

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
5399	01-10-2017	<p>ARIZONA DEPARTMENT OF WATER RESOURCES' NOTICE OF REVISED FILING DATE FOR DEMONSTRATION PROJECT REPORT</p> <p><u>SUMMARY</u>: The Arizona Department of Water Resources ("ADWR") provides notice of a new date for filing a report regarding its demonstration project concerning <i>de minimis</i> uses and cone of depression tests.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 3</p>
5400	01-17-2017	<p>ORDER OF REFERRAL</p> <p><u>SUMMARY</u>: The Court refers the proceedings involving the Salt River Valley Water Users' Association's and the Salt River Project Agricultural Improvement and Power District's Application for an Order to Show Cause Proceeding that originally named Kovacovich Investment Ltd. Partnership, Wiertzema Family Trust, Jim and Linda Wyman, Myron Ray and First American Title Trust 4693 to the Special Master.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 2</p>
5401	01-24-2017	<p>ORDER SETTING TELEPHONIC STATUS CONFERENCE</p> <p><u>SUMMARY</u>: Salt River Valley Water Users' Association and the Salt River Project Agricultural Improvement and Power District filed an Application for an Order to Show Cause Proceeding in 2004 that originally named Kovacovich Investment Ltd. Partnership, Wiertzema Family Trust, Jim and Linda Wyman, Myron Ray and First American Title Trust 4693. A telephonic conference is set to ascertain current status of matter.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 2</p>
5402	01-27-2017	<p>ARIZONA DEPARTMENT OF WATER RESOURCES' NOTICE OF FILING DEMONSTRATION PROJECT REPORT CONCERNING <i>DE MINIMIS</i> USES AND CONE OF DEPRESSION TESTS</p> <p><u>SUMMARY</u>: The Arizona Department of Water Resources hereby provides notice of the filing of its report concerning <i>de minimis</i> uses and cone of depression tests within a small area of the Upper San Pedro River watershed as part of a demonstration project.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 3 + attachment (binder containing project report) = 3 pages</p>

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Doc. No	File Date	Document Description
5403	02-10-2017	<p>ARIZONA DEPARTMENT OF WATER RESOURCES' NOTICE OF ERRATA CONCERNING DEMONSTATION PROJECT REPORT</p> <p><u>SUMMARY</u>: This notice of errata is being filed to correct one of the figures in the Demonstration Project Concerning <i>De Minimis</i> Uses and Cone of Depression Tests.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 3 + 1 (attachment; map) = 4 total pages</p>
5404	02-27-2017	<p>SETTLEMENT ACCOUNTING FILED BY THE FORT MCDOWELL YAVAPAI NATION FOR 2016. DATE: FEBRUARY 21, 2017</p> <p><u>SUMMARY</u>: The Fort McDowell Yavapai Nation, formerly known as the Fort McDowell Indian Community, files an accounting pursuant to the Fort McDowell Water Settlement, Pub. L. 101-628, November 28, 1990, for the calendar year 2016.</p> <p><u>CLAIMANT NO</u>: 39-05-50060, et al.</p> <p><u>PAGES</u>: 2 + 22 (attachment) = 24 total pages</p>
5405	02-28-2017	<p>CREDIT MEMO</p> <p><u>SUMMARY</u>: Received From Arizona Department Of Water Resources Payment for filing fees collected – 4th quarter.</p> <p><u>AMOUNT PAID</u>: \$3,820.16</p> <p><u>DATE PAID</u>: 2/28/2017. Payment is for the following fee(s): 70-Water Fees.</p> <p><u>PAGES</u>: 4</p>
5406	02-28-2017	<p>ORDER DENYING APPLICATION FOR ORDER TO SHOW CAUSE</p> <p><u>SUMMARY</u>: Order denying Application for an Order to Show Cause and Referral to Special Master for appropriate proceedings consistent with this Order.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 3</p>

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

5407 **03-01-2017**

MINUTE ENTRY

SUMMARY: This is the time set for a status conference before Special Water Master Susan Harris to discuss status of the case regarding SRP's remaining Order to Show Cause.

CLAIMANT NO: None given.

PAGES: 2

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Doc. No	File Date	Document Description
5408	03-31-2017	NOTICE OF MEETING <u>SUMMARY</u> : Special Master Susan Ward Harris will meet with Jeff Trembly, Adjudications Programs Director for the Arizona Department of Water Resources to discuss cone of depression analysis. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 1
5409	04-14-2017	NOTICE OF APPEARANCE <u>SUMMARY</u> : Cochise County submits its notice of appearance as counsel for Cochise County Solid Waste Management. <u>CLAIMANT NO</u> : 11-39-15245 <u>PAGES</u> : 2
5410	04-21-2017	ORDER APPROVING ADDITION TO AND DELETION FROM MAILING LIST <u>SUMMARY</u> : For good cause, it is Ordered that Christopher W. Payne is removed from and John D. Burnside and Megan Tracy are added to the court approved mailing list for the above referenced case. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 2
5411	04-25-2017	CREDIT MEMO <u>SUMMARY</u> : Received From Arizona Department Of Water Resources Payment for filing fees collected – 1 ST quarter. <u>AMOUNT PAID</u> : \$758.58 <u>DATE PAID</u> : 2/28/2017. Payment is for the following fee(s): 70-Water Fees. <u>PAGES</u> : 4

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Doc. No	File Date	Document Description
5412	05-04-2017	<p>NOTICE OF PARTIAL SETTLEMENT AND STIPULATION FOR DISMISSAL WITHOUT PREJUDICE</p> <p><u>SUMMARY</u>: The Salt River Project, Michael C. and Judy L. Kasper, and David R. and Kathy S. Henry inform the Court that they have completed a partial settlement regarding SRP's Application for Order to Show Cause and Request for Injunction dated April 26, 2004, and the parties stipulate to dismissal of SRP's action against Michael C. and Judy L. Kasper and David R. and Kathy S. Henry without prejudice.</p> <p><u>CLAIMANT NO</u>: 39-07-1040, et al.</p> <p><u>PAGES</u>: 3 + 2 (attachment) = 5 total pages</p>
5413	05-04-2017	<p>SALT RIVER PROJECT'S MOTION FOR SUMMARY JUDGMENT</p> <p><u>SUMMARY</u>: The Salt River Project submits its motion for summary judgment against Defendants David J. Scheier and Elizabeth G. Latham Scheier and Richard E. and Michele D. Rogers relating to SRP's Application for Order to Show Cause and Request for Injunction.</p> <p><u>CLAIMANT NO</u>: 39-07-1040, et al.</p> <p><u>PAGES</u>: 11</p>
5414	05-04-2017	<p>STATEMENT OF FACTS IN SUPPORT OF SALT RIVER PROJECT'S MOTION FOR SUMMARY JUDGMENT</p> <p><u>SUMMARY</u>: The Salt River Project submits its statement of facts in support of its motion for summary judgment against Defendants David J. Scheier and Elizabeth G. Latham Scheier and Richard E. and Michele D. Rogers relating to SRP's Application for Order to Show Cause and Request for Injunction.</p> <p><u>CLAIMANT NO</u>: 39-07-1040, et al.</p> <p><u>PAGES</u>: 5 + 14 (attachment) = 19 total pages</p>
5415	05-09-2017	<p>SALT RIVER PROJECT'S SECOND SUPPLEMENTAL RULE 26.1 DISCLOSURE STATEMENT FOR ORDER TO SHOW CAUSE AND REQUEST FOR INJUNCTION AGAINST DAVID J. SCHEIER AND ELIZABETH G. LATHAM SCHEIER AND RICHARD E. AND MICHELE D. ROGERS</p> <p><u>SUMMARY</u>: The Salt River Project submits its Second Supplemental Rule 26.1 disclosure statement relating to its Application to Show Cause and Request for Injunction against David J. Scheier and Elizabeth G. Latham Scheier and Richard E. and Michele D. Rogers.</p> <p><u>CLAIMANT NO</u>: 39-07-1040, et al.</p> <p><u>PAGES</u>: 4 + attachment (CD) = 4 total pages</p>
5416	05-18-2017	<p>ORDER REGARDING CLAIMS FOR WILDERNESS AREA</p> <p><u>SUMMARY</u>: Order to identify and schedule proceedings to ascertain water rights for water used on federal wilderness areas.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 2</p>

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Doc. No	File Date	Document Description
5417	06-05-2017	DEFENDANTS RICHARD E. AND MICHELE D. ROGERS RESPONSE TO MOTIJON FOR SUMMARY JUDGMENT <u>SUMMARY</u> : Response to Motion for Summary Judgment. <u>CLAIMANT NO</u> : 39-141335 and 39-141336 <u>PAGES</u> : 6 + 83 (attachment) = 89 total pages
5418	06-05-2017	DEFENDANTS DAVID J. SCHEIER AND ELIZABETH LATHAM-SCHEIER RESPONSE TO MOTIJON FOR SUMMARY JUDGMENT <u>SUMMARY</u> : Response to Motion for Summary Judgment. <u>CLAIMANT NO</u> : 39-141364, et al. <u>PAGES</u> : 5 + 52 (attachment) = 57 total pages
5419	06-07-2017	NOTICE OF MEETING <u>SUMMARY</u> : The Honorable Mark H. Brain and Special Master Susan Ward Harris will meet with the Arizona Department of Water Resources; the meeting will be held on August 18, 2017 at 1:30 pm in the chambers of the Honorable Mark H. Brain. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 2
5420	06-09-2017	ORDER GRANTING STIPULATION FOR DISMISSAL WITHOUT PREJUDICE <u>SUMMARY</u> : The Court dismisses SRP's Application for Order to Show Cause and Request for Injunction against Michael C. and Judy L. Kasper and David R. and Kathy S. Henry dated April 26, 2004, without prejudice. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 2
5421	06-21-2017	FREEMPORT MINERALS CORPORATION'S MOTION TO AMEND COURT APPROVED MAILING LISTS <u>SUMMARY</u> : Freeport Minerals Corporation moves to amend several court approved mailing lists. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 3
5422	06-27-2017	ORDER GRANTING REQUEST TO REMOVE NAME FROM COURT APPROVED MAILING LISTS <u>SUMMARY</u> : IT IS HEREBY ORDERED granting Freeport's Motion. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 2
5423	06-29-2017	SALT RIVER PROJECT'S RESPONSE TO THE RESPONSIVE STATEMENT OF FACTS OF RICHARD E. AND MICHELE D. ROGERS <u>SUMMARY</u> : The Salt River Project submits its response to the responsive statement of facts filed by Defendants Richard E. and Michele D. Rogers with their response to SRP's motion for summary judgment relating to SRP's Application for Order to Show Cause and Request for Injunction. <u>CLAIMANT NO</u> : 39-07-1040, et al. <u>PAGES</u> : 8 + 21 (attachment) = 29 total pages

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Doc. No	File Date	Document Description
5424	06-29-2017	SALT RIVER PROJECT'S REPLY IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT AGAINST RICHARD E. AND MICHELE D. ROGERS <u>SUMMARY</u> : The Salt River Project submits its reply in support of its motion for summary judgment against Defendants Richard E. and Michele D. Rogers relating to SRP's April 26, 2004 Application for Order to Show Cause and Request for Injunction. <u>CLAIMANT NO</u> : 39-07-1040, et al <u>PAGES</u> : 10
5425	06-29-2017	SALT RIVER PROJECT'S RESPONSE TO THE RESPONSIVE STATEMENT OF FACTS OF DAVID J. SCHEIER AND ELIZABETH G. LATHAM SCHEIER <u>SUMMARY</u> : The Salt River Project submits its response to the responsive statement of facts filed by Defendants David J. Scheier and Elizabeth G. Latham Scheier with their response to SRP's motion for summary judgment relating to SRP's Application for Order to Show Cause and Request for Injunction. <u>CLAIMANT NO</u> : 39-07-1040, et al. <u>PAGES</u> : 10 + 21 (attachment) = 31 total pages
5426	06-29-2017	SALT RIVER PROJECT'S REPLY IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT AGAINST DAVID J. SCHEIER AND ELIZABETH G. LATHAM SCHEIER <u>SUMMARY</u> : The Salt River Project submits its reply in support of its motion for summary judgment against Defendants David J. Scheier and Elizabeth G. Latham Scheier relating to SRP's April 26, 2004 Application for Order to Show Cause and Request for Injunction. <u>CLAIMANT NO</u> : 39-07-1040, et al. <u>PAGES</u> : 8

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Doc. No	File Date	Document Description
5427	07-06-2017	<p>UNITED STATES’ REPORT REGARDING WATER RIGHTS CLAIMS FOR WILDERNESS AREAS</p> <p><u>SUMMARY</u>: United States’ report regarding claims for water rights in wilderness areas. <u>CLAIMANT NO</u>: None given. <u>PAGES</u>: 4</p>
5428	07-14-2017	<p>CREDIT MEMO</p> <p><u>SUMMARY</u>: Received From Arizona Department Of Water Resources Payment for filing fees collected – 2ND quarter. <u>AMOUNT PAID</u>: \$180.00 <u>DATE PAID</u>: 7/14/2017. Payment is for the following fee(s): 70-Water Fees. <u>PAGES</u>: 4</p>
5429	07-20-2017	<p>MINUTE ENTRY</p> <p><u>SUMMARY</u>: This is the time set for Oral Argument re: Salt River Project’s Motion for Summary Judgment. <u>CLAIMANT NO</u>: None given. <u>PAGES</u>: 2</p>
5430	07-28-2017	<p>MINUTE ENTRY</p> <p><u>SUMMARY</u>: This is the time set for a status conference before Special Water Master Susan Harris to discuss the claims as outlined by the United States in their recent report. <u>CLAIMANT NO</u>: None given. <u>PAGES</u>: 2</p>
5431	07-31-2017	<p>SALT RIVER PROJECT’S SUPPLEMENT TO THE RECORD</p> <p><u>SUMMARY</u>: The Salt River Project supplements the record in proceedings relating to its motion for summary judgment against Defendants David J. Scheier and Elizabeth G. Latham Scheier and Richard E. and Michele D. Rogers concerning SRP’s April 26, 2004 Application for Order to Show Cause and Request for Information. <u>CLAIMANT NO</u>: 39-07-1040, et al. <u>PAGES</u>: 4 + 8 (attachment) = 12 total pages</p>
5432	07-31-2017	<p>UNITED STATES’ AMENDED REPORT REGARDING WATER RIGHTS CLAIMS FOR WILDERNESS AREAS</p> <p><u>SUMMARY</u>: United States’ amended report regarding claims for water rights in wilderness areas. <u>CLAIMANT NO</u>: None given. <u>PAGES</u>: 5</p>

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Doc. No	File Date	Document Description
5433	08-17-2017	OBJECTION <u>SUMMARY</u> : Defendants Richard E. and Michele D. Rogers and David J. Scheier and Elizabeth G. Latham-Scheier Objections to SRP's Supplement to the record. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 7
5434	08-24-2017	NOTICE OF MEETING <u>SUMMARY</u> : Special Master Susan Ward Harris will meet with the Arizona Department of Water Resources (ADWR) to discuss the continued development of ADWR's adjudication investigation system database in a geographical information environment for the San Pedro River Watershed. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 2
5435	08-30-2017	ORDER FOR SAN PEDRO HSR II – SIERRA VISTA TO ANALYZE NEW STATEMENTS OF CLAIMANTS <u>SUMMARY</u> : Order amending scope of hydrographic survey report to be prepared by Arizona Department of Water Resources for statement of claimant filed in the San Pedro Watershed not included in the San Pedro HSR, dated November 20, 1991. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 4
5436	08-30-2017	ORDER REGARDING CLAIMS FOR WILDERNESS AREAS <u>SUMMARY</u> : Order to file statement of claimant for water in federal wilderness areas based on federal reserved water rights. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 3

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5437	10-04-2017	<p>SPECIAL MASTER'S REPORT: RECOMMENDATION TO GRANT SUMMARY JUDGMENT AND ENTER A PRELIMINARY INJUNCTION</p> <p><u>SUMMARY</u>: The Special Master determined that : (1) a strong likelihood exists that objections to the Rogers' and Sheiers' claims for irrigation water rights from the O.K. Ditch for Lots 2 and 3, respectively, of River Ranch Estates located in Section 3, T14N, R4E of the Gila and Salt River Basin and Meridian will succeed in the adjudication on the merits; and, (2) the possibility of irreparable harm exists.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 14</p>
5438	10-16-2017	<p>SPECIAL MASTER'S REPORT: (CORRECTED) RECOMMENDATION TO GRANT SUMMARY JUDGMENT AND ENTER A PRELIMINARY INJUNCTION</p> <p><u>SUMMARY</u>: The Special Master determined that : (1) a strong likelihood exists that objections to the Rogers' and Sheiers' claims for irrigation water rights from the O.K. Ditch for Lots 2 and 3, respectively, of River Ranch Estates located in Section 3, T14N, R4E of the Gila and Salt River Basin and Meridian will succeed in the adjudication on the merits; and, (2) the possibility of irreparable harm exists. This Report, originally filed October 3, 2017, is corrected to eliminate typographical errors; the caption has been revised to identify that this case is part of <i>In Re the General Adjudication of All Rights to Use Water in the Gila River System and Source</i>.</p> <p><u>CLAIMANT NO</u>: None given.</p> <p><u>PAGES</u>: 14</p>
5439	10-31-2017	<p>CREDIT MEMO</p> <p><u>SUMMARY</u>: Received From Arizona Department Of Water Resources Payment for filing fees collected – 3RD quarter.</p> <p><u>AMOUNT PAID</u>: \$1840.00</p> <p><u>DATE PAID</u>: 10/31/2017. Payment is for the following fee(s): 70-Water Fees.</p> <p><u>PAGES</u>: 4</p>

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Doc. No	File Date	Document Description
5440	11-28-2017	OBJECTIONS BY DEFENDANTS RICHARD E. AND MICHELE D. ROGERS AND DAVID J. SCHEIER AND ELIZABETH G. LATHAM-SCHEIER <u>SUMMARY</u> : Objections to the Special Master's Report dated October 3, 2017, due to additional material evidence being submitted and clarifications to our previous responses. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 7 + 82 (attachment) = 89 total pages

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Doc. No	File Date	Document Description
5441	12-14-2017	<p>SALT RIVER PROJECT'S MOTION TO INITIATE CONTESTED CASE AND DESIGNATE ISSUE OF BROAD AND LEGAL IMPORTANCE REGARDING FORFEITURE OF PRE-1919 RIGHTS</p> <p><u>SUMMARY</u>: The Salt River Project submits its motion to initiate a contested case and designate an issue of broad and legal importance to address whether pre-1919 appropriative rights are subject to statutory forfeiture under Arizona law.</p> <p><u>CLAIMANT NO</u>: 39-07-1040, et al.</p> <p><u>PAGES</u>: 11 + 5 (attachment) = 16 total pages</p>
5442	12-20-2017	<p>CITIES' RESPONSE TO SRP'S MOTION TO INITIATE CONTESTED CASE AND DESIGNATE ISSUE OF BROAD LEGAL IMPORTANCE REGARDING FORFEITURE OF PRE-1919 RIGHTS</p> <p><u>SUMMARY</u>: The Cities of Avondale, Chandler, Glendale, Mesa, and Scottsdale ("Cities") file their Response to Salt River Project Agricultural Improvement and Power District and Salt River Valley Water Users' Association's ("SRP") Motion to Initiate Contested Case and Designate Issue of Broad Legal Importance Regarding Forfeiture of Pre-1919 Rights ("Motion").</p> <p><u>CLAIMANT NO</u>: 39-L8-27192, et al.</p> <p><u>PAGES</u>: 3</p>
5443	12-21-2017	<p>FREEMPORT MINERALS CORPORATION'S RESPONSE IN SUPPORT OF SRP'S MOTION TO INITIATE CONTESTED CASE AND DESIGNATE ISSUE OF BROAD LEGAL IMPORTANCE REGARDING FORFEITURE OF PRE-1919 RIGHTS</p> <p><u>SUMMARY</u>: Freeport Minerals Corporation responds in support of SRP's Motion to Initiate Contested Case and Designate Issue of Broad Legal Importance Regarding Forfeiture of Pre-1919 Rights.</p> <p><u>CLAIMANT NO</u>: 39-07-1040, et al.</p> <p><u>PAGES</u>: 4</p>
5444	12-27-2017	<p>NOTICE OF APPEARANCE AND REQUEST TO BE ADDED TO THE COURT-APPROVED MAILING LISTS</p> <p><u>SUMMARY</u>: Jay Tomkus provides notice of his appearance and requests to be added to Court-approved mailing lists for the above numbered contested cases.</p> <p><u>CLAIMANT NO</u>: 39-50059, et al.</p> <p><u>PAGES</u>: 4 + 2 (attachment) = 6 total pages</p>