

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

Doc. No	File Date	Document Description
4025	01-02-2009	<p><b>MOTION FOR EXTENSION OF TIME TO FILE REPORT CONCERNING ORGANIZING A CONTESTED CASE FOR THE ARAVAIPA CANYON WILDERNESS AREA</b></p> <p><u>SUMMARY</u>: The United States' request an additional one month to file a report concerning organizing a contested case for the Aravaipa Canyon Wilderness Area.</p> <p><u>CLAIMANT NO</u>: None Give</p> <p><u>PAGES</u>: 3</p>
4026	01-09-2009	<p><b>MINUTE ENTRY</b></p> <p><u>SUMMARY</u>: The Arizona Department of Water Resources ("ADWR or the Department") has requested to meet with Court.</p> <p><u>CLAIMANT NO</u>: None Give</p> <p><u>PAGES</u>: 1</p>
4027	01-13-2009	<p><b>STIPULATED MOTION TO ADOPT REVISED PREHEARING SCHEDULE</b></p> <p><u>SUMMARY</u>: The parties submit their stipulated motion to adopt a revised prehearing schedule with respect to SRP'S applications for orders to show cause and requests for injunctions against NBJ Ranch Ltd. Partnership, Kovacovich Investments Limited Partnership, and Wiertzema Family Trust. The proposed revisions should not affect the scheduled April 28-30, 2009 hearing date.</p> <p><u>CLAIMANT NO</u>: 39-44363, et al.</p> <p><u>PAGES</u>: 7</p>
4028	01-16-2009	<p><b>ORDER GRANTING THE REQUEST OF THE UNITED STATES FOR AN EXTENSION OF TIME TO FILE REPORT AND EXTENDING THE TIME FOR OTHER CLAIMANTS TO FILE COMMENTS</b></p> <p><u>SUMMARY</u>: The Special Master grants the request of the United States for an extension of time to February 2, 2009, to file its report and extends the time for other claimants to file comments to March 6, 2009.</p> <p><u>CLAIMANT NO</u>: None Give</p> <p><u>PAGES</u>: 2</p>
4029	01-20-2009	<p><b>NOTICE OF CHANGE OF FIRM NAME</b></p> <p><u>SUMMARY</u>: The Navajo Nation notifies the Court of a change in firm name for co-counsel.</p> <p><u>CLAIMANT NO</u>: None Give</p> <p><u>PAGES</u>: 3</p>
4030	01-23-2009	<p><b>NOTICE OF REMOVAL OF COUNSEL FROM SERVICE LIST</b></p> <p><u>SUMMARY</u>: The City of Goodyear hereby gives notice that attorney Elizabeth J. Simpson, SBN #020680, is no longer with the City of Goodyear City Attorney's Office. As such, Ms. Simpson's name should be immediately removed from the services list in this case. All future pleadings and correspondence should continue to be sent to Roric Massey, City Attorney, as attorney of record for the City of Goodyear. The correct mailing and electronic address for counsel is listed above.</p> <p><u>CLAIMANT NO</u>: None Give</p> <p><u>PAGES</u>: 3</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
4031	02-02-2009	<b>STIPULATED MOTION TO ADOPT REVISED PREHEARING SCHEDULE</b> <u>SUMMARY</u> : The parties submit their stipulated motion to adopt a revised prehearing schedule with respect to SRP's applications for orders to show cause and requests for injunctions against NBJ Ranch Ltd. Partnership, Kovacovich Investments Limited Partnership, and Wiertzema Family Trust. The proposed revisions should not affect the scheduled April 28-30, 2009 hearing date. <u>CLAIMANT NO</u> : 39-44363, et al. <u>PAGES</u> : 4
4032	02-03-2009	<b>REPORT CONCERNING ORGANIZING A CONTESTED CASE FOR THE ARAVAIPA CANYON WILDERNESS AREA</b> <u>SUMMARY</u> : The United States' responds to the Special Master's request for a report concerning organizing a contested case for the Aravaipa Canyon Wilderness Area. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 8
4033	02-03-2009	<b>SALT RIVER PROJECT'S NOTICE OF DEPOSITION OF JUSTIN SMITH</b> <u>SUMMARY</u> : The Salt River Project submits its notice of the deposition of Justin Smith, with respect to SRP's Applications for Order to Show Cause and Request for Injunction against NBJ Ranch Limited Partnership. <u>CLAIMANT NO</u> : 37-07-1040, et al. <u>PAGES</u> : 4
4034	02-03-2009	<b>SALT RIVER PROJECT'S NOTICE OF DEPOSITION OF JENI O'CALLAHAN</b> <u>SUMMARY</u> : The Salt River Project submits its notice of the deposition of Jeni O'Callahan, with respect to SRP's Applications for Order to Show Cause and Request for Injunction against NBJ Ranch Limited Partnership. <u>CLAIMANT NO</u> : 39-07-1040, et al. <u>PAGES</u> : 4
4035	02-09-2009	<b>ORDER ADOPTING STIPULATED REVISED PREHEARING SCHEDULE ON APPLICATIONS FOR ORDERS TO SHOW CAUSE AND REQUEST FOR INJUNCTIONS</b> <u>SUMMARY</u> : Pursuant to stipulation among the parties and good cause appearing therefor, IT IS HEREBY ORDERED adopting the following revised prehearing schedule for the Salt River Project's applications for orders to show cause and request for injunctions against NBJ Ranch Ltd. Partnership, Kovacovich Investments Limited Partnership, and Wiertzema Family Trust: <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 2

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

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<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
<b>4036</b>	<b>02-09-2009</b>	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : IT IS ORDERED setting a Telephonic Status Conference on March 5, 2009, at 9:30a.m. (30 minutes allotted). <b>HONORABLE EDDWARD P.BALLINGER, JR.</b> <b>Northeast Regional Court Center</b> <b>18380 North 40<sup>th</sup> Street</b> <b>Courtroom 112</b> <b>Phoenix, Arizona 85032</b> <b>602.506.8551</b>  <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 1
<b>4037</b>	<b>02-11-2009</b>	<b>MOTION FOR SUMMARY JUDGMENT</b> <u>SUMMARY</u> : Pursuant to Arizona Rule of Civil Procedure 56, respondents, NBJ Ranch Limited Partnership ("NBJ"), by and through their undersigned attorney, hereby move for summary judgment because SRP'S case falls far short of the standard set by this Court. This motion for summary judgment is based upon the attached memorandum, the separate statement of facts filed concurrently herewith and the entire record in this case. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 129
<b>4038</b>	<b>02-11-2009</b>	<b>SEPARATE STATEMENT OF FACTS</b> <u>SUMMARY</u> : Pursuant to Arizona Rule of Civil Procedure 56 (c), respondents, NBJ Ranch Limited Partnership ("NBJ"), hereby submit their separate statement of facts in support of their Motion for Summary Judgment of Salt River Valley Water User's Association's ("SRP") Application for Injunctive Relief. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 9
<b>4039</b>	<b>02-12-2009</b>	<b>AGREEMENT TO EXTEND STIPULATED DEADLINE FOR FILING MOTIONS FOR SUMMARY JUDGMENT AND RESPONSES TO MOTIONS FOR SUMMARY JUDGMENT</b> <u>SUMMARY</u> : The parties submit their agreement to extend the stipulated deadline for filing motions for summary judgment for February 13, 2009, to February 17, 2009, and responses to motions for summary judgment from March 16, 2009, to March 18, 2009. <u>CLAIMANT NO</u> : 39-34900 et al. <u>PAGES</u> : 3
<b>4040</b>	<b>02-17-2009</b>	<b>KOVACOVICH INVESTMENT, LTD. PARTNERSHIP AND WIERTZEMA FAMILY TRUST'S MOTION TO DISSMISS OR IN THE ALTERNATIVE MOTIONS FOR SUMMARY JUDGMENT</b> <u>SUMMARY</u> : Respondents Kovacovich Investments, Ltd. Partnership and Wiertzema Family Trust, through undersigned counsel, hereby file a Motion to Dismiss, or in the Alternative Motion for Summary Judgment regarding the injunctive relief request by Salt River Project. <u>CLAIMANT NO</u> : 55-503130 et al. <u>PAGES</u> : 13

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
4041	02-17-2009	<p><b>INTERVENORS FREEPORT, APS AND RWCD'S JOINDER IN SEPARATE STATEMENT OF FACTS FILED BY NBJ RANCH IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT AND SUPPLEMENTAL STATEMENT OF FACTS</b></p> <p><u>SUMMARY</u>: Intervenors Freeport, APS and RWCD join in the Separate Statement of Facts filed by NBJ Ranch Ltd. Partnership in support of its Motion for Summary Judgment and submit their Supplemental Statement of Facts.</p> <p><u>CLAIMANT NO</u>: 39-62935 et al.</p> <p><u>PAGES</u>: 27</p>
4042	02-17-2009	<p><b>INTERVENORS FREEPORT, APS AND RWCD'S JOINDER IN MOTION FOR SUMMARY JUDGMENT FILED BY NBJ RANCH</b></p> <p><u>SUMMARY</u>: Intervenors Freeport, APS and RWCD join in the Motion for Summary Judgment filed by NBJ Ranch Ltd. Partnership on February 10, 2009.</p> <p><u>CLAIMANT NO</u>: 39-62935 et al.</p> <p><u>PAGES</u>: 8</p>
4043	02-17-2009	<p><b>KOVACOVICH INVESTMENT, LTD. PARTNERSHIP AND WIERTZEMA FAMILY TRUST'S STATEMENT OF FACTS IN SUPPORT OF MOTION TO DISMISS OR IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT</b></p> <p><u>SUMMARY</u>: Respondents Kovacovich Investment, Ltd. Partnership and Wiertzema Family Trust, through undersigned counsel, hereby submit the following Statement of Facts in Support of Motion to Dismiss or in the Alternative Motion for Summary Judgment.</p> <p><u>CLAIMANT NO</u>: 55-503130 et al.</p> <p><u>PAGES</u>: 5 + 18 (attachments) = 23 (total)</p>
4044	02-19-2009	<p><b>SALT RIVER PROJECT'S AMENDED NOTICE OF DEPOSITION OF JENI O'CALLAHAN</b></p> <p><u>SUMMARY</u>: The Salt River Project submits its amended notice of the deposition of Jeni O'Callahan, with respect to SRP's Applications for Order to Show Cause and Request for Injunction against NBJ Ranch Limited Partnership.</p> <p><u>CLAIMANT NO</u>: 39-07-1040 et al.</p> <p><u>PAGES</u>: 4</p>
4045	02-19-2009	<p><b>SALT RIVER PROJECT'S AMENDED NOTICE OF DEPOSITION OF JUSTIN SMITH</b></p> <p><u>SUMMARY</u>: The Salt River Project submit its amended notice of the deposition of Justin Smith, with respect to SRP's Applications for Order to Show Cause and Request for Injunction against NBJ Ranch Limited Partnership.</p> <p><u>CLAIMANT NO</u>: 39-07-1040 et al.</p> <p><u>PAGES</u>: 4</p>
4046	02-24-2009	<p><b>MINUTE ENTRY</b></p> <p><u>SUMMARY</u>: The Arizona Department of Water Resources ("ADWR" or the "Department") has requested to meet with the Court. The Court believes that the reason for the meeting is to discuss with representatives of ADWR the current and prospective resources available for adjudication projects and other matters related to insuring that pending proceedings move forward expeditiously.</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 1</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
4047	03-02-2009	<p><b>MOTION FOR EXPEDITED ORAL ARGUMENT AND DECISION ON MOTION FOR SUMMARY JUDGMENT</b></p> <p><u>SUMMARY</u>: NBJ Ranch Limited Partnership ("NBJ"), by and through their attorneys undersigned, hereby move this court for an order setting this matter for an expedited oral argument and for an expedited decision on the Motion for Summary Judgment for the reasons contained in the attached memorandum.</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 3</p>
4048	03-02-2009	<p><b>SUPPLEMENTAL REPORT ON SETTLEMENT OF OBJECTIONS</b></p> <p><u>SUMMARY</u>: The United States files a second report on progress in settling objections to claims to water at the U.S. Forest Service Power Garden Administrative Site.</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 3</p>
4049	03-02-2009	<p><b>GILA RIVER INDIAN COMMUNITY'S NOTICE OF FILING THE 2008 ANNUAL REPORT ON COMPLIANCE WITH TOTAL DIVERSION LIMITATION PURSUANT TO SUBPARAGRAH 4.6 OF THE GILA RIVER INDIAN COMMUNITY WATER RIGHTS SETTLEMENT AGREEMENT</b></p> <p><u>SUMMARY</u>: The Gila River Indian Community gives Notice of Filing the 2008 Report on Compliance with the Total Diversion Limitation Pursuant to Subparagraph 4.6 of the Gila River Indian Community Water Rights Settlement Agreement</p> <p><u>CLAIMANT NO</u>: 39-11-54-78 et al.</p> <p><u>PAGES</u>: 11</p>
4050	03-03-2009	<p><b>ARIZONA DEPARTMENT OF WATER RESOURCES' NOTICE OF INTENT TO FILE SUBFLOW REPORT BY JUNE 30, 2009</b></p> <p><u>SUMMARY</u>: The Arizona Department of Water Resources hereby provides notice that it intends to file the court-ordered subflow report by June 30, 2009.</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 2</p>
4051	03-03-2009	<p><b>APPLICATION FOR ORDER APPROVING SUBSTITUTION OF COUNSEL</b></p> <p><u>SUMMARY</u>: Application for Substitution of Counsel for Claimants Franklin Irrigation District, the City of Cottonwood, St. David Irrigation District, and NBJ Ranch Ltd. Partnership and Request to Update Court-Approved Mailing Lists</p> <p><u>CLAIMANT NO</u>: 39-63174-63186 et al.</p> <p><u>PAGES</u>: 4</p>
4052	03-06-2009	<p><b>COMMENTS OF SRP CONCERNING ORGANIZING A CONTESTED CASE FOR THE ARAVAIPA CANYON WILDERNESS AREA</b></p> <p><u>SUMMARY</u>: The Salt River Project Agricultural Improvement and Power District and the Salt River Valley Water Users Association (hereinafter collectively referred to as "SRP") submit Their comments regarding the organization of a contested case for the Aravaipa Wilderness Area Watershed File Report.</p> <p><u>CLAIMANT NO</u>: 39-07-1040 et al.</p> <p><u>PAGES</u>: 28</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
4053	03-06-2009	<p><b>FREEMPORT-MCMORAN CORPORATION'S COMMENTS CONCERNING ORGANIZING A CONTESTED CASE FOR THE ARAVAIPA CANYON WILDERNESS AREA</b></p> <p><u>SUMMARY</u>: Freeport-McMoran Corporation (f/k/a/ Phelps Dodge Corporation) responds to the Special Master's request for comments concerning organizing a contested case for the Aravaipa Canyon Wilderness Area.</p> <p><u>CLAIMANT NO</u>: 39-02297 et al.</p> <p><u>PAGES</u>: 6</p>
4054	03-10-2009	<p><b>ORDER APPROVING AGREEMENT TO EXTEND STIPULATED DEADLINE FOR FILING MOTIONS FOR SUMMARY JUDGMENT AND RESPONSES TO MOTIONS FOR SUMMARY JUDGMENT</b></p> <p><u>SUMMARY</u>: Pursuant to agreement of the parties and good cause appearing, IT IS HEREBY ORDERED modifying the Order Adopting Stipulated Revised Prehearing Schedule on Applications for Orders to Show Cause and Requests for Injunctions as follows:</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 1</p>
4055	03-13-2009	<p><b>CREDIT MEMO</b></p> <p><u>SUMMARY</u>: Received from Arizona Department Of Water Resources. Payment for filing fees collected-3<sup>rd</sup> quarter in the amount of \$1,340.00, date paid March 4, 2009. Payment is for the following fees, 70-water fees.</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 4</p>
4056	03-17-2009	<p><b>ORDER REMOVING COUNSEL FROM SERVICE LIST</b></p> <p><u>SUMMARY</u>: For good cause appearing, IT IS HEREBY ORDERED that Counsel's Notice of Removal of Elizabeth j. Simpson, SBN #020680, from the Service List in this matter is granted and the Order is deemed filed as of this date.</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 1</p>
4057	03-17-2009	<p><b>NOTICE OF GILA RIVER INDIAN COMMUNITY'S CHANGE OF ADDRESS</b></p> <p><u>SUMMARY</u>: The Gila River Indian Community gives notice of address change for attorneys John T. Hestand, Ruth E. Koester, and Ann Marie Chischilly.</p> <p><u>CLAIMANT NO</u>: 39-11-54-78 et al.</p> <p><u>PAGES</u>: 2</p>
4058	03-18-2009	<p><b>MOTION FOR LEAVE TO EXCEED PAGE LIMITATION FOR RESPONSE TO MOTION FOR SUMMARY JUDGMENT FILED BY NBJ RANCH AND JOINDER BY INTERVENORS</b></p> <p><u>SUMMARY</u>: The Salt River Project moves for leave to exceed the page limitation for its combined response to motion for summary judgment filed by NBJ Ranch and joinder by Intervenors.</p> <p><u>CLAIMANT NO</u>: 39-07-1040 et al.</p> <p><u>PAGES</u>: 7</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated) In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

Doc. No	File Date	Document Description
4059	03-18-2009	<p><b>SALT RIVER PROJECT'S COMBINED RESPONSE TO MOTION FOR SUMMARY JUDGMENT FILED BY NBJ RANCH AND INTERVENORS FREEPORT, APS AND RWCD'S JOINDER IN MOTION FOR SUMMARY JUDGMENT FILED BY NBJ RANCH</b></p> <p><u>SUMMARY</u>: The Salt River Project submits its Combined Response to Motion for Summary Judgment filed by NBJ Ranch and Intervenors Freeport, APS and RWCD's Joinder in Motion for Summary Judgment filed by NBJ Ranch.</p> <p><u>CLAIMANT NO</u>: 39-07-1040 et al.</p> <p><u>PAGES</u>: 18 + 15 (attachments) =33 (total)</p>
4060	03-18-2009	<p><b>SALT RIVER PROJECT'S CONTROVERTING STATEMENT OF FACTS IN SUPPORT OF ITS RESPONSE TO MOTIONS FOR SUMMARY JUDGMENT FILED BY NBJ RANCH, INTERVENORS, AND KOVACOVICH/WIERTZEMA</b></p> <p><u>SUMMARY</u>: The Salt River Project submits its Controverting Statement of Facts in Support of its Combined Response to Motions for Summary Judgment filed by NBJ Ranch and Intervenors Freeport, APS and RWCD's Joinder in Motion for Summary Judgment filed by NBJ Ranch and in Support of the Response to the Kovacovich/ Wiertzema Motion to Dismiss or Alternative Motion for Summary Judgment</p> <p><u>CLAIMANT NO</u>:39-07-1040 et al.</p> <p><u>PAGES</u>: 11+ 195 (attachments) = 206 (total)</p>
4061	03-18-2009	<p><b>SALT RIVER PROJECT'S RESPONSE TO NBJ RANCH'S SEPARATE STATEMENT OF FACTS IN SUPPORT OF NBJ RANCH'S MOTION FOR SUMMARY JUDGMENT</b></p> <p><u>SUMMARY</u>: The Salt River Project submits its Response to the Statement of Facts filed by NBJ Ranch in Support of NBJ Ranch's Motion for Summary Judgment.</p> <p><u>CLAIMANT NO</u>: 39-07-1040 et al.</p> <p><u>PAGES</u>: 18+ 51 (attachments) = 69 (total)</p>
4062	03-18-2009	<p><b>SALT RIVER PROJECT'S RESPONSE TO KOVACOVICH INVESTMENT, LTD. PARTNERSHIP AND WIERTZEMA FAMILY TRUST'S STATEMENT OF FACTS IN SUPPORT OF MOTION TO DISMISS OR IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT</b></p> <p><u>SUMMARY</u>: Salt River Project submits its Response to Kovacovich Investment, Ltd. Partnership and Wiertzema Family Trust's Statement of Facts in Support of Motion to Dismiss or in the Alternative Motion for Summary Judgment.</p> <p><u>CLAIMANT NO</u>: 39-07-1040 et al.</p> <p><u>PAGES</u>: 10 + 7 (attachments) = 17 (total)</p>
4063	03-18-2009	<p><b>SALT RIVER PROJECT'S RESPONSE TO KOVACOVICH INVESTMENT, LTD. PARTNERSHIP AND WIERTZEMA FAMILY TRUST'S MOTION TO DISMISS OR IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT</b></p> <p><u>SUMMARY</u>: The Salt River Project submits its response to Kovacovich Investment, LTD. Partnership and Wiertzema Family Trust's motion to dismiss or in the alternative motion for summary judgment.</p> <p><u>CLAIMANT NO</u>: 39-07-1040 et al.</p> <p><u>PAGES</u>: 15 + 23 (attachments) = 38 (total)</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
4064	03-18-2009	<p><b>SALT RIVER PROJECT'S RESPONSE TO INTERVENORS FREEPORT, APS AND RWCD'S JOINDER IN SEPARATE STATEMENT OF FACTS FILED BY NBJ RANCH IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT AND SUPPLEMENTAL STATEMENT OF FACTS</b></p> <p><u>SUMMARY</u>: Salt River Project submits its response to Intervenor Freeport, APS and RWCD Joinder in Separate Statement of Facts filed by NBJ Ranch in Support of its Motion for Summary Judgment and Supplemental Statement of Facts.</p> <p><u>CLAIMANT NO</u>: 39-07-1040 et al.</p> <p><u>PAGES</u>: 5 + 3 (attachments) = 8 (total)</p>
4065	03-18-2009	<p><b>ORDER APPROVING SUBSTITUTION OF COUNSEL AND APPROVING AMENDMENT TO THE COURT-APPROVED MAILING LIST</b></p> <p><u>SUMMARY</u>: Pursuant to the Franklin Irrigation District's Application for Order Approving Substitution of Counsel and good cause appearing, IT IS ORDERED removing Michael B. Whiting from counsel of record and the court-approved mailing list and adding Bradley J. Palmer, Brown &amp; Brown Law Office, P.C., Post Office Box 1890, St John, AZ 85936.</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 1</p>
4066	03-19-2009	<p><b>KOVACOVICH INVESTMENT, LTD. PARTNERSHIP AND WIERTZEMA FAMILY TRUST'S NOTICE OF FILING EXPERT WITNESS AFFIDAVIT</b></p> <p><u>SUMMARY</u>: Respondents KOVACOVICH INVESTMENT, Ltd. PARTNERSHIP (hereinafter referred to as "WIERTZEMA"). through undersigned counsel, hereby submit the Expert Witness Affidavit prepared by Philip C. Briggs, Water Resources Consulting Southwest, LLC.</p> <p><u>CLAIMANT NO</u>: 55-503130 et al</p> <p><u>PAGES</u>: 142</p>
4067	03-20-2009	<p><b>SALT RIVER PROJECT'S NOTICE OF FILING AND SERVICE OF ITS DIRECT TESTIMONY EXPERT WITNESS AFFIDAVIT</b></p> <p><u>SUMMARY</u>: The Salt River Project submits its notice of filing and serving the expert witness affidavit of Jon R. Ford, to serve as his direct testimony for the April 28-30,2009 evidentiary hearing regarding SRP's Applications for Orders to Show Cause and Requests for Injunction against Kovacovich Investments Limited Partnership, Wiertzema Family Trust, and NBJ Ranch Limited Partnership.</p> <p><u>CLAIMANT NO</u>: 39-07-1040 et al.</p> <p><u>PAGES</u>: 3 + 196 (attachments) = 199 (total)</p>
4068	03-20-2009	<p><b>NOTICE OF SUBMISSION OF DIRECT EXPERT TESTIMONY AFFIDAVITS</b></p> <p><u>SUMMARY</u>: The parties submit their Notice of Direct Expert Testimony Affidavits.</p> <p><u>CLAIMANT NO</u>: 39-62935 et al.</p> <p><u>PAGES</u>: 3 + 245 (attachments) = 248 (total)</p>
4069	03-20-2009	<p><b>APPLICATION FOR WITHDRAWAL OF COUNSEL FOR MICHAEL GOLDER</b></p> <p><u>SUMMARY</u>: Pursuant to Rule 5.1 of the Arizona Rules of Civil Procedure, undersigned counsel hereby moved to withdraw as the attorneys of records from Michael Golder. Michael Golder has acknowledged and approved of this withdrawal and will continue this case on his own in pro per.</p> <p><u>CLAIMANT NO</u>: None given</p> <p><u>PAGES</u>: 2</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

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<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
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**4070 03-20-2009 ORDER APPROVING SUBSTITUTION OF COUNSEL AND APPROVING AMENDMENT TO THE COURT- APPROVED MAILING LIST**

SUMMARY: Pursuant to the Franklin Irrigation District's Application for Order Approving Substitution of Counsel and good cause appearing, IT IS ORDERDED removing Michael B. Whiting from counsel of record and the court approved mailing list and adding Bradley J. Palmer, Brown & Brown Law Office, P.C., Post Office Box 1890, St Johns, AZ 85936.

CLAIMANT NO: None given

PAGES: 1

**4071 03-24-2009 ORDER GRANTING LEAVE TO EXCEED PAGE LIMITATION FOR COMBINED RESPONSE TO MOTION FOR SUMMARY JUDGMENT FILED BY NBJ RANCH AND JOINDER BY INTERVENORS**

SUMMARY: The Court enters an order granting the Salt River Project leave to exceed the page limitation for its combined response to motion for summary judgment filed by NBJ Ranch and joinder by Intervenors.

CLAIMANT NO: 39-07-1040 et al.

PAGES: 3

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
<b>4072</b>	<b>04-01-2009</b>	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : 9:34 a.m. This is the time set for Status Conference re: Salt River Project's Request for Status Conference on Certain Applications for Orders to Show Cause and Requests for Injunctions. Present telephonically are: L. Richard Mabery, Mark A. McGinnis, M. Byron Lewis, Robyn L. Interpreter, Jenny Pelton, Michael J. Pearce, Douglas E. Brown, David A. Brown, Margaret B. LaBianca, and Janet L. Ronald. Special Master George A. Schade, Jr. is present telephonically. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 3
<b>4073</b>	<b>04-01-2009</b>	<b>STIPULATION TO AMEND PREHEARING SCHEDULING ORDER</b> <u>SUMMARY</u> : The Salt River Project, Kovacovich Investments Limited Partnership, Wiertzema Family Trust, NBJ Ranch Limited Partnership, and Intervenor Freeport-McMoRan Cooper and Gold, Inc., Arizona Public Service Company and Roosevelt Water Conservation District submit their joint stipulation to amend the prehearing scheduling order for the April 28-30, 2009 evidentiary hearing on SRP's applications for orders to show cause and requests for injunctions against Kovacovich, Wiertzema, and NBJ Ranch. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 4
<b>4074</b>	<b>04-03-2009</b>	<b>SECOND STIPULATION TO AMEND PREHEARING SCHEDULING ORDER RE: FILING DATE FOR JOINT PREHEARING STATEMENT</b> <u>SUMMARY</u> : The Salt River Project, Kovacovich Investments Limited Partnership, Wiertzema Family Trust, NBJ Ranch Limited Partnership, and Intervenor Freeport-McMoRan Copper and Gold, Inc., Arizona Public Service Company and Roosevelt Water Conservation District submit their joint stipulation to amend the prehearing scheduling order for the April 28-30, 2009 evidentiary hearing on SRP's applications for orders to show cause and request for injunctions against Kovacovich, Wiertzema, and NBJ Ranch. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 5
<b>4075</b>	<b>04-03-2009</b>	<b>RESPONDENTS KOVACOVICH INVESTMENT, LTD. PARTNERSHIP AND WIERTZEMA FAMILY TRUST'S REPLY IN SUPPORT OF MOTION TO DISMISS OR IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT</b> <u>SUMMARY</u> : Respondents Kovacovich Investment, Ltd. Partnership and Wiertzema Family Trust, through undersigned counsel, hereby file their Reply in Support of Motion to Dismiss, or in the Alternative Motion for Summary Judgment regarding the injunctive relief requested by Salt River Project. <u>CLAIMANT NO</u> : 55-503130 et al. <u>PAGES</u> : 20

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

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<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
<b>4076</b>	<b>04-06-2009</b>	<b>JOINT PRE-HEARING STATEMENT</b> <u>SUMMARY</u> : The Salt River Project, Kovacovich Investments Limited Partnership, Wiertzema Family Trust, NBJ Ranch Limited Partnership, and Intervenors Freeport-McMoRan Corporation, Arizona Public Service Company and Roosevelt Water Conservation District submit their joint pre-hearing statement for the April 28-30, 2009 evidentiary hearing on SRP's Applications for Orders to Show Cause and Requests for Injunctions against Kovacovich, Wiertzema, and NBJ Ranch. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 71
<b>4077</b>	<b>04-06-2009</b>	<b>STIPULATION TO EXTEND DEADLINE FOR INTERVENORS TO FILE THEIR REPLY TO SRP'S COMBINED RESPONSE TO MOTION FOR SUMMARY JUDGMENT FILED BY NBJ RANCH AND INTERVENORS' JOINDER IN MOTION FOR SUMMARY JUDGMENT FILED BY NBJ RANCH</b> <u>SUMMARY</u> : Intervenors Freeport, APS and RWCD, and the Salt River Project, submit their Stipulation to Extend the Reply Date to SRP's. <u>CLAIMANT NO</u> : 39-62935 et al. <u>PAGES</u> : 3
<b>4078</b>	<b>04-07-2009</b>	<b>ORDER AMENDING PREHEARING SCHEDULING ORDER</b> <u>SUMMARY</u> : Pursuant to agreement of the parties and good cause appearing, IT IS HEREBY ORDERDED modifying the prehearing order entered January 19, 2009, on SRP's applications for orders to show cause and request for injunctions as follows: <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 1
<b>4079</b>	<b>04-08-2009</b>	<b>NBJ RANCH'S REPLY IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT</b> <u>SUMMARY</u> : NBJ Ranch submits it Reply in Support of its Motion for Summary Judgment. <u>CLAIMANT NO</u> : 39-44363 et al. <u>PAGES</u> : 12
<b>4080</b>	<b>04-08-2009</b>	<b>NJB RANCH'S REPLY IN SUPPORT OF ITS SEPARATE STATEMENT OF FACTS AND RESPONSE TO SRP'S CONTROVERTING STATEMENT OF FACTS</b> <u>SUMMARY</u> : NBJ Ranch submits its Reply in Support of its Separate Statement of Facts and Response to SRP's Controverting Statement of Fact. <u>CLAIMANT NO</u> : 39-44363 et al. <u>PAGES</u> : 12
<b>4081</b>	<b>04-08-2009</b>	<b>INTERVENORS FREEPORT, APS AND RWCD'S JOINDER IN NBJ RANCH'S REPLY IN SUPPORT OF ITS SEPARATE STATEMENT OF FACTS – AND- INTERVENORS ' RESPONSE TO SRP'S CONTROVERTING STATEMENT OF FACTS</b> <u>SUMMARY</u> : Intervenors Freeport, APS and RWCD submit their Joinder in the Reply filed by NBJ Ranch in Support of its Separate Statement of Facts, and Intervenors' separate Response to SRP's Controverting Statement of Facts. <u>CLAIMANT NO</u> : 39-62935 et al. <u>PAGES</u> : 11

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MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
<b>4082</b>	<b>04-08-2009</b>	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : Pursuant to a telephone call to this division by attorney Jenny J. Pelton avowing that all parties involved with the upcoming evidentiary hearing set to begin April 28, 2009, in this division, request that a Final Pretrial Management Conference be set. Accordingly, <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 1
<b>4083</b>	<b>04-10-2009</b>	<b>NBJ RANCH'S MOTION IN LIMINE TO PRECLUDE EVIDENCE RELATING TO NBJ'S USE OF ITS WATER RIGHT ON THE WRONG ACREAGE</b> <u>SUMMARY</u> : Pursuant to Arizona Rule of Civil Procedure 7.2 and Arizona Rule of Evidence 402, NBJ Ranches, LLC ("NBJ") hereby moves the Court in Limine for an Order prohibiting SRP from presenting any evidence related to NBJ's alleged use of its surface water right on the wrong acres. The following Memorandum of Points and Authorities support this motion. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 21
<b>4084</b>	<b>04-10-2009</b>	<b>INTERVENORS FREEPORT, APS AND RWCD'S REPLY TO SRP'S COMBINED RESPONSE TO MOTION FOR SUMMARY JUDGMENT FILED BY NBJ RANCH AND INTERVENORS' JOINDER IN MOTION FOR SUMMARY JUDGMENT FILED BY NBJ RANCH</b> <u>SUMMARY</u> : Intervenors Freeport, APS and RWCD submit their Reply to SRP's Response. <u>CLAIMANT NO</u> : 39-62935 et al. <u>PAGES</u> : 10
<b>4085</b>	<b>04-13-2009</b>	<b>SALT RIVER PROJECT'S MOTION IN LIMINE TO PRECLUDE TESTIMONY BY CHRIS GARRETT</b> <u>SUMMARY</u> : The Salt River Project submits its motion in limine to preclude testimony by Chris Garrett at the April 28-30, 2009 evidentiary hearing on SRP's Applications for Orders to Show Cause and Requests for Injunction against Kovacovich Investments Limited Partnership, Wiertzema Family Trust, and NBJ Ranch Limited Partnership. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 9
<b>4086</b>	<b>04-13-2009</b>	<b>SALT RIVER PROJECT'S MOTION IN LIMINE TO PRECLUDE ESTOPPEL DEFENSE BY KOVACOVICH/WIERTZEMA AND EVIDENCE RELATING THERE TO</b> <u>SUMMARY</u> : The Salt River Project submits its motion in limine to preclude Kovacovich Investments Limited Partnership and Wiertzema Family Trust from presenting evidence on and asserting the affirmative defense of estoppel at the April 28-30, 2009 evidentiary hearing on SRP's Applications for Orders to Show Cause and Request for Injunction against Kovacovich Investments Limited Partnership, Wiertzema Family Trust, and NBJ Ranch Limited Partnership. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 12 + 46 (attachments) = 58 (total)

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

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<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
<b>4087</b>	<b>04-16-2009</b>	<b>ORDER</b> <u>SUMMARY</u> : Upon consideration of Lewis and Roca LLP's Application for Withdrawal of Counsel with Client Consent, and good cause appearing, IT IS HEREBY ORDERED GRANTING Lewis and Roca's application for withdrawal as counsel of record for Michael L. Golder. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 2
<b>4088</b>	<b>04-17-2009</b>	<b>JOINT PRE-TRIAL MEMORANDUM</b> <u>SUMMARY</u> : The Salt River Project, Michael C. Kasper and Judy L. Kasper and Jerry D. Stryker and Shawn Stryker submit their joint pre-trial memorandum for the April 24, 2009 Rule 16 Scheduling Conference on SRP's Applications for Orders to Show Cause and Requests for Injunctions against Kasper and Stryker. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 10 + 3 (attachments) = 13 (total)
<b>4089</b>	<b>04-20-2009</b>	<b>SECOND ORDER AMENDING PREHEARING SCHEDULING ORDER RE: DATE FOR FILING JOINT PREHEARING STATEMENT</b> <u>SUMMARY</u> : Pursuant to agreement of the parties and good appearing, IT IS HEREBY ORDERED modifying the prehearing order entered January 19, 2009, on SRP's applications for orders to show cause and requests for injunctions as follow: <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 1
<b>4090</b>	<b>04-23-2009</b>	<b>ORDER APPROVING STIPULATION TO EXTEND DEADLINE FOR INTERVENORS TO FILE THEIR REPLY TO SRP'S COMBINED RESPONSE TO MOTION FOR SUMMARY JUDGMENT FILED BY NBJ RANCH AND INTERVENORS' JOINDER IN MOTION FOR SUMMARY JUDGMENT FILED BY NBJ RANCH</b> <u>SUMMARY</u> : Pursuant to agreement of the parties and good cause appearing, IT IS HEREBY ORDERED extending the stipulated deadline for Intervenor's to file their reply to SRP's Combined Response to Motion for Summary Judgment filed by NBJ Ranch and Intervenor's Joinder in Motion for Summary Judgment filed by NBJ Ranch from April 6, 2009, to April 8, 2009. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 1
<b>4091</b>	<b>04-23-2009</b>	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : IT IS ORDERED vacating the evidentiary hearing previously set for April, 2009 and resetting as a six-day evidentiary hearing to be held on October 5,6,7,8,13, and 14, 2009 at 9:30 a.m. No additional joint pretrial statement is required by the Court; however should the parties deem it necessary, a revised statement shall be permitted. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 3

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

Doc. No	File Date	Document Description
4092	04-29-2009	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : After review of the January 31, 2007, and October 15, 2008, reports from the Arizona Department of Water Resources ("ADWR"), as well as the comments submitted by various interested parties, the court finds that ADWR's position as to the current and prospective technical assistance to be provide in Arinoza's two general stream adjudications is reasonable and appropriate. Therefore, IT IS ORDERED approving the course of action outlined in ADWR's January, 2007, and October, 2008, progress reports. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 2
4093	05-05-2009	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : The Court provides clarification to the Intervenors that the forthcoming evidentiary hearing is for the narrow purpose of considering SRP's request for provisional relief against Kovacovich Investment Limited Partnership, Wiertzema Family Trust, and NBJ Ranch Limited Partnership and that there will be no final "subflow determination" made. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 3
4094	05-07-2009	<b>CREDIT MEMO</b> <u>SUMMARY</u> : Received from Arizona Department Of Water Resources. Payment for filing fees collected-4 <sup>th</sup> quarter in the amount of \$3,539.63 date paid April 30, 2009. Payment is for the following fees, 70-water fees. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 4
4095	05-07-2009	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : IT IS ORDERED vacating the telephonic Rule 16 Scheduling Conference set for this date and resetting same to July 16, 2009 at 9:30 a.m. (15 minutes allotted). The parties and counsel shall not be permitted to participate in conference via cell phones. Telephonic participants shall: <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 2
4096	05-11-2009	<b>ORDER DIRECTING THE UNITED STATES TO AMEND STATEMENTS OF CLAIMANT</b> <u>SUMMARY</u> : The Special Master directs the United States to amend as appropriate by December 31, 2009, its statements of claimant asserting federal reserved water rights for both Aravaipa Canyon and Redfield Canyon Wilderness Areas. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 3

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
<b>4097</b>	<b>05-11-2009</b>	<b>STIPULATED BRIEFING SCHEDULE FOR SALT RIVER PROJECT'S MOTIONS FOR SUMMARY JUDGMENT AGAINST RESPONDENTS CHESTER-CAMPBELL AND ROBINSON</b> <u>SUMMARY</u> : The Salt River Project, Chester-Campbell, L.L.C. (Chester-Campbell) and Paul R. and Linda S. Robinson (Robinson) submit a stipulated briefing schedule for the Salt River Project's Motions for Summary Judgment against Respondents Chester-Campbell and Robinson. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 3 + 2 ( attachments) = 5 (total).
<b>4098</b>	<b>05-12-2009</b>	<b>SETTLEMENT ACCOUNTING FILED BY THE FORT MCDOWELL YAVAPAI NATION FOR 2008 AND AMENDED SETTLEMENT ACCOUNTING FOR 2007 DATE: MAY 8, 2009</b> <u>SUMMARY</u> : The Fort McDowell Yavapai Nation, formerly known as the Fort Mc Dowell Indian Community, files an accounting pursuant to the Fort McDowell Water Settlement, Pub. L. 101-628, November 28, 1990 for calendar year 2008 and an amended accounting for calendar year 2007. <u>CLAIMANT NO</u> : 39-05-50060 et al. <u>PAGES</u> : 26
<b>4099</b>	<b>05-14-2009</b>	<b>ORDER APPROVING STIPULATED BRIEFING SCHEDULE FOR SALT RIVER PROJECT'S MOTIONS FOR SUMMARY JUDGMENT AGAINST RESPONDENTS CHESTER-CAMPBELL AND ROBINSON</b> <u>SUMMARY</u> : IT IS HEREBY ORDERED adopting the stipulated briefing schedule on the Salt River Project's Motions for Summary Judgment against Respondents Chester-Campbell and Robinson as follows: <u>CLAIMANT NO</u> : None given <u>PAGES</u> : 2

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

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Doc. No	File Date	Document Description
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| 5000 | 06-01-2009 | <b>NOTICE OF FILING A COPY OF A PUBLISHED ARTICLE</b><br><u>SUMMARY</u> : The Special Master files a copy of an article, published on the Maricopa Lawyer (May 2009), concerning the Gila River Adjudication.<br><u>CLAIMANT NO</u> : None given<br><u>PAGES</u> : 1 + 1 (attachments) = 2 (total)  |
| 5001 | 06-12-2009 | <b>MINUTE ENTRY</b><br><u>SUMMARY</u> : The Gila River Adjudication Steering Committee has provided assistance that has benefited the progress of this adjudication. The Court believes it is an appropriate time to review the current membership of the Steering Committee and consider modifications that should be made to Paragraph 9 of Pre-Trial Order No. 1 (May 30, 1986) concerning the committee.<br><u>CLAIMANT NO</u> : None given<br><u>PAGES</u> : 2 |

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated) In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

Doc. No	File Date	Document Description
5002	07-13-2009	<p><b>SALT RIVER PROJECT'S RESPONSE TO MOTION FOR EXPEDITED CONSIDERATION OF RESPONDENT WIERTZEMA FAMILY TRUST'S RENEWED MOTION TO DISMISS</b></p> <p><u>SUMMARY</u>: The Salt River Project submits its response to the motion for expedited consideration filed by Wiertzema Family Trust on July 10, 2009.</p> <p><u>CLAIMANT NO</u>: 39-07-1041 et al.</p> <p><u>PAGES</u>: 4</p>
5003	07-15-2009	<p><b>RESPONDENT WIERTZEMA FAMILY TRUST'S RENEWED MOTION TO DISMISS</b></p> <p><u>SUMMARY</u>: Respondent Wiertzema Family Trust, through undersigned counsel, hereby files its Renewed Motion to Dismiss regarding the injunctive relief requested by Salt River Project.</p> <p><u>CLAIMANT NO</u>: 55-581551 et al.</p> <p><u>PAGES</u>: 4</p>
5004	07-15-2009	<p><b>MOTION FOR EXPEDITED CONSIDERATION OF RESPONDENT WIERTZEMA FAMILY TRUST'S RENEWED MOTION TO DISMISS</b></p> <p><u>SUMMARY</u>: Respondent Wiertzema Family Trust, through undersigned counsel, hereby files its Motion for Expedited Consideration of its Renewed Motion to Dismiss regarding the injunctive relief request by Salt River Project.</p> <p><u>CLAIMANT NO</u>: 55-581551 et al.</p> <p><u>PAGES</u>: 3</p>
5005	07-21-2009	<p><b>RESPONSE TO MAY 11, 2009 ORDER REGARDING AMENDING CLAIMS TO THE ARAVAIPA CANYON WILDERNESS AREA AND THE REDFIELD CANYON WILDERNESS AREA</b></p> <p><u>SUMMARY</u>: The United States responds to the Special Master's May 11, 2009 Order regarding filing of amendments to statements of claims for the Aravaipa Canyon Wilderness Area and Redfield Canyon Wilderness Area.</p> <p><u>CLAIMANT NO</u>: None given</p> <p><u>PAGES</u>: 3</p>
5006	07-22-2009	<p><b>APPLICATION FOR EX PARTE ORDER APPROVING SUBSTITUTION OF COUNSEL AND REQUEST TO BE ADDED TO MAILING LISTS</b></p> <p><u>SUMMARY</u>: Application for Ex Parte Order Approving Substitution of Counsel and Request to Be Added to Mailing List</p> <p><u>CLAIMANT NO</u>: 39-US-74334</p> <p><u>PAGES</u>: 3</p>
5007	07-22-2009	<p><b>CONSENT OF CLIENT</b></p> <p><u>SUMMARY</u>: Consent of Client for Application for Ex Parte Order Approving Substitution of Counsel and Request to Be Added to Mailing List</p> <p><u>CLAIMANT NO</u>: 39-US-74334</p> <p><u>PAGES</u>: 2</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

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<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
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**5008 07-23-2009 SUPPLEMENT TO JOINT PRE-TRIAL MEMORANDUM**  
SUMMARY: The Salt River Project, Michael C. Kasper and Judy L. Kasper and Jerry D. Stryker and Shawn Stryker submit their supplement to their April 17, 2009 joint pre-trial memorandum for SRP's Application for Orders to Show Cause and Requests for Injunctions against Kasper, Stryker, Ray, Henry, and Largent.  
CLAIMANT NO: 39-07-1040  
PAGES: 4 + 3 (attachments) = 7 (total)

**5009 07-29-2009 INTERVENORS FREEPORT, APS AND RWCD'S JOINDER IN RESPONDENT WIERTZEMA FAMILY TRUST'S RENEWED MOTION TO DISMISS**  
SUMMARY: Intervernors Freeport, APS and RWCD join in Respondent Wiertzema Family Trust's Renewed Motion to Dismiss.  
CLAIMANT NO: 39-62935 et al.  
PAGES: 3

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
5010	08-04-2009	<p><b>NOTICE OF SERVICE OF SECOND SUPPLEMENTAL RULE 26.1 DISCLOSURE STATEMENT</b></p> <p><u>SUMMARY</u>: Respondents Kovacovich Investment, Ltd Partnership (hereinafter referred to as "Kovacovich"), and Wierzema Family Trust (hereinafter referred to as "Wiertzema"), through undersigned counsel, submit their Notice of Service of Respondents Second Supplemental Initial Rule 26.1 Disclosure Statement. Service of the Second Supplemental Rule 26.1 Disclosure Statement was made by mailing via First Class Mail the original and one (1) copy of the Second Supplemental Disclosure Statement to: M. Byron Lewis, Esq., John B. Weldon, Jr., Esq., <u>CLAIMANT NO</u>: 55-503130 et al. <u>PAGES</u>: 3</p>
5011	08-10-2009	<p><b>SALT RIVER PROJECT'S RESPONSE TO WIERTZEMA FAMILY TRUST'S RENEWED MOTION TO DISMISS</b></p> <p><u>SUMMARY</u>: The Salt River Project submits its response to the renewed motion to dismiss filed by the Wiertzema Family Trust on July 10, 2009, regarding SRP's Application for Order to Show Cause and Request for Injunction against Wiertzema. <u>CLAIMANT NO</u>: 39-07-1040 et al. <u>PAGES</u>: 10 + 28 (attachments)= 38 (total)</p>
5012	08-12-2009	<p><b>ARIZONA DEPARTMENT OF WATER RESOURCES' PROPOSED MODIFICATION CONCERNING ITS PARTICIPATION IN THE STEERING COMMITTEE</b></p> <p><u>SUMMARY</u>: The Arizona Department of Water Resources hereby proposes modifications concerning its participation in the steering committee. <u>CLAIMANT NO</u>: None given <u>PAGES</u>: 3</p>
5013	08-17-2009	<p><b>REPLY IN SUPPORT OF RESPONDENT WIERTZEMA FAMILY TRUST'S RENEWED MOTION TO DISMISS</b></p> <p><u>SUMMARY</u>: Respondent Wiertzema Family Trust, through undersigned counsel, hereby files its Reply in Support of Renewed Motion to Dismiss. <u>CLAIMANT NO</u>: 55-581551 et al. <u>PAGES</u>: 6 + 1 (exhibit)= 7 (total)</p>
5014	08-17-2009	<p><b>INTERVENORS FREEPORT, APS AND RWCD'S SEPARATE REPLY IN SUPPORT OF RESPONDENT WIERTZEMA FAMILY TRUST'S RENEWED MOTION TO DISMISS</b></p> <p><u>SUMMARY</u>: Intervenors Freeport, APS and RWCD submit their Separate Reply in support of Respondent Wiertzema Family Trust's Renewed Motion to Dismiss. <u>CLAIMANT NO</u>: 39-62935 et al. <u>PAGES</u>: 8 + 29 (exhibits)= 37 total</p>
5015	08-20-2009	<p><b>ORDER GRANTING THE REQUEST OF THE UNITED STATES FOR AN EXTENSION OF TIME TO AMEND STATEMENTS OF CLAIMANT</b></p> <p><u>SUMMARY</u>: The Special Master grants the request of the United States for an extension of time to file amendments to its statements of claimant for the Redfield Canyon Wilderness Area. <u>CLAIMANT NO</u>: None given <u>PAGES</u>: 2</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

Doc. No	File Date	Document Description
5016	08-27-2009	<p><b>REPORT OF THE SPECIAL MASTER CONCERNING THE GILA RIVER ADJUDICATION STEERING COMMITTEE</b></p> <p><u>SUMMARY</u>: The Special Master files his report concerning the Gila River Adjudication Steering Committee pursuant to the order of the Court filed on June 12, 2009. The report discusses membership and proposals concerning changes to Paragraph 9 of Pre-Trial Order No.1.</p> <p><u>CLAIMANT NO</u>: None given</p> <p><u>PAGES</u>: 4</p>
5017	08-27-2009	<p><b>ORDER TRANSFERRING FUNDS FOR PAYMENT OF THE SPECIAL MASTER'S EXPENSES</b></p> <p><u>SUMMARY</u>: This matter coming before the Court on its own motion to transfer funds from the Clerk of the Maricopa County Superior Court to the Administrative Office of the Courts ("AOC") for the purpose of compensating and paying the expense of the Special Master appointed in this proceeding;</p> <p><u>CLAIMANT NO</u>: None given</p> <p><u>PAGES</u>: 4</p>
5018	08-31-2009	<p><b>NOTICE OF EXPENDITURE</b></p> <p><u>SUMMARY</u>: Payment of the Special Master's expenses. Court order dated 08/24/09 paid to AOC for the amount of 143,509.57</p> <p><u>CLAIMANT NO</u>: None given</p> <p><u>PAGES</u>: 2</p>
5019	08-31-2009	<p><b>CREDIT MEMO</b></p> <p><u>SUMMARY</u>: Received from Arizona Department Of Water Resources. Payment for filing fees collected- 1st &amp; 2nd quarters in the amount of \$6,400.74 date paid August 24, 2009. Payment is for the following fees, 70-water fees.</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 4</p>
5020	09-04-2009	<p><b>MINUTE ENTRY</b></p> <p><u>SUMMARY</u>: <b>IT IS ORDERED</b> setting a two-day trial to the Court on March 30-31, 2010 at 9:30 a.m. before:</p> <p style="text-align: center;"><b>HONORABLE EDDWARD P.BALLINGER, JR.</b> <b>SUPERIOR COURT OF ARIZONA</b> <b>NORTHEAST REGIONAL COURT OF ARIZONA</b> <b>18380 NORTH 40<sup>TH</sup> STREET</b> <b>COURTROOM 112</b> <b>PHOENIX, ARIZONA 85032</b> <b>602.506.8551</b></p> <p><b>IT IS FURTHER ORDERED</b>: setting a Pretrial Management Conference on March 16, 2010 at 8:30 a.m. (30 minutes allotted). The pretrial Management Conference shall be governed by the Pretrial Management Orders issued this date.</p> <p><u>CLAIMANT NO</u>: None Given</p> <p><u>PAGES</u>: 9</p>

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

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<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
<b>5021</b>	<b>09-18-2009</b>	<b>NOTICE OF BHP COPPER INC.'S RESERVATION OF RIGHT TO OBJECT TO THE SRP FORD MODELING AND RELATED RULINGS</b> <u>SUMMARY</u> : BHP Copper Inc. files notice that it reserves its right to object to the modeling submitted by Salt River Project in support of Salt River Project's Orders to Show Cause Against NBJ Ranch Limited Partnership, Kovacovich Investments Limited Partnership and Wiertzema Family Trust and to ruling regarding the modeling. <u>CLAIMANT NO</u> : 39-11-0003142 et al. <u>PAGES</u> : 8 + 12 (exhibits)= 20 (total)
<b>5022</b>	<b>09-30-2009</b>	<b>SALT RIVER PROJECT'S NON-UNIFORM INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO RESPONDENTS KASPER AND STRYKER</b> <u>SUMMARY</u> : The Salt River Project propounds Non-Uniform Interrogatories and Requests for Production of Documents to Respondents Kasper and Stryker. <u>CLAIMANT NO</u> : 39-07-1040, et al. <u>PAGES</u> : 6

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated) In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
5023	09-30-2009	<b>APPLICATION FOR SUBSTITUTION OF COUNSEL</b> <u>SUMMARY</u> : Application for substitution of the law firm of Snell & Wilmer for Robert B. Hoffman as the counsel of record for Farmers Investment Co. and Farmers Water Co. <u>CLAIMANT NO</u> : 0977742 et al. <u>PAGES</u> : 4
5024	09-30-2009	<b>SALT RIVER PROJECT'S NOTICE OF SETTLEMENT OF CLAIMS SET FORTH IN ITS APPLICATION FOR ORDER TO SHOW CAUSE AGAINST KOVACOVICH INVESTMENT, LTD. PARTNERSHIP</b> <u>SUMMARY</u> : The Salt River Project submits its Notice of settlement of claims set forth in its April 26, 2004 Application for Order to Show Cause against Kovacovich Investment, Ltd. Partnership. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 3
5025	10-01-2009	<b>PREHEARING MEMORANDUM</b> <u>SUMMARY</u> : NBJ Ranch Limited Partnership ("NBJ") submits its prehearing memorandum to assist the court with the issues in this case. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 8
5026	10-01-2009	<b>RESPONSE TO NBJ RANCH PREHEARING MEMORANDUM</b> <u>SUMMARY</u> : The Salt River Project submits its response to the Prehearing Memorandum filed by NBJ Ranch Limited Partnership on September 29, 2009. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 5
5027	10-02-2009	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : IT IS ORDERED deeming the motion renewed. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 3
5028	10-02-2009	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : IT IS ORDERED granting Wiertzema's renewed motion to dismiss. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 1
5029	10-07-2009	<b>SALT RIVER PROJECT'S NOTICE OF FILING DESIGNATIONS OF DUPLICATE EXPERT WITNESS TESTIMONY</b> <u>SUMMARY</u> : The Salt River Project submits its designation of duplicate expert witness testimony. <u>CLAIMANT NO</u> : 39-07-1040 et al. <u>PAGES</u> : 50
5030	10-07-2009	<b>INTERVENORS FREEPORT, APS AND RWCD'S PREHEARING MEMORANDUM</b> <u>SUMMARY</u> : Intervenors Freeport, APS and RWCD submit their Prehearing Memorandum regarding the evidentiary burdens SRP must satisfy to prevail in the upcoming hearing, as well as other issues the Court will need to address. <u>CLAIMANT NO</u> : 39-62935 et al. <u>PAGES</u> : 6

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

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<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
5031	10-08-2009	<b>ORDER FOR SUBSTITUTION OF COUNSEL</b> <u>SUMMARY</u> : Having considered Farmers Investment Co.'s and Farmers Water Co.'s Application for Substitution of Counsel, and good cause appearing, IT IS ORDERED approving the substitution of Jeffrey W. Crockett, Carlos D. Ronstadt and Kristoffer P. Kiefer of the law firm of Snell & Wilmer L.L.P. as counsel of record for Farmers Investment Co. and Farmers Water Co. in place of Robert B. Hoffman. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 2
5032	10-19-2009	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : IT IS ORDERED deeming Jon Ford's affidavit(s) filed as part of the record in this matter, as having been received in evidence. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 4
5033	10-19-2009	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : IT IS ORDERED granting the motion. The Court will review the deposition designations as set forth only in the parties' Joint Pretrial Statement. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 3
5034	10-19-2009	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : IT IS ORDERED that SRP shall file and serve their post hearing memoranda setting forth their position with respect to the issue of a security bond not later than November 6, 2009. NBJ shall file and serve its response thereto not later than December 7, 2009, with SRP's reply due not later than December 21, 2009. Thereafter this matter shall be deemed taken under advisement. <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 2
5035	10-22-2009	<b>MOTION FOR AWARD OF ATTORNEY'S FEES, EXPERT WITNESS AND CONSULTANT FEES</b> <u>SUMMARY</u> : Respondent Wiertzema Family Trust, through undersigned counsel, Hereby files its Motion for Award of Attorney's Fees, Expert Witness and Consultant Fees. <u>CLAIMANT NO</u> : 55-581551 et al. <u>PAGES</u> : 10
5036	10-22-2009	<b>AFFIDAVIT OF ATTORNEY'S FEES OF L. RICHARD MABERY AND EXPERT WITNESS AND CONSULTANT FEES SUBMITTED IN SUPPORT OF RESPONDENT WIERTZEMA FAMILY TRUST'S MOTION FOR AWARD OF ATTORNEY'S FEES AND EXPERT WITNESS FEES</b> <u>SUMMARY</u> : Respondent Wiertzema Family Trust, through undersigned counsel, hereby files its Affidavit of Attorneys Fees, Expert Witness and Consultant fees for Philip C. Briggs of Water Resources Consulting Southwest, LLC, resulting from the Orders to Show Cause filed by Salt River Valley Water Users' Association and the Salt River Project Agricultural Improvement and Power District (collectively "SRP") on their own behalf and on behalf of shareholders of the Salt River Valley Water Users' Association. <u>CLAIMANT NO</u> : 55-581551 et al. <u>PAGES</u> : 9 + 61 (exhibits)= 63 (total)

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W-1, W-2, W-3 and W-4 (Consolidated)

In re the General Adjudication of All Rights to Use Water in the Gila River System and Source

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Doc. No	File Date	Document Description
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**5037 10-22-2009 STIPULATION FOR EXTENSION OF DEADLINE FOR REpondENTS TO FILE THEIR RESPONSE TO THE MOTION FOR SUMMARY JUDGMENT**

SUMMARY: Respondents Chester-Campbell, L.L.C., an Arizona limited liability company (hereinafter referred to as "Chester-Campbell"), and Respondents Linda S. and Paul R. Robinson (hereafter referred to as "Robinsons"), by and through undersigned counsel and Salt River Valley Water Users' Association and the Salt River Project Agricultural Improvement and Power District (hereinafter referred to as "SRP"), by and through undersigned counsel submit the following Stipulation to extend the deadlines regarding the pending Motion for Summary Judgment filed by SRP.

CLAIMANT NO: 39-40953 et al.

PAGES: 6

**5038 10-28-2009 ORDER FOR EXTENSION OF DEADLINE BY STIPULATION**

SUMMARY: The Court having reviewed the Stipulation to Extend Times filed by L. Richard Mabery, Esq., of the Law Offices of L. Richard Mabery, P.C., counsel for Chester-Campbell and Robinson, and M. Byron Lewis, Esq. and Mark A. McGinnis, Esq., of Salmon, Lewis & Weldon, P.L.C., counsel for SRP Relating to SRP's Motion for Summary Judgment against Chester-Campbell and Robinson and good cause appearing therefore.

CLAIMANT NO: None Given

PAGES: 13