

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: September 6, 2002

CIVIL NO. W1-11-1174
(Consolidated)

CONTESTED CASE NAME: *In re PWR 107 Claims.*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master files the Court-approved mailing list for the determination of the issues of broad legal importance.

NUMBER OF PAGES: 2; Attachment A - 2; total - 4 pages.

DATE OF FILING: Original delivered to the Clerk of the Court on September 6, 2002.

MINUTE ENTRY REGARDING APPROVED MAILING LIST
FOR ISSUES OF BROAD LEGAL IMPORTANCE

The Special Master requested that claimants wishing to participate in the determination of the designated issues of broad legal importance, and who are not on the Court-approved mailing list for this contested case, file by August 30, 2002, a Notice of Intent to Appear. The office of the Special Master would then prepare the mailing list for service of pleadings related to the determination of the issues of broad legal importance.

The Court-approved mailing list is attached hereto as Attachment A. This mailing list shall be used, in accordance with other requirements set forth in Pretrial Order No. 1, for filing

and serving disclosures, motions, and pleadings related to the determination of the issues of broad legal importance.

A group named "Lower San Pedro River Basin Landowners" (collectively referred to hereinafter as "Landowners") requested "to participate in the determination of the issues of broad legal importance described in the [the] Order dated June 26, 2002." This pleading was not signed but was mailed by Valory Strausser, whose address is listed in Attachment A, and identified Statement of Claimant No. 39-4372 as the claimant's claim in the Gila River Adjudication.

The Landowners requested to (1) be granted six months to update "the private well owner's claimant list also consolidate the number of claimants that wish to file comments into one case," and (2) "be allowed to file written objections." They stated that, "The length of time to comment on the HSR should be 180 days." In a transmittal letter, the Landowners indicated that they are "attempting to contract an attorney" and "are filing this to be included in making comments concerning one case."

The Landowners have been placed on this contested case's mailing list for the purpose of participating in the determination of the designated issues of broad legal importance. By this action, the Landowners have not been placed on the Gila River Adjudication Court-Approved Mailing List, a request that must be properly presented to and ruled upon by the trial court.

It appears that the Landowners wish to have additional time to update their statements of claimant and to file objections to the supplemental contested case hydrographic survey report ("HSR") that the Arizona Department of Water Resources will prepare. The Landowners can amend their claims pursuant to A.R.S. section 45-254(E), and the supplemental HSR will not be completed until next year. These requests are not related to the briefing of the issues of broad legal importance. Accordingly, the briefing schedule set forth in the June 26, 2002, order will not be changed or modified.

DATED: September 6, 2002.

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

The foregoing mailed this 6th day of September 2002 to those parties who appear on the Court-approved mailing list for Contested Case No. W1-11-1174 (Consolidated) dated September 6, 2002 (Attachment A).

/s/ KDolge
Kathy Dolge

Attachment A

W1-11-1174

Court-approved Mailing List -- Sept. 6, 2002

PWR 107 Claims (20 names)

Prepared by the Office of the Special Master

Clerk of the Superior Court
Maricopa County
Attn: Water Case
601 W. Jackson Street
Phoenix AZ 85003

Attorney for Cities of Chandler, Glendale, Mesa, &
Scottsdale
Ulrich & Anger, P.C.
William H. Anger
3707 N. 7th St., Suite 250
Phoenix AZ 85014-5059

Attorney for City of Phoenix
City Attorney's Office
M. James Callahan
200 W. Washington, 13th Floor
Phoenix AZ 85003-1611

Attorney for ASARCO, Inc.
Fennemore Craig
Lauren J. Caster
3003 N. Central Ave., Suite 2600
Phoenix AZ 85012-2913

Arizona Water Co.
c/o Fennemore Craig
Attn: Lauren J. Caster & Thomas R. Wilmoth
3003 N. Central Ave.
Suite 2600
Phoenix AZ 85012-2913

Wilford H. Claridge
3563 West First St.
Thatcher AZ 85552

AZ Attorney General's Office representing
AZ Game & Fish Dep't; AZ State Land Dep't
Attn: Graham M. Clark, Jr. & Thomas Shedden
Natural Resources Section
1275 W. Washington
Phoenix AZ 85007-2926

Attorney for City of Sierra Vista
James L. Conlogue
P. O. Box 177
Hereford AZ 85615

Attorney for City of Chandler
Cynthia J. Haglin, Ass't City Attorney
55 N. Arizona Place, Suite 202
Chandler AZ 85225

U.S. Dep't of Justice
Environment & Natural Resources Div.
Attn: R. Lee Leininger
999 18th Street, Suite 945 NT
Denver CO 80202

Salt River Project
c/o Salmon, Lewis & Weldon, P.L.C.
**Attn: M. Byron Lewis, J.B. Weldon, M.A.
McGinnis**
2850 E. Camelback Rd., Suite 200
Phoenix AZ 85016

Gila River Indian Community
Office of Water Rights
Rodney B. Lewis, S. Heeley, J. Hestand
5002 N. Maricopa Rd., Box 5090
Chandler AZ 85226

Bureau of Land Management
Safford District Office

Delbert Molitor

711 14th Avenue
Safford AZ 85546

Bella Vista Water Co., Inc.; Pueblo Del Sol Water Co.
c/o Martinez & Curtis, P.C.

Attn: William P. Sullivan

2712 N. 7th St.
Phoenix AZ 85006-1003

Attorney for City of Benson

Jennele Morris O'Hair, P.C.

P. O. Box 568
Vail AZ 85641-0568

Dep't of Water Resources

Legal Division

Janet L. Ronald

500 N. 3rd St.
Phoenix AZ 85004-3903

Special Master

Arizona General Stream Adjudication

George A. Schade, Jr.

1501 W. Washington, Suite 228
Phoenix AZ 85007

Attorney for San Carlos Apache Tribe

Sparks, Tehan & Ryley, P.C.

Joe P. Sparks

7503 First Street
Scottsdale AZ 85251-4573

Arizona Public Service Co.; Phelps Dodge Corp.

c/o Ryley, Carlock & Applewhite

Attn: L. Willam Staudenmaier, C. Chandley

1 North Central Ave.
Suite 1200
Phoenix AZ 85004-4417

San Pedro River Basin Landowners

c/o Valory Strausser

16380 N. San Pedro River Rd.
Benson AZ 85602