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6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
7 IN AND FOR THE COUNTY OF MARICOPA
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10 IN RE THE GENERAL ADJUDICATION
11 OF ALL RIGHTS TO USE WATER IN THE
12 GILA RIVER SYSTEM AND SOURCE

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

(Consolidated)

Contested Case No. W1-11-1675

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15 ORDER SETTING ORAL ARGUMENT
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17 CONTESTED CASE NAME: *In re St. David Irrigation District*

18 HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

19 DESCRIPTIVE SUMMARY: Oral argument on Objections to the Report of the Special Master:
20 Forfeiture of Pre-1919 Water Rights set for **June 7, 2024, at 10:00 a.m.**

21 NUMBER OF PAGES: 11

22 The Court has reviewed and considered the February 17, 2022 Report of the Special Master:
23 Forfeiture of Pre-1919 Water Rights. The Court has further reviewed and considered the Objections
24 thereto filed by Cities of Phoenix and Mesa, Salt River Project, and Freeport Minerals, Joinder
25 therein by BHP Copper, St. David Irrigation District, and ASARCO, as well as the Responses to the
26 Objections filed by Gila River Indian Community, San Carlos Apache Tribe, and the United States
27 and Bureau of Indian Affairs.
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IT IS ORDERED setting an in-person oral argument on the above-listed filings on **June 7, 2024, at 10:00 a.m.**, before this Division:

Honorable Scott A. Blaney
Old Courthouse
125 W. Washington, Courtroom 309
Phoenix, Arizona 85003
Telephone: (602) 372-1095

Each party that filed an objection, a response, or a joinder shall be allotted twenty (20) minutes to present oral argument on the filings. Note: the Court will only hear from parties that filed an objection, a response, or a joinder. The twenty-minute time limitation per party will be strictly enforced. The Court will schedule breaks at approximately 10:30 (15 minutes), noon (90 minutes), and if necessary, at 3:00 (15 minutes).

IT IS FURTHER ORDERED if any party intends to raise issues, facts, or legal authorities that are not already contained in the party's currently filed brief, the party shall file, at least ten (10) days prior to the hearing, a one or two-page notice alerting the Court and the other parties to the additional issues, facts, and/or legal authorities the party intends to raise. The notice should not contain extensive detail. A fact or issue may be stated in a sentence or two. A new case citation may list just the citation and a brief parenthetical. At the time of filing, the party shall email a copy of the notice to this Division and to all other parties.

IT IS FURTHER ORDERED counsel should be prepared to briefly discuss, as part of their allotted twenty minutes, the relevance (if any) to the issues presently before the Court of pre-1919 case law that recognized, prior to the enactment of the statute in question, the requirement of “beneficial use.” See, e.g. *Gould v. Maricopa Canal Co.*, 8 Ariz. 429 (1904); *Dyke v. Caldwell*, 2 Ariz. 394 (1888); *Clough v. Wing*, 2 Ariz. 371 (1888).

Signed this 11th day of MARCH, 2024

Hon. Judge Scott A. Blaney
State Water Adjudication Judge
Judge of the Superior Court

1 On March 12, 2024, the original
2 of the foregoing was delivered to the Clerk of the
3 Maricopa County Superior Court for filing and
4 distributing a copy to all persons listed on the Court
5 approved mailing list for this contested case.

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Emily Natale

Court Approved Mailing List
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