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

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

No. W-1 (Salt)
No. W-2 (Verde)
No. W-3 (Upper Gila)
No. W-4 (San Pedro)

Contested Case No. W1-106

**ORDER GRANTING JOINT MOTION
TO ADOPT STIPULATED
PROCEDURE FOR ADDRESSING
ADWR'S RECENT PRODUCTION OF
DOCUMENTS IN RESPONSE TO
SRP's 2023 PUBLIC RECORDS ACT
REQUEST**

Contested Case Name: *In re Subflow Technical Report, Verde River Watershed.*

Descriptive Summary: Order granting the parties' proposed procedure for addressing additional documents produced by the Arizona Department of Water Resources after the August 2024 trial in response to SRP's May 2023 Public Records Act request.

Date of Filing: November 18, 2024.

Number of Pages: 9

The Special Master has read and considered the Joint Motion to Adopt Stipulated Procedure for Addressing ADWR's Recent Production of Documents in Response to SRP's 2023 Public Records Act Request ("Motion"). The Motion is unopposed by any of the parties that actively participated in the trial in this matter. Good cause appearing therefor,

1 IT IS HEREBY ORDERED:

- 2 1. The Motion is GRANTED.
- 3 2. The Salt River Valley Water Users' Association and Salt River Project
4 Agricultural Improvement District (collectively, "SRP") has moved to admit
5 the Additional Exhibits, and the Court hereby adopts the procedures set forth
6 in this Order to resolve SRP's motion to admit the Additional Exhibits. For
7 purposes of this Order, "Additional Exhibits" collectively refers to the
8 documents that are attached to the Motion as Attachments 1 through 14.
- 9 3. On or before **November 25, 2024**, any Moving Parties that intend to object to
10 the Additional Exhibits on any evidentiary basis shall provide their objections
11 to SRP. Through the Motion, the Moving Parties waived their right to object
12 to the admission of the Additional Exhibits on authenticity, foundation,
13 disclosure or any other evidentiary basis that could be resolved by the use of
14 these exhibits with a witness at deposition or trial, and therefore the Moving
15 Parties shall not raise any such objections to the Additional Exhibits. The
16 objections shall be provided to SRP in writing and with enough specificity to
17 enable SRP to understand, evaluate, and respond to the objections. The
18 objections shall not be filed. For purposes of this Order, the "Moving Parties"
19 collectively refers to SRP, the City of Prescott, the Town of Prescott Valley,
20 the Town of Chino Valley, the City of Phoenix, the Yavapai-Apache Nation,
21 the Arizona State Land Department, and Chino Grande, LLC.
- 22 4. The Arizona Department of Water Resources ("ADWR") is not considered a
23 Moving Party and shall not object to the admission of the Additional Exhibits.
24 However, ADWR may provide comments regarding the context of any of the
25 Additional Exhibits.
- 26 5. On or before **December 2, 2024**, for any Additional Exhibit any other Moving
27 Party contends constitutes inadmissible hearsay in its submission pursuant to

1 Paragraph 3 above, SRP shall provide all Moving Parties with a brief
2 explanation of its rationale for why the exhibit does not constitute
3 inadmissible hearsay. That explanation will not be filed.


4 6. On or before **December 9, 2024**:

- 5 a. SRP shall submit a filing of not more than five pages in length in which
6 SRP may (1) respond to the evidentiary objections raised by any of the
7 other Moving Parties, and (2) provide any additional information regarding
8 the proper context or interpretation of the Additional Exhibits, including by
9 addressing any comments submitted by ADWR with respect to the
10 Additional Exhibits. Other Moving Parties may participate in SRP's filing
11 or file separate joinders, but only one five-page filing will be submitted in
12 support of admitting the Additional Exhibits. Any joinders in SRP's filing
13 will be limited to stating that the Moving Party joins in SRP's filing.
- 14 b. Any Moving Parties may submit a filing of not more than five pages in
15 length in which those Moving Parties may (1) raise the evidentiary
16 objections to the Additional Exhibits that they previously provided to SRP
17 pursuant to Paragraph 3, and (2) provide any additional information
18 regarding the proper context or interpretation of the Additional Exhibits,
19 including by addressing any comments submitted by ADWR with respect
20 to the Additional Exhibits. Only one joint five-page filing will be
21 submitted by the other Moving Parties in response to the Additional
22 Exhibits.
- 23 c. ADWR is not a Moving Party, therefore ADWR may submit a separate
24 filing of not more than five pages in length in which ADWR may provide
25 any additional information regarding the proper context or interpretation of
26 the Additional Exhibits.
- 27 d. No additional filing shall be submitted by ADWR or any of the Moving

Parties with respect to the Additional Exhibits.

7. The Special Master will review the Additional Exhibits and the filings submitted pursuant to Paragraph 5(a) through (c), above, and either make a ruling on SRP's motion to admit the Additional Exhibits or schedule additional proceedings. If the Court determines that additional proceedings are needed in order to determine the admissibility of one or more of the Additional Exhibits or to provide additional context for the Special Master's interpretation of one or more of those exhibits, the Moving Parties and ADWR will participate in those proceedings as directed by the Special Master.

DATED this 18th day of November, 2024.



Sherri L. Zendri
Special Master

On November 18, 2024 the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to the persons included on the Court-approved mailing list for Case No. W1-106.



Emily Natale

Court Approved Mailing List
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Prepared by the Special Master
11/18/2024

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