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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN RE THE GENERAL
ADJUDICATION OF ALL RIGHTS TO
USE WATER IN THE GILA RIVER
SYSTEM AND SOURCE

Case Nos. W-1, W-2, W-3, W-4
(Consolidated)

In re Town of Huachuca W1-11-0245

CASE MANAGEMENT ORDER

This Case Management Order shall set deadlines and procedures for the trial scheduled in this case to begin April 26, 2021 as follows:

IT IS ORDERED:

1. Motions in Limine. Motions in limine shall be filed by March 24, 2021. Responses to motions shall be filed by April 12, 2021. Relevance objections are not waived by a decision to not file a Motion in Limine.

2. Scope of Trial. Trial shall be limited to the issue of whether the adjudication court has equitable powers to decree an appropriative water right for a claimant who began withdrawing water from a well located in the subflow zone after June 12, 1919, but did not comply with the 1919 Arizona Surface Water Code and subsequent versions of that statute. The one exception to the scope of trial is that the Arizona State Land Department may tender Pam Muse’s expert report *Evaluation of Historical Well Drill Dates and Well Locations for Southwest Cotton and Valley Ranch Wells along the Agua Fria River* with revised figures 2 and 3 labelled as bates-stamped numbers ASLD-

1 THC 000319 and ASLD-THC 000320 (“Muse Report”) and the deposition of Pam Muse at the
2 beginning of the trial. Ms. Muse will not be called as a witness.

3 3. Joint Pre-Trial Statement. The joint pre-trial statement is due April 12, 2021. The
4 State Law Parties shall initiate the process and deliver statement to the other parties by April 2, 2021.
5 The joint pre-trial statement shall comply with Ariz. R. Civ. P. 16(2)(A)-(B) by listing only those
6 factual statements that the parties agree are either true or contested as to truth, respectively, and in
7 both instances are material and relevant. The separate statement required by Ariz. R. Civ. P. 16(2)(C)
8 shall also contain a separate list of the statements submitted by the other parties pursuant to Ariz. R.
9 Civ. P. 16(2)(C) for which the sole grounds to dispute the fact are relevance or materiality. The
10 separate list is not an opportunity for argument; it is simply a list of the numbered statements made
11 by other parties in their respective Ariz. R. Civ. P. 16(2)(C) statements to set aid the court in
12 understanding the parties’ positions. No statements with regard to Ms. Muse or the Muse Report
13 shall be included in the joint pre-trial statement provided pursuant to Ariz. R. Civ. P. 16(2)(A), (B)
14 or (C). The witness list required by Ariz. R. Civ. P. 16(2)(D) shall list the witnesses in the order that
15 they are expected to be called.

16 4. Exhibits. Compliance with Ariz. R. Civ. P. 16(2)(E) shall be satisfied by the
17 preparation of an excel workbook that lists each party’s exhibits. Each party’s exhibits shall be listed
18 on a separate worksheet within the workbook. The tab for each party’s worksheet shall identify the
19 party. Each worksheet shall provide a column to allow the other parties to record any objections to
20 the authenticity or foundation of the exhibit. All other objections to an exhibit will be deemed
21 preserved and may be raised a trial. The excel workbook shall be filed with the Clerk of the Court
22 on a USB flash drive that contains the workbook and all of the parties’ exhibits. A copy of the flash
23 drive shall be provided to the Office of the Special Master.

24 5. Technology. The Readiness Conference and Trial shall be held on Court Connect
25 which operates in the Microsoft Teams environment. Access and user information shall be provided
26 once the creation of the Court Connect courtroom for the water cases is completed.

1 On March 23, 2021, the original of the
2 foregoing was delivered to the Clerk of
3 the Maricopa County Superior Court for
4 filing and distributing a copy to all
5 persons listed on the Court-approved
6 mailing lists for the above referenced
7 cases.

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10 Durina Farrall

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