

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-11-2690

In re Pima County Flood Control District

Doc No.	File Date	Document Description
034	01-04-2019	<p><b>YAVAPAI-APACHE NATION'S NOTICE OF WITHDRAWAL OF OBJECTIONS AND MOTION TO REMAIN ON THE COURT APPROVED MAILING LIST</b></p> <p><u>SUMMARY:</u> The Yavapai-Apache Nation's Notice of Withdrawal of Objections and Motion to Remain on the Court Approved Mailing List.</p> <p><u>CLAIMANT NO:</u> Yavpai-Nation, No. 39-50059; United States on behalf of the Yavapai-Apache Nation, No. 39-54025.</p> <p><u>PAGES:</u> 3 + 2 (attachment) = 5 total pages</p>
035	01-10-2019	<p><b>ORDER GRANTING MOTION TO REMAIN ON THE COURT APPROVED MAILING LIST IN CONTESTED CASE W1-11-2690</b></p> <p><u>SUMMARY:</u> It is Hereby Ordered that Montgomery &amp; Interpreter, PLC, attorneys for the Yavapai-Apache Nation, shall remain on the Court Approved Mailing List. Counsel's Mailing information is as follows:</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 2</p>
036	01-17-2019	<p><b>PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT'S SUGGESTED CORRECTIONS TO THE COURT'S PROPOSED WATER RIGHTS</b></p> <p><u>SUMMARY:</u> Pima County Regional Flood Control District submits suggested corrections to the proposed abstracts attached to the Special Master's Order Setting Date for Suggested Corrections of Proposed Water Rights filed on November 16, 2018.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 5 +10 (attachment) = 15 total pages</p>
037	01-18-2019	<p><b>ARIZONA STATE LAND DEPARTMENT'S SUGGESTED CORRECTIONS TO THE PROPOSED ABSTRACTS ATTACHED TO THE SPECIAL MASTER'S ORDER, DATED NOVEMBER 16, 2018.</b></p> <p><u>SUMMARY:</u> Arizona State Land Department's suggested corrections to the proposed Abstracts attached to the Special Master's Order, dated November 16, 2018.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 4</p>
038	01-28-2019	<p><b>MOTION TO STAY DISCLOSURE AND DISCOVERY AND VACATE HEARING</b></p> <p><u>SUMMARY:</u> Pima County Regional Flood Control District moves the court to stay disclosure and discovery until after the court resolves the issue of broad legal importance in In re Luebbermann, contested case W1-11-3311.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 3</p>
039	01-28-2019	<p><b>SALT RIVER PROJECT'S INITIAL RULE 26.1 DISCLOSURE STATEMENT</b></p> <p><u>SUMMARY:</u> The Salt River Project submits its Initial Rule 26.1 Disclosure Statement for this contested case.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 11 + 1CD = 11 total pages</p>
040	01-28-2019	<p><b>ARIZONA STATE LAND DEPARTMENT'S RULE 26.1 INITIAL DISCLOSURE STATEMENT</b></p> <p><u>SUMMARY:</u> Arizona State Land Department's Rule 26.1 Initial Disclosure Statement.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 6</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-11-2690

In re Pima County Flood Control District

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<b>041</b>	<b>01-28-2019</b>	<b>NOTICE OF SERVICE RE ARIZONA STATE LAND DEPARTMENT'S RULE 26.1 INITIAL DISCLOSURE STATEMENT</b> <u>SUMMARY:</u> Notice of Service re Arizona State Land Department's Rule 26.1 Initial Disclosure Statement. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 2
<b>042</b>	<b>01-31-2019</b>	<b>ORDER DENYING MOTION TO STAY DISCLOSURE AND VACATE HEARING</b> <u>SUMMARY:</u> Motion to stay due date for filing disclosure statements and expert reports and vacate status conference denied. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 3

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-11-2690

In re Pima County Flood Control District

Doc No.	File Date	Document Description
043	02-04-2019	<b>ARIZONA DEPARTMENT OF WATER RESOURCES' NOTICE OF FILING REPORT</b> <u>SUMMARY:</u> The Arizona Department of Water Resources ("ADWR") provides notice of filing the report as requested by the Court in the Order dated November 19, 2018. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 3 + 2 (attachment) = 5 total pages
044	02-05-2019	<b>PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT'S INITIAL RULE 26.1 DISCLOSURE STATEMENT</b> <u>SUMMARY:</u> Pima County Regional Flood Control District submits its Initial Rule 26.1 Disclosure Statement. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 8
045	02-05-2019	<b>ASARCO LLC'S INITIAL RULE 26.1 DISCLOSURE STATEMENT</b> <u>SUMMARY:</u> ASARCO LLC submits its Initial Rule 26.1 Disclosure Statement for this contested case. <u>CLAIMANT NO:</u> ASARCO LLC – Nos. 39-U8-62699 et al. <u>PAGES:</u> 6
046	02-05-2019	<b>BHP'S INITIAL RULE 26.1 DISCLOSURE STATEMENT</b> <u>SUMMARY:</u> BHP Copper Inc. submits its Initial Rule 26.1 Disclosure Statement for this contested case. <u>CLAIMANT NO:</u> BHP: 39-11-0003142; 39-11-0003144 through 39-11-0003185; 39-11-0005227 through 39-11-0005235. <u>PAGES:</u> 6
047	02-05-2019	<b>THE SAN CARLOS APACHE TRIBE AND THE TONTO APACHE TRIBE'S INITIAL RULE 26.1 DISCLOSURE STATEMENT</b> <u>SUMMARY:</u> The Tribes submit their Initial Disclosure Statement pursuant to Arizona Rule of Civil Procedure 26.1. <u>CLAIMANT NO:</u> 39-12676, 39-63614 (San Carlos Apache Tribe) 39-50058, 39-12675 (Tonto Apache Tribe) <u>PAGES:</u> 6 + 37 (attachment) = 43 total pages
048	02-05-2019	<b>THE SAN CARLOS APACHE TRIBE AND THE TONTO APACHE TRIBE'S NOTICE OF SERVICE OF INITIAL RULE 26.1 DISCLOSURE STATEMENT</b> <u>SUMMARY:</u> Notice of Service of the San Carlos Apache Tribe and Tonto Apache Tribe's Initial Disclosure Statement <u>CLAIMANT NO:</u> 39-12676, 39-63614 (San Carlos Apache Tribe) 39-50058, 39-12675 (Tonto Apache Tribe) <u>PAGES:</u> 3
049	02-07-2019	<b>ARIZONA DEPARTMENT OF WATER RESOURCES' NOTICE OF ERRATA CONCERNING REPORT REQUESTED BY SPECIAL MASTER</b> <u>SUMMARY:</u> The Arizona Department of Water Resources ("ADWR") provides this Notice of Errata concerning the report requested by the Court in the Order dated November 19, 2018. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 2

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-11-2690

In re Pima County Flood Control District

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Doc No.	File Date	Document Description
050	02-25-2019	<b>MINUTE ENTRY</b> <u>SUMMARY:</u> This is the time set for a status conference before Special Water Susan Ward Harris. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 2

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-11-2690

In re Pima County Flood Control District

Doc No.	File Date	Document Description
051	03-01-2019	<p><b>ORDER SETTING DATE FOR SUGGESTED CORRECTIONS OF ABSTRACT FOR PROPOSED WATER RIGHT AND ORDER TO FILE AMENDED APPLICATION NO. 4A-4914</b></p> <p><u>SUMMARY:</u> Draft abstract issued for a proposed water right for stock watering analyzed by Watershed File Report No. 113-11-002 and deadline set to file suggested corrections. In addition, Pima County Flood Control District ordered to amend Application No. 4A-4914.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 3 + 2 (attachment) = 5 total pages</p>
052	03-01-2019	<p><b>ORDER APPROVING PROPOSED WATER RIGHT ABSTRACTS</b></p> <p><u>SUMMARY:</u> The Special Master approves 4 abstracts for proposed water rights and directs that they be added to the water catalog.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 2 + 9 (attachment) = 11 total pages</p>
053	03-04-2019	<p><b>ORDER TO INITIATE CONTESTED CASE AND ORDER TO CONSOLIDATE</b></p> <p><u>SUMMARY:</u> Contested case W1-11-2691 initiated to resolve objections to watershed file report 113-12-BA-013. The case is consolidated with Contested Case No. W1-11-2690. Report from ADWR regarding potential water rights due April 29, 2019 and documents due from Pima County Flood Control District by May 13, 2019.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 4 + 9 (attachment) = 13 total pages</p>
054	03-20-2019	<p><b>ORDER EXTENDING DATE FOR FILING OF REPORT</b></p> <p><u>SUMMARY:</u> San Carlos Apache Tribe and the Tonto Apache Tribe ordered to file a report by March 25, 2019.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 2</p>
055	03-25-2019	<p><b>THE SAN CARLOS APACHE TRIBE AND THE TONTO APACHE TRIBE'S SETTLEMENT REPORT</b></p> <p><u>SUMMARY:</u> The Tribes submit a report regarding the status of settlement negotiations in this contested case.</p> <p><u>CLAIMANT NO:</u> 39-12676, 39-63614 (San Carlos Apache Tribe) 39-50058, 39-12675 (Tonto Apache Tribe)</p> <p><u>PAGES:</u> 4</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-11-2690

In re Pima County Flood Control District

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056	04-16-2019	<b>REQUEST TO AMEND COURT-APPROVED MAILING LISTS</b> <u>SUMMARY:</u> City of Phoenix requests to amend Court-Approved Mailing Lists <u>CLAIMANT NO:</u> 39-07-7927; 39-05-50153 through 39-05-50155, et al. <u>PAGES:</u> 3 + 2 (attachment) = 5 total pages
057	04-25-2019	<b>ORDER GRANTING REQUEST TO AMEND COURT-APPROVED MAILING LISTS</b> <u>SUMMARY:</u> It is hereby ordered granting the City's request. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 2
058	04-29-2019	<b>PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT'S NOTICE OF FILING, NOTICE OF NO SUGGESTED CORRECTIONS, AND MOTION TO CORRECT CLERICAL ERROR IN APPROVED ABSTRACT FOR 113-11-002-SW001-B</b> <u>SUMMARY:</u> Pima County Regional Flood Control District notifies the Court of filing an amended application, notifies the Court it has no suggested corrections for a proposed abstract, and moves the court to correct a clerical error describing the point of diversion in the approved abstract for PWR 113-11-002-SW001-B <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 4 + 2 (attachment) = 6 total pages

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-11-2690

In re Pima County Flood Control District

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059	05-03-2019	<p><b>ORDER CORRECTIONS CLERICAL ERRORS IN PROPOSED WATER RIGHT ABSTRACTS</b></p> <p><u>SUMMARY:</u> The Special Master grants the motion filed by Pima County Regional Flood Control District to correct a clerical error in proposed abstract for 113-11-002-SW001-B approved by order dated March 1, 2019, and directs ADWR to correct clerical error on map attached to proposed abstract for 113-021-SW002 also approved on March 1, 2019.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 3 + 2 (attachment) = 5 total pages</p>
060	05-07-2019	<p><b>ARIZONA DEPARTMENT OF WATER RESOURCES' NOTICE OF FILING REPORT AND MAP</b></p> <p><u>SUMMARY:</u> The Arizona Department of Water Resources ("ADWR") provides notice of filing the report and map as requested by the Court in the Order dated March 4, 2019.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 2 + 7(attachment) = 9 total pages</p>
061	05-13-2019	<p><b>REQUEST TO AMEND THE COURT'S APPROVED MAILING LIST</b></p> <p><u>SUMMARY:</u> Request to Amend the Court Approved Mailing Lists</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 3 + 2 (attachment) = 5 total pages</p>
062	05-13-2019	<p><b>PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT'S NOTICE OF FILING</b></p> <p><u>SUMMARY:</u> Pima County Regional Flood Control District notifies the Court of filing a certified copy of deed, a proposed abstract, a statement of the maximum diversion rate, and documents that constitute the bases of the water rights identified in WFR 113-12-BA-013.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 6 + 27 (attachment) = 33 total pages</p>
063	05-17-2019	<p><b>ORDER GRANTING REQUEST TO AMEND THE COURT'S APPROVED MAILING LIST</b></p> <p><u>SUMMARY:</u> The Court, having reviewed the Request to Amend to the Court's Approved Mailing List, filed on behalf of the United States Department of Agriculture, and good cause appearing, IT IS HEREBY ORDERED that Leigh Sellari and Patrick Redmond of the U.S. Department of Agriculture Office of the General Counsel, be added to the Court's Approved Mailing List.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 2</p>
064	05-29-2019	<p><b>MOTION TO LIFT STAY AND TO VACATE AND RESET DEADLINES</b></p> <p><u>SUMMARY:</u> Pima County Regional Flood Control District requests the Court to lift the stay and to vacate and reset discovery and motion deadlines before the trial set for October 21, 2019.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 3</p>
065	05-31-2019	<p><b>ORDER LIFTING STAY AND VACATING AND RESETTING DEADLINES</b></p> <p><u>SUMMARY:</u> The Special Master grants the District's motion to lift the stay and to vacate and reset the deadlines for discovery and motions.</p> <p><u>CLAIMANT NO:</u> None given</p> <p><u>PAGES:</u> 2</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-11-2690

In re Pima County Flood Control District

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066	06-14-2019	<b>ORER APPROVING PROPOSED WATER RIGH ABSTRACT</b> <u>SUMMARY:</u> The Special Master approves one abstract for a proposed water right for stock watering and directs that 113-11-002-SW002 be added to the water catalog. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 2 + 2 (attachment) = 4 total pages
067	06-17-2019	<b>ORDER FOR JOINT SETTLEMENT REPORT FROM THE PARTIES AND FOR REVIEW OF PROPOSED ABSTRACT FROM ADWR</b> <u>SUMMARY:</u> Pima County Flood Control District shall file with the court a copy of its request to amend Application NO. 4A-4914 by June 24, 2019. Joint Settlement Report shall be filed by the parties by July 22, 2049. Draft abstract domestic use submitted to ADWR for review by July 31, 2019. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 5 + 2 (attachment) = 7 total pages
068	06-17-2019	<b>ORDER APPOVING PROPOSED WATER RIGHT ABSTRACT</b> <u>SUMMARY:</u> The Special Master approves one abstract for a proposed water right for stock watering and directs that 113-11-002-SW002 be added to the water catalog. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 2 + 2 (attachment) = 4 total pages
069	06-25-2019	<b>PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT'S NOTICE OF FILING REQUEST TO AMEND APPLICATION NO. 4A-4914</b> <u>SUMMARY:</u> Pima County Regional Flood Control District notifies the Court of filing a request to amend application 4A-4914. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 3 + 7 (attachment) – 10 total pages



MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-11-2690

In re Pima County Flood Control District

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070	07-16-2019	<p><b>ORDER ON STIPULATION, WITHDRAWAL OF OBJECTIONS, AND REQUEST THAT THE SPECIAL MASTER APPROVE PROPOSED WATER RIGHT ABSTRACTS FOR WFR 113-12-BA-012</b></p> <p><u>SUMMARY</u>: Order approving proposed water right abstracts for Watershed File Report 113-12-BA-012.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 2 + 3 (attachment) = 5 total pages</p>
071	07-22-2019	<p><b>JOINT SETTLEMENT REPORT</b></p> <p><u>SUMMARY</u>: The parties submit a settlement report pursuant to the Special Master's Order dated June 17, 2019.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 5</p>
072	07-22-2019	<p><b>STIPULATION, WITHDRAWAL OF OBJECTIONS, AND REQUEST THAT THE SPECIAL MASTER APPROVE PROPOSED WATER RIGHT ABSTRACTS FOR WFR 113-12-BA-012</b></p> <p><u>SUMMARY</u>: Stipulation, withdrawal of objections and request that the Special Master approve proposed water right abstracts for Watershed File Report 113-12-BA-012.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 6 + 3 (attachment) = 9 total pages</p>
073	07-25-2019	<p><b>MOTION TO VACATE ORDER AND TO AMEND ABSTRACT FOR PROPOSED WATER RIGHT 113-12-021-SW002</b></p> <p><u>SUMMARY</u>: Motion to vacate the March 1, 2019 Order to file Amended Application No. 4A-4914 and to amend the abstract for proposed water right 113-12-021-SW002.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 4 + 8 (attachment) = 12 total pages</p>
074	07-31-2019	<p><b>ORDER TO VACATE SCHEDULED DATES, ORDER TO FILE JOINT SETTLEMENT REPORT FROM THE PARTIES AND ORDER SETTING DATE FOR OBJECTION TO MOTION TO VACATE ORDER TO AMEND ABSTRACT</b></p> <p><u>SUMMARY</u>: The dates set for completion of discovery, file dispositive motions and begin trial on October 21, 2019 are vacated. The parties shall file a joint settlement report by <b>August 26, 2019</b>. Responses to Pima County Flood Control District's <i>Motion to Vacate Order and to Amend Abstract for Proposed Water Right 113-12-021-SW002</i> due by <b>August 7, 2019</b>.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 2</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-11-2690

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075	08-02-2019	<p><b>ARIZONA DEPARTMENT OF WATER RESOURCES' NOTICE OF FILING REPORT</b>  <u>SUMMARY:</u> The Arizona Department of Water Resources ("ADWR") provides notice of filing the report as requested by the Court in the Order dated June 17, 2019.  <u>CLAIMANT NO:</u> None given.  <u>PAGES:</u> 2 + 2 (attachment) = 4 total pages</p>
076	08-09-2019	<p><b>THE SAN CARLOS APACHE TRIBE AND THE TONTO APACHE TRIBE'S RESPONSE TO PIMA COUNTY FLOOD CONTROL DISTRICT'S PROPOSED AMENDMENT TO ABSTRACT FOR PROPOSED WATER RIGHT 113-12-021-SW002</b>  <u>SUMMARY:</u> The San Carlos Apache tribe and Tonto Apache tribe file their response to the Pima County Flood Control District's proposed amendment to the abstract for proposed water right 113-12-021-SW002.  <u>CLAIMANT NO:</u> 39-12676, et al.  <u>PAGES:</u> 3</p>
077	08-20-2019	<p><b>ORDER TO DETERMINE POINT OF DIVERSION AND PLACE OF USE</b>  <u>SUMMARY:</u> ADWR to resolve location of Edgar Spring.  <u>CLAIMANT NO:</u> None given.  <u>PAGES:</u> 3</p>
078	08-26-2019	<p><b>JOINT SETTLEMENT REPORT</b>  <u>SUMMARY:</u> The parties submit a settlement report pursuant to the Special Master's Order dated July 30, 2019.  <u>CLAIMANT NO:</u> None given.  <u>PAGES:</u> 5</p>
079	08-28-2019	<p><b>PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT'S NOTICE OF FILING AMENDMENT TO STATEMENT OF CLAIMANT, REVISED PROPOSED ABSTRACT, AND NO OBJECTION TO REPORT</b>  <u>SUMMARY:</u> Pima County Regional Flood Control District notifies the Court of filing an Amendment to statement of claimant 39-2764 and informs the Court that it does not Object to ADWR'S report on the District's proposed abstract for 113-12-BA-013-DM002, And it has revised the proposed abstract for the proposed water right 113-12-BA-013-DM002.  <u>PAGES :</u>3+3 (attachments)=6</p>