

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-11-2131

In re Andrew & Lavee Mayberry

| Doc No. | File Date | Document Description |
|----------------|-------------------|---|
| 008 | 01-09-2023 | ORDER CHANGING LOCATION OF MAP HEARING AND STATUS CONFERENCE <u>SUMMARY</u> : Location of hearing set for January 25, 2023 at 2:30 p.m. is changed to Maricopa County Supervisor Court, East Court Building, Courtroom 613, 101 W. Jefferson St., Phoenix.AZ 85003. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 2 |
| 009 | 01-12-2023 | ARIZONA DEPARTMENT OF WATER RESOURCES' REQUEST TO ATTEND STATUS CONFERENCE REMOTELY <u>SUMMARY</u> : counsel for the Arizona Department of Water Resources (ADWR) requests permission to attend the January 25, 2023 status conference remotely. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 5 pages (including pages for attachment) |
| 010 | 01-12-2023 | ORDER APPROVING ARIZONA DEPARTMENT OF WATER RESOURCES' REQUEST TO ATTEND STATUS CONFERENCE REMOTELY <u>SUMMARY</u> : IT IS ORDERED that the Court GRANTS ADWR's Request to Attend Status Conference Remotely. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 1 |
| 011 | 01-17-2023 | ASARCO LLC'S OBJECTOR STATEMENT <u>SUMMARY</u> : ASARCO LLC files its Objector Statement concerning the draft abstracts in the above listed contested cases. <u>CLAIMANT NO</u> : 39-2474, et al. <u>PAGES</u> : 3 |
| 012 | 01-17-2023 | UNITED STATES' PRELIMINARY STATEMENT OF UNRESOLVED ISSUES <u>SUMMARY</u> : The United States Identifies a Preliminary List of Unresolved Issues in Various Cases. <u>CLAIMAINT NO</u> : None given. <u>PAGES</u> : 4 |
| 013 | 01-17-2023 | SAN CARLOS APACHE TRIBE'S STATEMENT IDENTIFYING CONTESTED ATTRIBUTES <u>SUMMARY</u> : The San Carlos Apache Tribe files its list of contested attributes from the proposed abstracts in theses contested cases. <u>CLAIMANT NO</u> : 39-12676, 39-63614. <u>PAGES</u> : 4 |
| 014 | 01-23-2023 | COURT CONNECT NOTICE FOR ASWR TO ATTEND HEARING REMOTELY <u>SUMMARY</u> : Court Connect notice issued to allow ADWR to attend January 25 th status conference remotely. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 4 (including attachment) |
| 015 | 01-24-2023 | U.S. REQUEST TO APPEAR REMOTELY (CORONAVIRUS) <u>SUMMARY</u> : Due to exposure to Coronavirus, Counsel for U.S. Requests to Appear Remotely. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 4 |

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| 016 | 01-24-2023 | ORDER ON U.S. REQUEST TO APPEAR REMOTELY <u>SUMMARY</u> : IT IS ORDERED that the Court GRANTS the United States' Request to Attend Status Conference Remotely. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 1 |
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In re Andrew & Lavee Mayberry

| Doc No. | File Date | Document Description |
|----------------|-------------------|---|
| 017 | 02-09-2023 | YAVAPAI-APACHE NATION'S NOTICE OF WITHDRAWAL OF OBJECTIONS AND REQUEST TO REMAIN ON COURT APPROVED MAILING LISTS <u>SUMMARY</u> : The Yavapai-Apache Nation withdraws its objections in these contested cases. <u>CLAIMANT NO</u> : The Yavapai-Apache Nation No. 39-50059; United States on behalf of the Yavapai-Apache Nation No. 39-54025. <u>PAGES</u> : 4 |
| 018 | 02-13-2023 | MOTION TO WITHDRAW AS LITIGANT <u>SUMMARY</u> : The City of Phoenix moves to withdraw as a litigant in these contested cases. <u>CLAIMANT NO</u> : Phoenix 39-07-7927, 39-05-50153 through 39-05-50155, inclusive, and 39-L8-37666 through 39-L8-37691, inclusive. <u>PAGES</u> : 4, plus proposed order. |
| 019 | 02-22-2023 | ORDER GRANTING CITY OF PHOENIX'S MOTION TO WITHDRAW AS LITIGANT <u>SUMMARY</u> : It is ordered that the City of Phoenix is removed as a litigant. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 2 |

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| Doc No. | File Date | Document Description |
|----------------|-------------------|--|
| 020 | 03-02-2023 | MOTION TO WITHDRAW AS LITIGANT <u>SUMMARY</u> : The City of Mesa moves to withdraw as a litigant in these contested cases. The City respectfully requests to remain on the Court Approved Mailing Lists for each of the above cases. <u>CLAIMANT NO</u> : 39-07-7927, 39-05-50153 through 39-05-50155 and 39-L8-37666 through 39-L8-37691 <u>PAGES</u> : 4 |
| 021 | 03-02-2023 | [PROPOSED] ORDER GRANTING CITY OF MESA'S MOTION TO WITHDRAW AS LITIGANT <u>SUMMARY</u> : It is ORDERED that the City of Mesa is moved as a litigant in the following contested cases. <u>CLAIMANT NO</u> : NONE GIVEN. <u>PAGES</u> : 2 |
| 022 | 03-03-2023 | ORDER GRANTING CITY OF MESA'S MOTION TO WITHDRAW AS LITIGANT <u>SUMMARY</u> : It is ORDERED that the City of Mesa is moved as a litigant in the following contested cases. <u>CLAIMANT NO</u> : NONE GIVEN. <u>PAGES</u> : 2 |
| 023 | 03-06-2023 | MINUTE ENTRY <u>SUMMARY</u> : 2:30p.m. This is the time set for an in-person Mapping Hearing and Status Conference to review the consultants' presentation regarding the maps distributed on December 23, 2022, hear any objections and discuss the litigation schedule proposed by St. David Irrigation District before Special Water Master Susan Ward Harris. <u>CLAIMANT NO</u> : None given. <u>PAGES</u> : 3 |
| 024 | 03-06-2023 | NOTICE OF APPEARANCE OF COUNSEL FOR THE UNITED STATES OF AMERICA AND REQUEST TO AMEND THE COURT APPROVED MAILING LIST <u>SUMMARY</u> : Notice of Appearance of Counsel for the United States of America and Request to Amend the CAML. <u>CLAIMANT NO</u> : NONE GIVEN. <u>PAGES</u> : 5 |
| 025 | 03-08-2023 | ORDER GRANTING YAVAPAI-APACHE NATION'S MOTION TO WITHDRAW OBJECTIONS <u>SUMMARY</u> : The Court grants Yavapai-Apache Nation's Motion to Withdraw objections and remain on the Court-approved Mailing List. <u>CLAIMANT NO</u> : NONE GIVEN. <u>PAGES</u> : 2 |
| 026 | 03-08-2023 | ORDER GRANTING NOTICE OF APPEARANCE OF COUNSEL FOR THE UNITED STATES AND REQUEST TO AMEND THE COURT APPROVED MAILING <u>SUMMARY</u> : The Court, having reviewed the Notice of Appearance of Counsel for the United States of America and Request to Amend the Court Approved Mailing List, and good cause appearing. <u>CLAIMANT NO</u> : NONE GIVEN. <u>PAGES</u> : 3 |

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| Doc No. | File Date | Document Description |
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| 027 | 05-16-2023 | NOTICE OF SUBSTITUTION OF COUNSEL AND REQUEST TO UPDATE THE COURT-APPROVED MAILING LISTS <u>SUMMARY:</u> Notice of Substitution of Counsel and Request to Update the Court-Approved Mailing Lists naming John C. Lemaster, Clark Hill, PLC, for the Claimant City of Chandler ("Client") <u>CLAIMANT NO:</u> 39-L8-37521, 39-07-07930 <u>PAGES:</u> 4 |
| 028 | 05-26-2023 | ORDER GRANTING REQUEST TO BE ADDED TO THE COURT'S APPROVED MAILING LISTS <u>SUMMARY:</u> It is ordered that John C. Lemaster be added to the court-approved mailing lists for the above referenced case. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 1 |
| 029 | 05-31-2023 | ORDER SETTING STATUS CONFERENCE AND LITIGATION SCHEDULE <u>SUMMARY:</u> Pretrial deadlines updated and status conference set for June 23,2023 at 2:30 p.m. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 5 |

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|----------------|-------------------|---|
| 030 | 06-01-2023 | CITY OF CHANDLER'S REQUEST TO BE ADDED TO COURT-APPROVED MAILING LISTS <u>SUMMARY:</u> Claimant City of Chandler files its Request to be added to Court-Approved Mailing Lists. <u>CLAIMANT NO:</u> Chandler 39-L8-37521 AND 39-07-07930 <u>PAGES:</u> 4 |
| 031 | 06-02-2023 | [PROPOSED] ORDER GRANTING MOTION TO RESET STATUS CONFERENCE <u>SUMMARY:</u> Order granting Motion to Reset Status Conference <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 2 |
| 032 | 06-06-2023 | MOTION TO RESET STATUS CONFERENCE <u>SUMMARY:</u> St. David Irrigation District's Motion to Reset Status Conference <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 4, plus proposed Order |
| 033 | 06-06-2023 | ORDER GRANTING CITY OF CHANDLER'S REQUEST TO BE ADDED TO COURT APPROVED MAILING LISTS <u>SUMMARY:</u> It is ordered that the City of Chandler be added to the mailing lists for the above-referenced matters as follows. <u>CLAIMANT NO:</u> None Given <u>PAGES:</u> 2 |
| 034 | 06-21-2023 | NOTICE OF CHANGE IN TELEPHONIC INSTRUCTIONS FOR HEARING SCHEDULED FOR JULY 14,2023 <u>SUMMARY:</u> Instructions to attend the July 14,2023 status conference telephonically are updated. <u>CLAIMANT NO:</u> None Given <u>PAGES:</u> 4 |

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| 035 | 07-11-2023 | BHP COPPER INC.'S NOTICE OF WITHDRAWAL OF OBJECTIONS AND REQUEST TO REMAIN ON THE COURT APPROVED MAILING LISTS <u>SUMMARY:</u> BHP Copper Inc. withdraws its objections to specified Watershed File Reports and requests to remain on Court Approved Mailing Lists. <u>CLAIMANT NO:</u> 39-3142; 39-3144 through 39-3185; 39-5227 through 39-5235 <u>PAGES:</u> 3 |
| 036 | 07-11-2023 | NOTICE OF PROPOSED REVISED LITIGATION SCHEDULE FOR DISCUSSION AT THE JULY 14,2023 STATUS CONFERENCE <u>SUMMARY:</u> St. David Irrigation District provides its proposed revised litigation schedule for discussion at the July 14,2023 status conference. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 8, including exhibits |
| 037 | 07-14-2023 | ORDER GRANTING BHP COPPER'S WITHDRAWL OF OBJECTIONS <u>SUMMARY:</u> The Court grants BHP Copper's withdrawal of objections and request to remain on the Court-approved mailing list. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 4 |
| 038 | 07-17-2023 | NOTICE OF APPEARANCE OF COUNSEL AND NOTICE OF WITHDRAW; AND REQUEST TO AMEND COURT APPROVED MAILING LIST <u>SUMMARY:</u> Request of Arizona Department of Water Resources (ADWR) to add Deputy Counsel to the Appearance List and Notice of Withdraw; Request to Amend the Court Approved Mailing List. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> Five |
| 039 | 07-20-2023 | MINUTE ENTRY <u>SUMMARY:</u> 10:00 a.m. This is the time set for Status Conference before Special Water Master Sherri Zendri. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 6 |
| 040 | 07-25-2023 | ORDER GRANTING REQUEST TO AMEND COURT-APPROVED MAILING LISTS <u>SUMMARY:</u> On July 13,2023, Arizona Department of Water Resources filed Notice of Appearance of Counsel and Notice of Withdrawal; and Request to Amend Court-Approved Mailing List. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 3 |

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| 041 | 08-17-2023 | SAINT DAVID IRRIGATION DISTRICT'S MOTION FOR CLARIFICATION REGARDING INITIAL GROUP OF CONTESTED CASES <u>SUMMARY:</u> St. David Irrigation District hereby submits its Motion for Clarification Regarding Initial Group of Contested Cases as directed by the Court's Minute Entry filed July 20,2023. <u>CLAIMANT NO:</u> 39-6593; 39-6594 <u>PAGES:</u> 19 pages, including 10 pages of attachments |
| 042 | 08-17-2023 | NOTICE OF SUBSTITUTION OF COUNSEL FOR THE UNITED STATES OF AMERICA AND REQUEST TO AMEND THE COURT APPROVED MAILING LISTS <u>SUMMARY:</u> Notice of substitution of Counsel for the United States of America and Request to Amend the Court Approved Mailing Lists. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 4 |
| 043 | 08-21-2023 | ORDER GRANTING UNITES STATES' REQUEST TO AMEND THE COURT APPROVED MAILING LISTS <u>SUMMARY:</u> It is hereby ordered that Laura Boyer be removed and Daniel F. McCarl be added as counsel of record for the United States if America and to the Court Approved Mailing Lists. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 1 |
| 044 | 08-21-2023 | NOTICE OF SUBSTITUTION OF COUNSEL WITHIN SAME FIRM AND REQUEST TO AMEND COURT-APPROVED MAILING LISTS <u>SUMMARY:</u> Notice substituting counsel within the same office and requesting to update the Court-approved mailing Lists. <u>CLAIMANT NO:</u> 39-50059; 39-54025; 39-74334 <u>PAGES:</u> 13 |
| 045 | 08-23-2023 | ORDER GRANTING YAVAPAI-APACHE NATION AND PASCUA YAQUI TRIBE'S NOTICE OF SUBSTITUTION OF COUNSEL WITHIN SAME FIRM AND REQUEST TO AMEND COURT-APPROVED MAILING LISTS <u>SUMMARY:</u> It is hereby ordered that attorney Jay M. Tomkus will be removed from the court-approved mailing lists for the cases listed in Table 1, and attorney Kristyne M. Schaaf-Olson will be added to the court-approved mailing lists for each of the cases listed in Table 1. <u>CLAIMANT NO:</u> none given <u>PAGES:</u> 6 |

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| 046 | 09-15-2023 | RESPONSE TO SAINT DAVID IRRIGATION DISTRICT'S MOTION FOR CLARIFICATOIN REGARDING INITIAL GROUP OF CONTESTED CASES <u>SUMMARY:</u> The United States files its response to the Saint David Irrigation District's Motion for Clarification Regarding Initial Group of Contested Cases. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 10 |
| 047 | 09-18-2023 | SAN CARLOS APACHE TRIBE'S NOTICE THAT IT JOINS THE UNITED STATES' RESPONSE TO SAINT DAVID IRRIGATION DISTRICT'S MOTION FOR CLARIFICATION REGARDING INITIAL GROUP OF CONTESTED CASES AND SAN CARLOS APACHE TRIBE'S ADDITIONAL COMMENTS <u>SUMMARY:</u> The San Carlos Apache Tribe gives notice that it joins in the United States' Response to Saint David Irrigation District's Motion for Clarification Regarding Initial Group of Contested Cases, filed September 14,2023, and files its own additional comments. <u>CLAIMANT NO:</u> 39-12676, 39-63614 <u>PAGES:</u> 6 |
| 048 | 09-20-2023 | NOTICE OF APPEARANCE OF ADDITIIONAL COUNSEL AND MOTION TO AMEND COURT APPROVED MAILING LISTS <u>SUMMARY:</u> The San Carlos Apache Tribe files its Notice of Appearance of Additional Counsel and Motion to Amend Court Approved Mailing Lists. <u>CLAIMANT NO:</u> 39-12676, 39-63614 <u>PAGES:</u> 4 (motion) + 2 (proposed order) |
| 049 | 09-21-2023 | TONTO APACHE TRIBE'S NOTICE OF SUBSTITUTION OF COUNSEL AND REQUEST TO AMEND THE COURT APPROVED MAILING LISTS <u>SUMMARY:</u> The Tonto Apache Tribe submits its Notice of Substitution of Counsel and Request to Amend the Court Approved Mailing Lists. <u>CLAIMANT NO:</u> 39-50058, 39-12675, 39-12169 <u>PAGES:</u> 5 |
| 050 | 09-22-2023 | ORDER GRANTING MOTION TO AMEND COURT APPROVED MAILING LISTS <u>SUMMARY:</u> It is ordered the motion is granted. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 2 |
| 051 | 09-22-2023 | ORDER GRANTING TONTO APACHE TRIBE'S SUBSTITUTION OF COUNSEL <u>SUMMARY:</u> The Court grants Tonto Apache Tribe's Withdrawal of Counsel. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 3 |
| 052 | 09-29-2023 | ST. DAVID IRRIGATION DISTRICT'S COMBINED REPLY TO (1) UNITED STATES' RESPONSE TO SAINT DAVID IRRIGATION DISTRICT'S MOTION FOR CLARIFICATION REGARDING INITIAL GROUP OF CONTESTED CASES AND (2) SAN CARLOS APACHE TRIBE'S ADDITIONAL COMMENTS <u>SUMMARY:</u> St. David Irrigation District files its reply to United States' Response to Saint David Irrigation District's Motion for Clarification and San Carlos Apache Tribe's Joinder and Additional Comments. <u>CLAIMANT NO:</u> 39-006593; 39-6594 <u>PAGES:</u> 9 |

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| Doc No. | File Date | Document Description |
|----------------|-------------------|--|
| 053 | 10-09-2023 | ORDER GRANTING YAVAPAI-APACHE NATION AND PASCUA YAQUI TRIBE'S NOTICE OF WITHDRAWAL AND REQUEST TO AMEND COURT-APPROVED MAILING LISTS <u>SUMMARY:</u> It is hereby ordered that attorney Kristyne Schaaf-Olson will be removed from the court-approved mailing lists for the cases listed in Table 1. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 6 |
| 054 | 10-12-2023 | NOTICE OF WITHDRAWAL OF ATTORNEY AND REQUEST TO AMEND COURT-APPROVED MAILING LISTS <u>SUMMARY:</u> Notice withdrawing counsel and requesting to update the Court-approved mailing lists. <u>CLAIMANT NO:</u> 39-50059; 39-54025, 39-74334 <u>PAGES:</u> 6 + 6 (proposed order) = 12 |
| 055 | 10-16-2023 | SALT RIVER PROJECT'S INITIAL DISCLOSURE STATEMENT FOR FIRST GROUP OF PHASE 2 CASES <u>SUMMARY:</u> The Salt River Project submits its initial Rule 26.1 disclosure statement for the first group of Phase 2 contested cases. <u>CLAIMANT NO:</u> 39-05-50053 through -50055; 39-07-1040, -1041, -1206 <u>PAGES:</u> 12 + 3 (attachments) = 15 |
| 056 | 10-18-2023 | MINUTE ENTRY <u>SUMMARY:</u> 1:30 p.m. This is the time set for Status Conference before Special Water Master Sherri Zendri. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 3 |
| 057 | 10-20-2023 | ORDER FOR ADDITIONAL INFORMATION REGARDING FREEPORT MINERALS CORPORATION'S MOTION TO INTERVENE, NOTICE OF APPEARANCE, AND REQUEST TO BE ADDED TO THE COURT APPROVED MAILING LIST <u>SUMMARY:</u> Order for additional information regarding Freeport Minerals Corporation's Motion to Intervene, Notice of Appearance, and Request to be Added to the Court Approved Mailing List to be filed by November 3,2023. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 3 |

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| 058 | 11-01-2023 | GILA RIVER INDIAN COMMUNITY'S MOTION TO ASSOCIATE COUNSEL PRO HAC VICE AND REQUEST TO AMEND COURT APPROVED MAILING LISTS <u>SUMMARY:</u> Motion to Associate Counsel Pro Hac Vice and Request to Amend Court Approved Mailing Lists. <u>CLAIMANT NO:</u> 39-5478, 39-41142, 39-12652, 39-60083, 39-36340 and 39-37360 <u>PAGES:</u> 19 (including exhibits) |
| 059 | 11-02-2023 | AMENDED NOTICE OF SUBSTITUTION OF COUNSEL FOR THE GILA RIVER INDIAN COMMUNITY AND REQUEST TO AMEND THE COURT APPROVED MAILING LISTS <u>SUMMARY:</u> Amended Notice of Substitution of Counsel for the Gila River Indian Community and Request to Amend Court Approved Mailing Lists. <u>CLAIMANT NO:</u> 39-5478, 39-41142, 39-12652, 39-60083, 39-36340 and 39-37360 <u>PAGES:</u> 10 (including exhibits) |
| 060 | 11-08-2023 | ORDER GRANTING AMENDED NOTICE OF SUBSTITUTION OF COUNSEL FOR THE GILA RIVER INDIAN COMMUNITY AND REQUEST TO AMEND THE COURT APPROVED MAILING LISTS AND ORDER GRANTING GILA RIVER INDIAN COMMUNITY'S MOTION TO ASSOCIATE COUNSEL PRO HAC VICE AND REQUEST TO AMEND COURT APPROVED MAILING LIST <u>SUMMARY:</u> Court Approved Mailing Lists for case No W-1, W-2, W-3, W-4 and the contested cases listed on Attachment A are amended to update counsel of record for the Gila River Indian Community. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 8 |

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| 061 | 12-05-2023 | ASARCO LLC'S NOTICE OF REMOVAL OF BRIAN HISERMAN AS COUNSEL OF RECORD <u>SUMMARY:</u> ASARCO LLC gives notice of the removal of Brian Heiserman as attorney of record for ASARCO in the contested cases listed above. <u>CLAIMANT NO:</u> None given <u>PAGES:</u> 8 |
