

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-103

In re Subflow Technical Report, San Pedro River Watershed

Doc. No	File Date	Document Description
281	01-06-2012	<p>NOTICE OF ASSOCIATION OF COUNSEL <u>SUMMARY:</u> L. Anthony Fines of the Law Office of L. Anthony Fines, P.C., hereby gives notice that he is appearing and associating with Snell & Wilmer and L. William Staudenmaier, as counsel for Arizona Public Service Company, in the above matter. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 2</p>
282	01-06-2012	<p>ORDER GRANTING REQUEST THAT CHANGE BE REFLECTED IN THE COURT'S APPROVED MAILING LIST <u>SUMMARY:</u> The Court, having reviewed the Notice of Change of Law Firm Affiliation and Address and Request that Change be Reflected in the Court's Approved Mailing List, and good cause appearing, it is hereby ordered that Sean T. Hood's change in firm affiliation and mailing address will be reflected in the Court's approved mailing list. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 2</p>
283	01-09-2012	<p>GILA RIVER INDIAN COMMUNITY NOTICE OF WITHDRAWAL OF CERTAIN EXHIBITS <u>SUMMARY:</u> The Gila River Indian Community notifies the parties and the Court of the withdrawal of certain previously disclosed exhibits. <u>CLAIMANT NO:</u> 39-11-54-78, 39-05-41142, et al. <u>PAGES:</u> 2</p>
284	01-17-2012	<p>GROUNDWATER USERS' JOINT PRE-HEARING MEMORANDUM <u>SUMMARY:</u> The Groundwater Users (see signature lines) file their pre-hearing memorandum for the hearing to commence on January 24, 2012 regarding the Arizona Department of Water Resources' mapping of the subflow zone for the San Pedro River Watershed. <u>CLAIMANT NO:</u> 39-L8-34900 through -34910, et al. <u>PAGES:</u> 12 + 2 (attachments) = 14 total pages</p>
285	01-17-2012	<p>SURFACE WATER USERS' PRE-HEARING BRIEF <u>SUMMARY:</u> The Surface Water Users submit their pre-hearing brief for the January 24-26, 2012 subflow hearing. <u>CLAIMANT NO:</u> 39-07-7927, et al. <u>PAGES:</u> 12 + 3 (attachments) = 15 total</p>
286	01-18-2012	<p>THE NATURE CONSERVANCY'S NOTICE OF AVAILABILITY OF EXHIBITS <u>SUMMARY:</u> The Nature Conservancy provides notice that copies of the exhibits listed by The Nature Conservancy for use at the hearing scheduled for January 24-26, 2012 were sent to the participating parties and are otherwise available. <u>CLAIMANT NO:</u> 39-333 to 39-336, et al. <u>PAGES:</u> 4</p>
287	01-19-2012	<p>MINUTE ENTRY <u>SUMMARY:</u> 2:05 p.m. This is the time set for a Pre-Trial Conference. <u>CLAIMANT NO:</u> None given. <u>PAGES:</u> 2</p>

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288	01-30-2012	MOTION FOR ADMISSION PRO HAC VICE <u>SUMMARY</u> : Andrew "Guss" Guarino hereby applies to appear as counsel <i>pro hac vice</i> in connection with this action and its various contested cases. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 6
289	01-30-2012	APPLICATION TO APPEAR PRO HAC VICE <u>SUMMARY</u> : Andrew "Guss" Guarino hereby applies to appear as counsel <i>pro hac vice</i> for the United States. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 4

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290	02-10-2012	STATEMENT OF CONCERN <u>SUMMARY</u> : Statement of concern submitted by Ursula and Kerstin Hurley regarding the upcoming ADWR adjudication on the San Pedro River watershed. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 1
291	02-17-2012	THE MILLER OBJECTIONS TO REPORT OF THE SPECIAL MASTER; NOTICE OF FILING OBJECTIONS TO THE REPORT; AND MOTION FOR THE ADOPTION OF THE REPORT <u>SUMMARY</u> : This objection is based on the following reasons (attached additional pages): This filing is in response to: REPORT OF THE SPECIAL MASTER; NOTICE OF FILING OBJECTIONS TO THE REPORT; AND MOTION FOR THE ADOPTION OF THE REPORT. <u>CLAIMANT NO</u> : 39-628086, et al. <u>PAGES</u> : 11
292	02-21-2012	MINUTE ENTRY <u>SUMMARY</u> : This is the time set for Evidentiary Hearing (1/24/2012). <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 3
293	02-21-2012	MINUTE ENTRY <u>SUMMARY</u> : This is the time set for Evidentiary Hearing (1/25/2012). <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 4
294	02-21-2012	MINUTE ENTRY <u>SUMMARY</u> : This is the time set for Evidentiary Hearing (1/26/2012) <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 2
295	02-21-2012	NUNC PRO TUNC <u>SUMMARY</u> : It is ordered nunc pro tunc amending Page 2 of the minute entry dated January 26, 2012. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 1
296	02-22-2012	ORDER RE: MOTION TO ASSOCIATE COUNSEL PRO HAC VICE <u>SUMMARY</u> : Based on the Motion to Associate Counsel Pro Hac Vice of F. Patrick Barry and the consent of F. Patrick Barry to appear as local counsel, it is hereby ordered that Laura I. Maul be admitted pro hac vice as counsel for the United States of America in this matter. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 1

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297	03-01-2012	ORDER RE: MOTION FOR ADMISSION PRO HAC VICE <u>SUMMARY</u> : Based on the Motion for Admission Pro Hac Vice of Andrew "Guss" Guarino (January 19, 2012) it is hereby ordered that Mr. Guarino be admitted pro hac vice as counsel for the United States of America in this matter. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 1
298	03-23-2012	JOINT MOTION TO CONTINUE DEADLINE FOR SUBMISSION OF LIST OF ADMITTED EXHIBITS <u>SUMMARY</u> : The parties who participated in the evidentiary hearing held on January 24-26, 2012, hereby request that the Court continue the deadline for submission of a joint list of exhibits admitted and used at the hearing. <u>CLAIMANT NO</u> : 39-07-1040, through -1041, et al. <u>PAGES</u> : 3 + 2 (attachment) = 5 total pages
299	03-30-2012	JOINT NOTICE OF SUBMISSION OF PROPOSED ORDER REGARDING ADMITTED EXHIBITS <u>SUMMARY</u> : The parties who participated in the evidentiary hearing held on January 24-26, 2012, hereby submit their joint proposed order regarding exhibits that were admitted and used at the hearing. <u>CLAIMANT NO</u> : 39-07-1040 through -1041 et al. <u>PAGES</u> : 3 + 3 (attachments) = 6 total pages

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Doc. No	File Date	Document Description
300	04-09-2012	<p>ARIZONA DEPARTMENT OF WATER RESOURCES' REQUEST FOR ADDITIONAL TIME <u>SUMMARY:</u> The Arizona Department of Water Resources hereby requests an extension of time until April 20, 2012 to file its subflow zone delineation methodology report. <u>CLAIMANT NO:</u> None given. <u>PAGES:</u> 4</p>
301	04-10-2012	<p>ORDER REGARDING EXHIBITS ADMITTED AND USED AT THE JANUARY 2012 HEARING <u>SUMMARY:</u> The Court enters an order regarding the exhibits used and admitted the January 2012 hearing. <u>CLAIMANT NO:</u> None given. <u>PAGES:</u> 2</p>
302	04-10-2012	<p>ORDER CONTINUING DEADLINE FOR SUBMISSION OF LIST OF ADMITTED EXHIBITS <u>SUMMARY:</u> The Court grants a request to continue the deadline for submission of a joint list of exhibits admitted and used at the January 2012 hearing. <u>CLAIMANT NO:</u> None given. <u>PAGES:</u> 1</p>
303	04-24-2012	<p>ARIZONA DEPARTMENT OF WATER RESOURCES' NOTICE OF FILING SUBFLOW ZONE DELINEATION METHODOLOGY REPORT <u>SUMMARY:</u> The Arizona Department of Water Resources hereby provides notice of the filing its subflow zone delineation methodology report. <u>CLAIMANT NO:</u> None given. <u>PAGES:</u> 3 + 77 (attachments) = 80 total pages</p>
304	04-27-2012	<p>NOTICE OF CHANGE OF LAW FIRM AFFILIATION AND ADDRESS AND REQUEST THAT CHANGE BE REFLECTED IN THE COURT'S APPROVED MAILING LIST <u>SUMMARY:</u> Notice of change of Rhett A. Billingsley's law firm affiliation and address and request that change be reflected in the court's approved mailing list. <u>CLAIMANT NO:</u> 39-02297 et al. <u>PAGES:</u> 3</p>
305	04-27-2012	<p>EXHIBITS WORKSHEET <u>SUMMARY:</u> Date of hearing: 1/24/12, 1/25/12, &1/26/12. Case: W-1, W-2, W-3, W-4; W1-103 <u>CLAIMANT NO:</u> None Given <u>PAGES:</u> 100+</p>

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306	04-30-2012	<p>ORDER EXTENDING DEADLINE FOR ARIZONA DEPARTMENT OF WATER RESOURCES' REPORT</p> <p><u>SUMMARY</u>: It is hereby ordered that the deadline for filing the department's report concerning methodology for delineating the subflow zone within the San Pedro River Watershed is extended to April 20, 2012.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 1</p>
307	04-30-2012	<p>MINUTE ENTRY</p> <p><u>SUMMARY</u>: The Court has reviewed the December 7, 2011 report of the Special Master filed in this case. The Court has also examined the objections to the Subflow Zone Delineation Report for the San Pedro River Watershed (June 2009) prepared by the Arizona Department of Water Resources filed by Richard Donahue, Howard L. Judd, Paul B. Kartchner, Quentin H. Miller, Carmen J. Miller, Marsha L. Thompson, Kevin J. Trejo, George L. White and Richard B. White (the "Individual Objections"). The Court agrees with the Special master's findings of fact, conclusions of law and recommendation with respect to these objections. Therefore, it is ordered adopting the Special Master's Findings of Fact and Conclusion of Law. It is further ordered dismissing the "Individual Objections." It is further ordered signing this minute entry as a formal written Order of the Court.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 2</p>
308	05-04-2012	<p>JOINT MOTION TO EXTEND DEADLINE SUBMISSION FINDINGS OF FACT AND CONCLUSIONS OF LAW AND COMMENTS REGARDING ADWR'S SUBFLOW ZONE METHODOLOGY REPORT</p> <p><u>SUMMARY</u>: The parties who participated in the evidentiary hearing held on January 24-26, 2012, hereby request that the Court extend the deadline for submitting Findings of Fact and Conclusions of Law and comments regarding the Arizona Department of Water Resources ("ADWR") report entitled Subflow Zone Delineation Methodology for the San Pedro River Watershed filed with the Court on April 20, 2012 ("Subflow Zone Methodology Report").</p> <p><u>CLAIMANT NO</u>: 39-02297 et al</p> <p><u>PAGES</u>: 4 + 3 (attachments) = 7 total pages</p>
309	05-04-2012	<p>ARIZONA DEPARTMENT OF WATER RESOURCES' NOTICE OF ERRATA IN SUBFLOW ZONE DELINEATION METHODOLOGY REPORT</p> <p><u>SUMMARY</u>: The Arizona Department of Water Resources hereby provides notice of errata in subflow zone delineation methodology report.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 2 + 2 (attachments) = 4 total pages</p>

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310	05-15-2012	ORDER CONTINUING DEADLINE FOR SUBMISSION FINDINGS OF FACT AND CONCLUSIONS OF LAW AND COMMENTS REGARDING ADWR'S SUBFLOW ZONE METHODOLOGY REPORT <u>SUMMARY</u> : The Court grants a request to continue the deadline for submitting Findings of Fact and Conclusions of Law and comments regarding the Arizona Department of Water Resources' Subflow Zone Methodology Report to June 8, 2012. Upon stipulation of the parties, and good cause appearing, it is hereby ordered extending the deadline for submitting Findings of Fact and Conclusions of Law regarding the January 2012 evidentiary hearing and comments regarding the Arizona Department of Water Resources' report entitled "Subflow Zone Delineation Methodology for the San Pedro River Watershed" to June 8, 2012. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 2
311	05-23-2012	NOTICE OF APPEARANCE ON BEHALF OF FREEPORT-MCMORAN CORPORATION AND REQUEST TO BE ADDED TO THE COURT'S APPROVED MAILING LIST <u>SUMMARY</u> : Notice of appearance of Fennemore Craig, P.C., by and through Sean T. Hood, as co-counsel of record on behalf of Freeport-McMoRan Corporation, and request to be added to the Court's approved mailing list. <u>CLAIMANT NO</u> : 39-02297 et al. <u>PAGES</u> : 3

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312	06-08-2012	<p>ASARCO LLC'S COMMENTS ON ARIZONA DEPARTMENT OF WATER RESOURCES' SUBFLOW ZONE DELINEATION METHODOLOGY FOR THE SAN PEDRO RIVER WATERSHED DATED APRIL 2012</p> <p><u>SUMMARY</u>: ASARCO LLC comments on the Arizona Department of Water Resources' Subflow Zone Delineation Methodology for the San Pedro River Watershed dated April 2012.</p> <p><u>CLAIMANT NO</u>: 39-U8-62699, et al.</p> <p><u>PAGES</u>: 12</p>
313	06-08-2012	<p>FREEMPORT-MCMORAN CORPORATION'S COMMENTS TO THE ARIZONA DEPARTMENT OF WATER RESOURCES' SUBFLOW ZONE DELINEATION METHODOLOGY FOR THE SAN PEDRO WATERSHED</p> <p><u>SUMMARY</u>: Freeport-McMoRan Corporation files its Comments to the Arizona Department of Water Resources Subflow Zone Delineation Methodology for the San Pedro Watershed.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 16 + 3 (exhibit) = 19 total pages</p>
314	06-08-2012	<p>OBJECTIONS/COMMENTS OF BELLA VISTA WATER CO., INC., PUEBLO DEL SO WATER COMPANY AND CITY OF SIERRA VISTA TO THE APRIL 2012 SUBFLOW ZONE DELINEATION REPORT FOR THE SAN PEDRO RIVER WATERSHED</p> <p><u>SUMMARY</u>: Bella Vista Water Co., Inc., Pueblo Del Sol Water Company and the City of Sierra Vista file their Objections/Comments to the April 2012 Subflow Zone Delineation Report for the San Pedro River Watershed.</p> <p><u>CLAIMANT NO</u>: 39-02498, et al.</p> <p><u>PAGES</u>: 8</p>
315	06-08-2012	<p>SURFACE WATER USERS' PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND SUBSTANTIVE ORDERS</p> <p><u>SUMMARY</u>: The Surface Water Users submit their proposed findings of fact, conclusions of law, and substantive orders based upon the evidentiary hearing held on January 24-26, 2012.</p> <p><u>CLAIMANT NO</u>: 39-07-7927, et al.</p> <p><u>PAGES</u>: 35 + 21 (attachments) + (1 exhibit-compact disc) = 56 total pages</p>
316	06-08-2012	<p>SURFACE WATER USERS' COMMENTS ON ADWR'S APRIL 2012 REPORT RE SUBFLOW METHODOLOGY</p> <p><u>SUMMARY</u>: The Surface Water Users submit their comments on ADWR's April 2012 report regarding Subflow Zone Delineation Methodology.</p> <p><u>CLAIMANT NO</u>: 39-07-7927, et al.</p> <p><u>PAGES</u>: 18 + 23 (attachments) + (1 exhibit-compact disc) = 41 total pages</p>
317	06-08-2012	<p>BHP COPPER INC.'S COMMENTS ON ADWR'S SUBFLOW ZONE DELINEATION METHODOLOGY FOR THE SAN PEDRO RIVER WATERSHED</p> <p><u>SUMMARY</u>: BHP Copper Inc. files its comments on the Arizona Department of Water Resources' Subflow Zone Delineation Methodology for the San Pedro Watershed dated April 2012.</p> <p><u>CLAIMANT NO</u>: 39-11-0003142, et al.</p> <p><u>PAGES</u>: 11</p>

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318	06-08-2012	PROPOSED FINDINGS OF FACT & CONCLUSIONS OF LAW <u>SUMMARY</u> : The Groundwater Users file their proposed findings of fact and conclusions of law regarding the hearing that commenced on January 24, 2012 regarding the Arizona Department of Water Resources' mapping of the subflow zone for the San Pedro River Watershed. <u>CLAIMANT NO</u> : 39-L8-34900, et al. <u>PAGES</u> : 16 + 3 (attachment) = 19 total
319	06-08-2012	APS'S COMMENTS ON THE ARIZONA DEPARTMENT OF WATER RESOURCES' SUBFLOW ZONE DELINEATION METHODOLOGY FOR THE SAN PEDRO RIVER WATERSHED DATED APRIL 2012 <u>SUMMARY</u> : APS comments on the Arizona Department of Water Resources' subflow zone delineation methodology for the San Pedro River Watershed dated April 2012. <u>CLAIMANT NO</u> : 39-L8-34900, et al. <u>PAGES</u> : 19 + 1 (attachment) = 20 total pages

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320	07-02-2012	OBJECTION TO THE REQUEST THAT THE COURT ADOPT THE SURFACE WATER USERS' SUBFLOW ZONE DELINEATION AND MOTION TO STRIKE THE SURFACE USERS' NEW SUBFLOW ZONE DELINEATION AND REQUEST THAT ADWR, WHEN IT PREPARES ITS FINAL REPORT, BE DIRECTED TO ADDRESS THE PARTIES' COMMENTS TO ITS APRIL 2012 REPORT AND THE SURFACE ADOPTION OF THEIR NEW SUBFLOW ZONE <u>SUMMARY</u> : The Groundwater Users object to the Surface Water Users' request that the Court adopt the new subflow zone delineation created by consultants for the Surface Water Users, move to strike the Surface Water Users' new subflow delineation, and request that ADWR be directed to respond to the parties' comments to ADWR's April 2012 Report and the Surface Water Users' request for adoption of their new subflow zone. <u>CLAIMANT NO</u> : 39-L8-34900, et al. <u>PAGES</u> : 11 + 7 (attachments) = 18 total pages
321	07-23-2012	SURFACE WATER USERS' RESPONSE TO PUMPERS' OBJECTION TO THE REQUEST THAT THE COURT ADOPT THE SURFACE WATER USERS' SUBFLOW DELINEATION, ETC. <u>SUMMARY</u> : The Surface water Users submit their response to the Pumpers' July 2, 2012 objection, motion to strike, and request. <u>CLAIMANT NO</u> : 39-07-7927, et al. <u>PAGES</u> : 7 + 4 (attachment) = 11 total pages

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322	08-08-2012	REPLY IN SUPPORT OF: OBJECTION TO THE REQUEST THAT THE COURT ADOPT THE SURFACE WATER USERS' SUBFLOW ZONE DELINEATION AND MOTION TO STRIKE THE SURFACE WATER USERS' NEW SUBFLOW ZONE DELINEATION AND REQUEST THAT ADWR, WHEN IT PREPARES ITS FINAL REPORT, BE DIRECTED TO ADDRESS THE PARTIES' COMMENTS TO ITS APRIL 2012 REPORT AND THE SURFACE WATER USERS' REQUEST FOR ADOPTION OF THEIR NEW SUBFLOW ZONE <u>SUMMARY</u> : The Groundwater Users file their Reply in support of their objection to the Surface Water Users' request that the Court adopt the new subflow zone delineation created by consultants for the Surface Water Users after the hearing was over and evidence closed, their motion to strike the Surface Water Users' new subflow zone delineation, and their request that ADWR be directed to respond to the parties' comments to ADWR's April 2012 Report and the Surface Water Users' request for adoption of their new subflow zone. <u>CLAIMANT NO</u> : 39-L8-34900, et al. <u>PAGES</u> : 7 + 3 (attachment) = 10 total pages
323	08-23-2012	MINUTE ENTRY <u>SUMMARY</u> : It is ordered setting Oral Argument on matters related to ADWR's April, 2012, Report, to be held on Thursday, November 8, 2012, at 2:00 p.m. (MST), at the Southeast Juvenile Court Building, 1810 South Lewis, Mesa, Arizona 85210, Courtroom 9. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 2
