

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 28, 2003

CIVIL NO. W1-103

ORDER ALLOWING FILING OF
SWORN DECLARATIONS
REGARDING THE PROPOSED
USE OF SOIL SURVEYS

CONTESTED CASE NAME: *In re Subflow Technical Report, San Pedro River Watershed.*

HSR INVOLVED: None.

DESCRIPTIVE SUMMARY: The Special Master issues an order allowing parties to file sworn declarations and rebuttal declarations regarding the proposal of the Arizona Department of Water Resources to use certain soil surveys and maps.

NUMBER OF PAGES: 2 pgs.

DATE OF FILING: Original filed with the Clerk of the Court on October 28, 2003.

ORDER

At the conclusion of the hearing held on October 22, 2003, the Special Master granted a request to allow parties to file sworn declarations and rebuttal declarations regarding the proposal of the Arizona Department of Water Resources (“ADWR”) to use soil surveys and maps prepared under the auspices of the Natural Resources Conservation Service. ADWR’s proposal, filed on September 26, 2003, described the soil surveys and how ADWR proposed

to use the maps and information. At the hearing held on October 21, 2003, ADWR presented further testimony on its proposal.

The order granting the request for additional time to analyze and submit expert testimony on ADWR's proposed use of the soil surveys and maps was announced in open court. This order is filed to provide notice of the granting of the request to all persons listed on the Gila River Adjudication Court-Approved Mailing List and to all monthly docket service subscribers.

IT IS ORDERED:

1. On or before **Monday, December 8, 2003**, parties may file sworn declarations, which like the initial declarations filed in this proceeding, will serve as the direct testimony of the expert witness if a hearing is held. Five additional days are granted for parties to forward declarations and other materials to their expert witnesses or others.

2. On or before **Monday, January 12, 2004**, parties may file rebuttal declarations. Rebuttal declarations shall be under oath, shall be limited to rebutting the opinions or information contained in the sworn declarations filed on or before December 8, 2003, and shall not present any new matters not contained in those declarations.

3. A hearing is not set at this time. The Special Master will set a hearing, if a hearing would help the Special Master to understand the evidence or to determine a fact in issue raised by the declarations.

DATED: October 28, 2003.

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

The foregoing delivered this 28th day of October, 2003, to the Distribution Center, Maricopa County Superior Court Clerk's office, for copying and mailing to those parties who appear on the Court-approved mailing list for Case No. W-1, W-2, W-3, and W-4 (Consolidated) dated October 6, 2003.

/s/KDolge
Kathy Dolge