairness and expediency in these proceedings.

12 3. Meetings with the Parties and Their Attorneys. The Special Master shall
13 convene meetings of the parties and their attorneys whenever necessary to expedite these
14 proceedings.

15 4. Location of Records and Documents. The Special Master shall maintain
16 under her control all records and documents resulting from the proceedings referred to her
17 under this Order, utilizing the services of the Clerk of the Superior Court in and for Apache
18 County. The records and documents shall be located in the Office of the Clerk of the
19 Superior Court or in the Arizona State Archives, whichever is deemed most appropriate by
20 the Special Master. The Special Master may remove such documents and records, either
21 personally or through a designee, for prehearing, hearing, or research purposes.

22 5. Compensation and Expenses. All compensation and expenses related to the
23 Special Master shall be paid as set forth in A.R.S. § 45-255(B).

24 6. Objections to Reports. The findings of fact, conclusions of law, and proposed
25 decrees of the Special Master shall be subject to written objections before the Court as
26 provided by A.R.S. § 45-257.

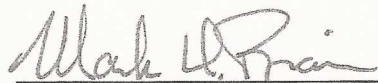
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1 The Court finds that Special Master Schade served admirably in this matter for over
2 a decade, and thanks him for his services. Nonetheless, it is appropriate at this juncture to
3 formally rescind the Order which empowered him. Accordingly,

4 IT IS FURTHER ORDERED rescinding the Order of Appointment and Reference
5 dated February 26, 2001 in this matter.

6 IT IS FURTHER ORDERED that this Order be filed with the Clerk of the Superior
7 Court and copies be mailed to the Special Master and to all counsel appearing on the Court-
8 approved mailing list for this case.

9 DATED July 20, 2015.

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12 The Honorable Mark H. Brain
13 Judge of the Superior Court
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