

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-104

In re State Trust Lands

| Doc. No | File Date | Document Description |
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| 206 | 01-04-2008 | TRIBES' JOIN IN THE UNITED STATES' OBJECTION NUMBER 2 TO CONCLUSION OF LAW NUMBER 42 TO THE REPORT OF THE SPECIAL MASTER <u>SUMMARY</u> : The San Carlos Apache Tribe, Yavapai-Apache Nation, Tonto Apache Tribe, and Pascua-Yaqui Tribe Join the United States' in its Objection No. 2 to Conclusion of law No.42 to the Report of the Special master; and Motion for Adoption of report in In re State Trust Lands, Contested Case No. W1-104. <u>CLAIMANT NO</u> : 39-07-12676, et al. <u>PAGES</u> : 2 |

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In re State Trust Lands

| Doc. No | File Date | Document Description |
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| 207 | 02-05-2008 | APPENDICES TO ASARCO LLC'S AND ABITIBI CONSOLIDATED SALES CORPORATION'S RESPONSE TO STATE OF ARIZONA'S OBJECTIONS AND COMMENTS TO THE SPECIAL MASTER'S REPORT AND ITS RESPONSE TO THE MOTION FOR ADOPTION OF THE REPORT DATED SEPTEMBER 28, 2007 AND ASARCO LLC'S AND ABITIBI CONSOLIDATED SALES CORPORATION'S RESPONSE TO THE UNITED STATES' OBJECTIONS TO THE REPORT OF THE SPECIAL MASTER; AND MOTION FOR ADOPTION OF REPORT. SUPPLEMENTAL MATERIALS. <u>SUMMARY:</u> ASARCO LLC'S and Abitibi Consolidated Sales Corporation file their appendices to their response to Sate of Arizona's objections and comments to the Special Master's Report and its response to the motion for adoption of the report dated September 28, 2007 and their response to the United States objections to the report of the Special Master; and Motion for adoption of report. <u>CLAIMANT NO:</u> 39-08-62699, et al. <u>PAGES:</u> 221 |
| 208 | 02-05-2008 | ASARCO LLC'S AND ABITIBI CONSOLIDATED SALES CORPORATION'S RESPONSE TO THE UNITED STATES OBJECTIONS TO THE REPORT OF THE SPECIAL MASTER; AND MOTION FOR ADOPTION OF REPORT <u>SUMMARY:</u> ASARCO LLC and Abitibi Consolidated Sales Corporation respond to the United States objections to the Report of the Special Master; and Motion for adoption report, dated December 17, 2007. <u>CLAIMANT NO:</u> 39-08-62699, et al. <u>PAGES:</u> 12 |

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| 209 | 02-05-2008 | <p>ASARCO LLC'S AND ABITIBI CONSOLIDATED SALES CORPORATION'S RESPONSE STATE OF ARIZONA'S OBJECTIONS AND COMMENTS TO THE SPECIAL MASTER REPORT AND ITS RESPONSE FOR ADOPTION OF THE REPORT DATED SEPTEMBER 28, 2007</p> <p><u>SUMMARY</u>: ASARCO LLC and Abitibi Consolidated Sales Corporation file their response to the State of Arizona's objections and comments to the Special Master's Report and Its Response to the Motion for adoption of the report dated September 28, 2007, which is dated December 17, 2007.</p> <p><u>CLAIMANT NO</u>: 39-08-62699, et al.</p> <p><u>PAGES</u>: 32</p> |
| 210 | 02-05-2008 | <p>ASARCO LLC AND ABITIBI CONSOLIDATED SALES CORPORATION'S MOTION FOR LEAVE TO EXCEED PAGE LIMITATION, AND FORM OF ORDER</p> <p><u>SUMMARY</u>: ASARCO LLC and Abitibi Consolidated Sales Corporation move for leave to exceed the page limitation for their response to State of Arizona's objections and comments to the Special Master's report and its response to the Motion for Adoption of the Report dated September 28, 2007.</p> <p><u>CLAIMANT NO</u>: 39-08-62699, et al.</p> <p><u>PAGES</u>: 3</p> |
| 211 | 02-05-2008 | <p>JOINT MOVANTS' RESPONSE TO UNITED STATES' OBJECTIONS TO THE REPORT OF THE SPECIAL MASTER</p> <p><u>SUMMARY</u>: The Joint Movants submit their response to the Unites States' objections to the Report of the Special Master concerning federal reserved water rights claims for state trust lands. The Joint Movants include Arizona Public Service Company; BHP Copper Inc.; Central Arizona Irrigation and Drainage District; the Cities of Avondale, Chandler, Cottonwood, Glendale, Mesa, Phoenix, Scottsdale, and Show Low; Franklin Irrigation District; Gila Valley Irrigation District; Maricopa-Stanfield Irrigation & Drainage District; Phelps Dodge Corporation; Roosevelt Water Conservation District; Salt River Project Agricultural Improvement and Power District; and Salt River valley Water Users' Association.</p> <p><u>CLAIMANT NO</u>: 39-L8-34900, et al.</p> <p><u>PAGES</u>: 20</p> |

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| 212 | 02-05-2008 | <p>GILA RIVER INDIAN COMMUNITY'S RESPONSE TO THE STATE OF ARIZONA'S OBJECTIONS AND COMMENTS TO THE MOTION FOR ADOPTION OF THE REPORT DATED SEPTEMBER 28, 2007</p> <p><u>SUMMARY</u>: The Gila River Indian Community submits its response to the State of Arizona's objection and comments to the report of the Special Master in Contested case W1-104 and CV 6417-100.</p> <p><u>CLAIMANT NO</u>: 39-11-54-78. et al.</p> <p><u>PAGES</u>: 36</p> |
| 213 | 02-05-2008 | <p>STATE OF ARIZONA'S CONSOLIDATED RESPONSE TO OBJECTIONS TO SPECIAL MASTER REPORT</p> <p><u>SUMMARY</u>: The State of Arizona files its consolidated response to the objections and comments filed in response to the Special Master's Report dated September 28, 2007.</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 15</p> |
| 214 | 02-05-2008 | <p>JOINT MOVANTS' RESPONSE TO STATE OF ARIZONA'S OBJECTIONS AND COMMENTS TO THE SPECIAL MASTER'S REPORT</p> <p><u>SUMMARY</u>: The Joint Movants submit their response to the State of Arizona's objections and comments to the Special Master's September 28, 2007 report concerning federal reserved water rights claims for state trust lands. The Joint Movants include Arizona Public Service Company; BHP Copper Inc.; Central Arizona Irrigation and Drainage District; the Cities of Avondale, Chandler, Cottonwood, Glendale, Mesa, Phoenix, Scottsdale, and Show Low; Franklin Irrigation District; Gila Valley Irrigation District; Maricopa-Stanfield Irrigation & Drainage District; Phelps Dodge Corporation; Roosevelt Water Conservation District; Salt River Project Agricultural Improvement and Power District; and Salt River valley Water Users' Association.</p> <p><u>CLAIMANT NO</u>: 39-L8-34900, et al.</p> <p><u>PAGES</u>: 36</p> |

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| 215 | 02-06-2008 | RESPONSE TO THE STATE OF ARIZONA'S OBJECTIONS TO THE REPORT OF THE SPECIAL MASTER <u>SUMMARY</u> : The United States responds to the objections filed by the State of Arizona to the Special Master's September 28, 2007 report concerning the existence of federal reserved water rights on State trust lands. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 10 |
| 216 | 02-07-2008 | RESPONSE OF THE NAVAJO NATION IN OPPOSITION TO STATE OF ARIZONA'S OBJECTIONS AND COMMENTS REGARDING SPECIAL MASTER'S REPORT AND RECOMMENDATION <u>SUMMARY</u> : The Navajo Nation files its response in opposition to the State of Arizona's objections and comments to the Special Master's report and its response to the motion for adoption of the report dated September 28, 2007. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 13 |
| 217 | 02-27-2008 | APPLICATION FOR EX PARTE ORDER APPROVING SUBSTITUTION OF COUNSEL <u>SUMMARY</u> : The City of Chandler, by its undersigned attorney, gives notice that Mary Wade is hereby substituted for and in place of Michael D. House as City Attorney for the City of Chandler in the above-captioned proceedings. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 3 |

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218 **03-03-2008** **STATE OF ARIZONA'S MOTION FOR EXTENSION OF TIME TO FILE REPLIES IN SUPPORT OF OBJECTIONS AND COMMENTS TO THE SPECIAL MASTER'S REPORT DATED SEPTEMBER 28, 2007 AND A REQUEST FOR AN EXPEDITED RULING**

SUMMARY: The State of Arizona submits a request for a three (3) week extension to the deadlines for filing replies in support objections and comments to the Special Master's report dated September 28, 2007. Counsel for Parties filing responses to Objections do not contest this request for an extension.

CLAIMANT NO: None Given

PAGES: 3

219 **03-07-2008** **ORDER SUBSTITUTING COUNSEL**

SUMMARY: Pursuant to the City of Chandler's Application for Ex Parte order Approving Substitution of Counsel and good cause appearing; IT IS ORDERED removing Michael D. House from the court-approved mailing list and adding Mary Wade, City Attorney, City of Chandler, City Attorney's Office, P.O. Box 4008, Mail Stop 602, Chandler, Arizona 85244-4008; IT IS FURTHER ORDERED that Cynthia J. Haglin, Assistant City Attorney, shall also continue to serve as counsel of record in the above-entitled action.

CLAIMANT NO: None Given

PAGES: 1

220 **03-12-2008** **ORDER GRANTING ASARCO LLC'S AND ABITIBI CONSOLIDATED SALES CORPORATION'S MOTION FOR LEAVE TO EXCEED PAGE LIMITATION**

SUMMARY: The Court having reviewed ASARCO LLC's and Abitibi Consolidation Sales Corporation's Motion for Leave Exceed Page Limitation, and good cause appearing, IT IS HEREBY ORDERED that ASARCO LLC's and Abitibi Consolidated Sales Corporation's Motion for Leave to Exceed Page Limitation is GRANTED, and those claimants may file their Response to State of Arizona's Objections and Comments to the Special Master's Report and Its Response to the Motion for Adoption of the Report Dated September 28 2007, with text not exceeding thirty pages.

CLAIMANT NO: None Given

PAGES: 1

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| 221 | 03-13-2008 | ORDER GRANTING THE STATE OF ARIZONA'S MOTION FOR EXTENSION OF TIME TO FILE REPLY IN SUPPORT OF OBJECTIONS TO THE SPECIAL MASTER'S REPORT DATED SEPTEMBER 28, 2007 <u>SUMMARY</u> : The Court having reviewed the Motion for an Extension Time to File Objections and Comments to the Special Master's Report dated September 28, 2007 submitted by counsel for the State of Arizona on March 3, 2008, and good cause appearing, IT IS HEREBY ORDERED that the State of Arizona's request for an Extension of time is GRANTED. The date for filing replies is extended from Tuesday, March 11, 2008 to Tuesday April 1, 2008. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 1 |
| 222 | 03-28-2008 | STATE OF ARIZONA'S MOTION FOR EXTENSION OF TIME TO FILE REPLIES IN SUPPORT OF OBJECTIONS AND COMMENTS TO THE SPECIAL MASTER'S REPORT DATED SEPTEMBER 28, 2007 AND A REQUEST FOR AN EXPEDITED RULING <u>SUMMARY</u> : The State of Arizona submits a request for a ten (10) day extension to the deadlines for filing replies in support of objections and comments to the Special Master's Report dated September 28, 2007. Counsel was able to contact several parties who do not object to the request for an extension. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 3 |
| 223 | 03-31-2008 | MOTION OF THE NEW MEXICO COMMISSIONER OF PUBLIC LANDS FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE <u>SUMMARY</u> : Commissioner of Public Lands for the State of New Mexico moves for leave to file its Amicus Curiae brief in support of a federal reserved water right for state trust lands in Arizona. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 24 |

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| 224 | 04-08-2008 | <p>ORDER GRANTING THE STATE OF ARIZONA'S MOTION FOR EXTENSION OF TIME TO FILE REPLY IN SUPPORT OF OBJECTIONS TO THE SPECIAL MASTER'S REPORT DATED SEPTEMBER 28, 2007</p> <p><u>SUMMARY</u>: The Court having reviewed the Motion for an Extension Time to File Objections and Comments to the Special Master's Report dated September 28, 2007 submitted by counsel for the State of Arizona on March 28, 2008, and good cause appearing, IT IS HEREBY ORDERED that the State of Arizona's request for an Extension of time is granted. The date for filing replies is extended from Tuesday, April 1, 2008 to Friday, April 11, 2008.</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 1</p> |
| 225 | 04-11-2008 | <p>ASARCO LLC'S AND CATALYST PAPER (SNOWFLAKE) INC.'S MOTION FOR LEAVE TO EXCEED PAGE LIMITATION, AND FORM OF ORDER</p> <p><u>SUMMARY</u>: ASARCO LLC and Catalyst Paper (Snowflake) Inc. move for leave to exceed the page limitation for their Reply to the State of Arizona's Consolidated Response to Objections to the Special Master's Report.</p> <p><u>CLAIMANT NO</u>: 39-08-62699 et al.</p> <p><u>PAGES</u>: 3 (including form of Order)</p> |
| 226 | 04-11-2008 | <p>ASARCO LLC'S AND CATALYST PAPER (SNOWFLAKE) INC.'S REPLY TO THE STATE OF ARIZONA'S CONSOLIDATED RESPONSE TO OBJECTIONS TO SPECIAL MASTER'S REPORT</p> <p><u>SUMMARY</u>: ASARCO LLC and Catalyst Paper (Snowflake) Inc. file their Reply to the State of Arizona's Consolidated Response to Objections to the Special Master's Report, which is dated February 5, 2008.</p> <p><u>CLAIMANT NO</u>: 39-08-62699 et al.</p> <p><u>PAGES</u>: 20 (including caption)</p> |

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| 227 | 04-11-2008 | STATE OF ARIZONA'S CONSOLIDATED REPLY TO RESPONSES TO OBJECTIONS TO SPECIAL MASTER'S REPORT <u>SUMMARY</u> : State of Arizona submits its Consolidated Reply to Responses to objections to Special Master's Report and Motion for Adoption of the Report dated September 28, 2007. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 23 |
| 228 | 04-11-2008 | REPLY COMMENTS OF THE NAVAJO NATION IN SUPPORT OF THE SPECIAL MASTER'S REPORT AND RECOMMENDATION <u>SUMMARY</u> : The Navajo Nation files its reply in support of the Special Master's Report and Recommendation. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 4 |
| 229 | 04-11-2008 | REPLY TO RESPONSES TO OBJECTIONS TO THE REPORT OF THE SPECIAL MASTER <u>SUMMARY</u> : The United States replies to the responses to its objections to the Special Master's September 28, 2007 report concerning the existence of federal reserved water rights on State trust lands. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 10 |

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| 230 | 04-14-2008 | RESPONSE IN OPPOSITION TO MOTION OF THE NEW MEXICO COMMISSIONER OF PUBLIC LANDS FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE <u>SUMMARY</u> : The responding Claimants submit their response in opposition to the motion by the New Mexico Commissioner of Public Lands to file an amicus brief in this proceeding. The Responding Claimants include Public Service Company; BHP Copper Inc.; Central Arizona Irrigation and Drainage District; the Cities of Chandler, Cottonwood, Glendale, Mesa, Phoenix, Scottsdale, and Show Low; Franklin Irrigation District; Gila Valley Irrigation District; Navajo Nation; Roosevelt Water Conservation District; Salt River Project Agricultural Improvement and Power District; Salt River Valley Water User's Association; and the Towns of Clarkdale and Jerome. <u>CLAIMANT NO</u> : 39-L8-34900, et al. <u>PAGES</u> : 36 |
| 231 | 05-12-2008 | ORDER GRANTING STATE OF ARIZONA'S MOTION TO EXCEED PAGE LIMITATION FOR ITS REPLY TO RESPONSES TO COMMENTS TO THE SPECIAL MASTER'S REPORT DATED SEPTEMBER 28, 2007 <u>SUMMARY</u> : The Court having reviewed the State of Arizona's Motion to Exceed Page Limit to File Its Reply to Responses to Comments to the Special Master's Report dated September 28, 2007 submitted by counsel for the State on April 11, 2008, and good cause appearing, It Is Hereby Ordered that the State of Arizona's request to exceed page limitation to a maximum twenty-three (23) pages is granted. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 1 |
| 232 | 05-23-2008 | REPLY IN SUPPORT OF MOTION OF THE NEW MEXICO COMMISSIONER OF PUBLIC LANDS FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE <u>SUMMARY</u> : Commissioner of Public Lands for the State of New Mexico files reply in support of his motion for leave to file Amicus Curiae brief. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 6 |

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In re State Trust Lands

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| 233 | 06-02-2008 | ASARCO LLC'S AND CATALYST PAPER (SNOWFLAKE) INC.'S SUPPLEMENTAL CITATION OF LEGAL AUTHORITY <u>SUMMARY</u> : ASARCO LLC and Catalyst Paper (Snowflake) Inc. file their Supplemental Citation of Legal Authority. <u>CLAIMANT NO</u> : 39-08-62699 et al.; 39-83039, et al. <u>PAGES</u> : 3 |
| 234 | 06-03-2008 | ORDER GRANTING ASARCO LLC'S AND CATALYST PAPER (SNOWFLAKE) INC.'S MOTION FOR LEAVE TO EXCEED PAGE LIMITATION <u>SUMMARY</u> : Ordered that ASARCO LLC'S and Catalyst Paper (Snowflake) Inc.'s Motion for leave to Exceed Page Limitation is GRANTED, and those claimants may file their Reply to the State of Arizona's Consolidated Response to Objections to the Special Master's Report with text not exceeding nineteen pages. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 1 |
| 235 | 07-16-2008 | APPLICATION FOR ORDER APPROVING SUBSTITUTION OF COUNSEL <u>SUMMARY</u> : Application for substitution of counsel for Claimant Aztec Land & Cattle Company, Ltd. <u>CLAIMANT NO</u> : 39-63081 et al. <u>PAGES</u> : 3 |

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| 236 | 09-09-2008 | ORDER APPROVING SUBSTITUTION OF COUNSEL <u>SUMMARY</u> : IT IS ORDERED removing Ryley Carlock & Applewhite from counsel of record for Aztec Land and Cattle Company, Ltd., and adding David A. Brown, Douglas E. Brown and Michael B. Whiting, Brown & Brown Law Offices, P.C., Post Office Box 1890, St. Johns, Arizona 85936 as counsel of record for Aztec Land and Cattle Company, Ltd. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 2 |
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| 237 | 10-03-2008 | STATE OF ARIZONA'S NOTICE OF SUBSTITUTION OF ATTORNEY OF RECORD <u>SUMMARY</u> : State of Arizona submits its Notice of Substitution of Attorney of Record to replace Kenneth D. Nyman for Patrick B. Sigl. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 3 |
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In re State Trust Lands

| Doc. No | File Date | Document Description |
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| 238 | 10-07-2008 | JOINT MOVANTS' SUPPLEMENTAL CITATION OF LEGAL AUTHORITY <u>SUMMARY</u> : The Joint Movants submit their Supplemental Citation of Legal Authority, providing notice that the Court of Appeals of the State Of New Mexico has issued its decision affirming the district court's decision in State of New Mexico ex rel. State Engineer v. Commissioner of Public Lands for the State of New Mexico. The joint Movants include Arizona Public Service Company; BHP Copper Inc. <u>CLAIMANT NO</u> : 39-L8-34900 et al. <u>PAGES</u> : 4+37 (attachments)=41 (total) |
| 239 | 10-08-2008 | SUBMISSION OF SUPPLEMENTAL AUTHORITY <u>SUMMARY</u> : The Navajo Nation files a supplemental citation of legal authority. <u>CLAIMANT NO</u> : None Give <u>PAGES</u> : 2 (plus attachment) |

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| 240 | 10-16-2008 | ORDER APPROVING SUBSTITUTION OF ATTORNEY OF RECORD <u>SUMMARY</u> : IT IS ORDERED that Patrick B. Sigl be removed from the Court's mailing list and removed as attorney of record in the above-entitled action and that Kenneth D. Nyman be substituted as attorney of record for the office of the Attorney General representing the State of Arizona and placed on the Court's mailing list in his place. <u>CLAIMANT NO</u> : None Give <u>PAGES</u> : 2 |
| 241 | 10-23-2008 | MINUTE ENTRY <u>SUMMARY</u> : IT IS ORDERED denying the New Mexico Commissioner leave to file a brief as amicus curiae in this proceeding. <u>CLAIMANT NO</u> : None Give <u>PAGES</u> : 2 |

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| 242 | 12-09-2008 | NOTICE OF DECISION IN RELATED CASE <u>SUMMARY</u> : The Salt River Project provides notice that the New Mexico Supreme Court has denied the petition for certiorari in a case involving the State of New Mexico's claim for federal reserved rights for state trust lands. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 3 +3 (attachments) =6 |

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| 243 | 01-20-2009 | NOTICE OF CHANGE OF FIRM NAME <u>SUMMARY</u> : The Navajo Nation notifies the Court of a change in firm name for co-counsel. <u>CLAIMANT NO</u> : None Give <u>PAGES</u> : 2 |

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Doc. No **File Date** **Document Description**

244 **05-06-2009** **IN RE STATE TRUST LANDS**

SUMMARY: The Navajo Nation files notice that the United States Supreme Court has denied the petition for writ of certiori in a related case involving the New Mexico Commissioner of Public Lands' claim for federal reserved rights for state trust lands.

CLAIMANT NO: None Give

PAGES: 3 plus 1 page attachment (4 pages total)

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| 245 | 06-26-2009 | STATE OF ARIZONA'S NOTICE OF APPEARANCE OF ATTORNEY OF RECORD THERESA M. CRAIG <u>SUMMARY</u> : State of Arizona submits its Notice of Appearance for Theresa M. Craig, Assistance Attorney General. <u>CLAIMANT NO</u> : None Give <u>PAGES</u> : 3 |
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246 **09-09-2009** **MINUTE ENTRY**

SUMMARY: IT IS ORDERED setting a Hearing to consider Objections to Special Master's Report filed April 11, 2008 for November 19, 2009 at 1:30 p.m. (3hours allotted) before:

HONORABLE EDDWARD P.BALLINGER, JR.

Northeast Regional Court Center

18380 North 40th Street

Courtroom 112

Phoenix, Arizona 85032

602.506.8551

CLAIMANT NO: None Give

PAGES: 2