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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

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

**Contested Case No. W1-106**

**ORDER GRANTING STIPULATION  
REGARDING SUMMARY  
ADJUDICATION OF CLAIMS TO  
WATER RIGHTS FOR *DE MINIMIS*  
DOMESTIC USES IN THE VERDE  
RIVER WATERSHED and**

**GRANTING STAY TO BRIEFING  
AND CONSIDERATION OF PENDING  
MOTIONS FOR PARTIAL SUMMARY  
JUDGMENT and**

**SETTING A STATUS CONFERENCE**

**CONTESTED CASE NAME:** *In re Subflow Technical Report, Verde River Watershed.*

**DESCRIPTIVE SUMMARY:** Order granting stipulation regarding summary adjudication of claims to water rights for *de minimis* domestic uses in the Verde River Watershed and granting stay to briefing and consideration of pending motions for partial summary judgment. A status conference is scheduled for **Friday, June 14, 2024, at 10:00 am.**

**NUMBER OF PAGES:** 10

1 On May 29, 2024, the Salt River Project Agricultural Improvement and Power  
2 District and Salt River Valley Water Users' Association (collectively "SRP"), the Arizona  
3 State Land Department, the City of Phoenix, Brandon and Natasha Pacheco, the Tonto  
4 Apache Tribe, the Town of Chino Valley, the United States, and the Yavapai Apache  
5 Nation, ("Parties") filed a stipulation regarding whether summary adjudication procedures  
6 should be adopted for claims to water rights for *de minimis* domestic uses in the Verde  
7 River Watershed.

8 The Parties have noted there is no dispute among them regarding the proper  
9 conclusion to draw from an application of Thorson Factor #4 to *de minimis* domestic uses in  
10 the Verde River Watershed, irrespective of what the precise values are used for Factors 1  
11 through 3.<sup>1</sup> Because there is no dispute, the Parties desire to enter into this Stipulation "for  
12 purposes of promoting judicial efficiency and avoiding unnecessary expenditure of the  
13 public and private resources for the Court, ADWR, and Parties."<sup>2</sup>

14 **THEREFORE, IT IS ORDERED** granting the stipulation regarding summary  
15 adjudication of claims to water rights for *de minimis* domestic uses in the Verde River  
16 Watershed.

17 **IT IS FURTHER ORDERED** that further briefing and consideration of the three  
18 pending SRP Motions for Partial Summary Judgement filed April 12, 2024, regarding  
19 Thorson Factors 1 through 3 is stayed.

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21 <sup>1</sup>The "Thorson Factors" are four criteria that Special Master Thorson used to  
22 determine whether the Court should adopt summary adjudication procedures of claims to  
23 water rights for certain *de minimis* uses in the San Pedro Watershed, as set forth in his 1994  
24 Decision. The factors are 1) "water availability in the watershed;" 2) the number of  
25 stockwatering, stockpond, and domestic uses;" 3) "the extent and impact of those uses;" and  
26 4) "the costs and benefits of a complete, rather than abbreviated, adjudication of these small  
27 uses." W1-11-0019, *Memorandum Decision, Findings of Fact, and Conclusions of Law for*  
*Group 2 Cases Involving Stockwatering, Stockpond, and Domestic Uses* at 12 (Nov. 14,  
1994).

27 <sup>2</sup>W1-106, *Stipulation Regarding Summary Adjudication of Claims to Water Rights*  
*For De Minimis Domestic Uses in The Verde River Watershed* at 7 (May 29, 2024).



Court Approved Mailing List  
In re Subflow Technical Report, Verde River Watershed, Case No. W1-106  
W1-106 (60 Names)  
Prepared by the Special Master  
6/4/2024

---

Alexander B. Ritchie  
San Carlos Apache Tribe  
Office of the Attorney General  
PO Box 40  
San Carlos, AZ 85550

Charles L. Cahoy, Asst. City  
Attorney  
Phoenix City Attorney's Office  
200 W. Washington 13th Flr.  
Phoenix, AZ 85003

Andrew J. Corimski  
U. S. Army Legal Services  
Environmental Law Division  
9275 Gunston Road  
Fort Belvoir, VA22060

Clerk of the Superior Court  
Maricopa County  
Attn: Water Case  
601 West Jackson Street  
Phoenix, AZ 85003

Brandon R & Natasha M.  
Pacheco  
Pacheco Brandon & Natasha  
Living Trust  
19400 N. Lower Territory Rd.  
Prescott, AZ 86305

Cottonwood Ditch Association  
Peter Andrew Groseta,  
President  
PO Box 445  
Cottonwood, AZ 86326

Burch & Cracchilo, P.A.  
1850 North Central, Suite 1700  
Phoenix, Az 85004

D. Brown, J Brown, A. Brown  
G Perkins, & B. Heiserman  
Brown & Brown Law Offices  
P.C.  
PO Box 1890  
St. Johns, AZ 85936

Carla A. Consoli  
May Potenza Baran & Gillespie  
P.C  
1850 N. Central Avenue, 16th  
Floor  
Phoenix, AZ 85004

Daniel Brenden /Peter Muthig  
Maricopa County Attorney's  
Office  
225 W. Madison St  
Phoenix, AZ 85003

Carlos D. Ronstadt  
Law Office of Carlos D.  
Ronstadt, PLLC  
7000 North 16th Street, Suite  
120, No. 510  
Phoenix, AZ 85020-5547

Daniel D. Haws  
U. S. Army  
Environmental Attorney  
2387 Hatfield Street  
Fort Huachuca, AZ 85613

Daniel F. McCarl  
United States Dept. of Justice -  
ENRD  
Indian Resources Section  
999 18th Street, So Terrace,  
Suite 370  
Denver, CO 80202

Dara Mora  
Liberty Utilities, Inc.  
1225 West Frontage Road  
Rio Rico, AZ 85648

David F. Jacobs and Kevin P.  
Crestin  
Arizona Attorney General  
Natural Resources Section  
2005 North Central  
Phoenix, AZ 85004

David Gehlert  
United States Dept. of Justice -  
ENRD  
999 18th Street, South Terrace  
Ste 370  
Denver, CO 80202

Diandra D. Benally  
Fort McDowell Yavapai Nation  
Legal Department  
P. O. Box 17779  
Fountain Hills, AZ 85269-7779

Duane C. Wyles  
205 Farm Circle Drive  
P. O. Box 1537  
Cornville, AZ 86325-1537

Emily Jurmu  
City of Peoria, City Attorney  
Office  
8401 West Monroe Street,  
Room 280  
Peoria, AZ 85345-6560

Eric C. Anderson & Karen Tyler  
City of Scottsdale  
City Attorney's Office  
3939 N. Drinkwater Blvd.  
Scottsdale, AZ 85251

Eric L. Hiser & Luke Erickson  
Hiser Joy  
5080 N. 40th Street,, Suite 245  
Phoenix, AZ 85018

Frederick E. Davidson  
P.O. Box 556  
Grand Saline, TX 75140

Gregory L. Adams  
Central Arizona Water  
Conservation District  
P. O. Box 43020  
Phoenix, AZ 85080-3020

J. B. Weldon, M. A. McGinnis,  
M. K. Foy  
Salmon, Lewis & Weldon  
2850 E. Camelback Rd. Suite  
200  
Phoenix, AZ 85016

Jacob Kavkewitz  
Pima County Attorney's Office  
Civil Division  
32 N. Stone Avenue, Ste 2100  
Tucson, AZ 85701

John C. Lacy and Paul M.  
Tilley  
2525 East Broadway Blvd,  
Suite 200  
Tucson, AZ 85716-5303

Jason Simon  
Lewis Roca Rothgerber  
Christie L.L.P.  
One South Church Avenue,  
Ste. 2000  
Tucson, AZ 85701-1611

John C. Lemaster  
CLARK HILL PLC  
3200 North Central Ave., Suite  
1600  
Phoenix, AZ 85012

Javier Ramos & Sunshine  
Manuel  
Gila River Indian Community  
Office of the General Counsel  
P. O. Box 97  
Sacaton, AZ 85147

John D. Burnside  
Snell & Wilmer, L. L. P.  
One E. Washington Street,  
Suite 2700  
Phoenix, AZ 85004-2556

Jenny J. Winkler & Michelle N.  
Stinson  
Pierce Coleman P.L.L.C.  
7730 East Greenway Road,  
Suite 105  
Scottsdale, AZ 85260

Joseph Young, Chris Resare,  
& Matthew Podracky  
City of Prescott Legal  
Department  
221 S. Cortez St.  
Prescott, AZ 86303

Jeremiah Weiner, Kent  
Millward,  
Brett J. Stavin, & Lauren  
Mulhern  
ROSETTE, LLP.  
120 S. Ash Avenue, Suite 201  
Tempe, AZ 85281

Josh Edelstein Phoenix Field  
Solicitor  
Office of the Solicitor  
U.S. Department of the Interior  
Sandra Day O'Connor U.S.  
Courthouse  
401 W. Washington St., Ste.  
404, SPC 44  
Phoenix, AZ 85003

Joe P. Sparks and Laurel A.  
Herrmann  
The Sparks Law Firm, P.C.  
7503 First Street  
Scottsdale, AZ 85251-4573

Judy Mikeal  
San Pedro NRCD  
P. O. Box 522  
St. David, AZ 85630

Kelly Schwab & Daniel L.  
Brown  
City of Chandler  
City Attorney's Office  
Mail Stop 602, P. O. Box 4008  
Chandler, AZ 85244-4008

Kimberly R. Parks and Karen J.  
Nielsen  
Arizona Department of Water  
Resources  
1110 West Washington, Suite  
310  
Phoenix, AZ 85007

KLUMP RANCHES, L.L.C.  
c/o Wayne D. Klump  
P. O. Box 357  
Bowie, AZ 85605

L. Richard Mabery  
L. Richard Mabery, P.C.  
234 North Montezuma Street  
Prescott, AZ 86301

L. William Staudenmaier  
Snell & Wilmer, L. L. P.  
One E. Washington Street  
Suite 2700  
Phoenix, AZ 85004

Lauren Caster  
Fennemore Craig, P.C.  
2394 East Camelback Road  
Ste 600  
Phoenix, AZ 85016

Lee Storey  
TSL Law Group, PLC  
8767 E. Via De Ventura, Suite  
126  
Scottsdale, AZ 85258

Lucas J. Narducci  
Snell & Wilmer, L.L.P.  
One E. Washington Street,  
Suite 2700  
Phoenix, AZ 85004-2556

M'Leah Woodard and Leigh  
Sellari  
United States Department of  
Agriculture  
P. O. Box 586  
Albuquerque, NM 87103-0586

M. Grabel; P. Londen; E.  
Ancharski  
Osborn Maledon P.A.  
2929 North Central Ave.  
Sute 2000  
Phoenix, AZ 85012

M. Widerschein, M. Woodward,  
A. Penalosa  
United States Dept. of Justice -  
ENRD  
Natural Resources Section  
PO Box 7611  
Washington, DC 20044

Merrill C. Godfrey  
Akin Gump Straus Hauer &  
Feld LLP  
2001 K Street, N.W.  
Washington, DC 20006

Nicholle Harris  
City of Avondale  
City Attorney  
11465 West Civic Center Drive  
Avondale, AZ 85323

Sonia M. Blain & Janis L.  
Bladine  
Tempe City Attorney's Office  
21 E. Sixth Street #201  
Tempe, AZ 85281

Rebecca M. Ross  
United States Dept. of Justice -  
ENRD  
P. O. Box 7611  
Ben Franklin Station  
Washington, D. 20044

Steve Wene  
Moyes Sellers & Sims  
1850 North Central Avenue,  
Suite 1100  
Phoenix, AZ 85004

Robert B. Hoffman  
6035 North 45th Street  
Paradise Valley, AZ 85253

Sherri L. Zendri  
Special Master  
Central Court Building, Ste 3A  
201 West Jefferson  
Phoenix, AZ 85003-2205

Roric V. Massey  
City of Goodyear  
Office of the City Attorney  
1900 N. Civic Sq  
Goodyear, AZ 85395-2012

Tony Gioia  
P. O. Box 464  
Camp Verde, AZ 86322

Susan B. Montgomery, Robyn  
Interpreter  
Montgomery & Interpreter PLC  
3301 E. Thunderbird Road  
Phoenix, AZ 85032

William H. Anger  
Engelman Berger, P.C.  
2800 N. Central Ave. Ste. 1200  
Phoenix, AZ 85004

Sean Hood  
Fennemore Craig, P.C.  
2394 E Camelback Rd, St 600  
Phoenix, AZ 85016-3429

Yosef M. Negose  
United States Dept. of Justice -  
ENRD  
Indian Resources Section  
P.O. Box 7611  
Washington, DC 20044



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Attachment A



## Court Connect Hearing Notice for In re Subflow Technical Report, Verde River Watershed

*This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.*

*All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.*

**Participants:** Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

**Case Name:** In re Subflow Technical Report, Verde River Watershed

**Contested Case No.** W1-106

**Start Date/Time:** June 14, 2024 at 10:00 a.m.

### JOIN COURT CONNECT HEARING

**Dial-in Information:** +1 917-781-4590

**Private Dial-in Information:** for privacy purposes, you can block your phone number by dialing \*67 +1 917-781-4590

**Dial-in Access Code:** 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)

