

09/01/2021 11:11 am

M. Antelo, Deputy

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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, W-4 (Consolidated)

Contested Case No. W1-11-0488

ORDER SETTING SECOND STATUS
CONFERENCE

CONTESTED CASE NAME: *In re Mickey J. & Britta V. Rutherford*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey WFR
DESCRIPTIVE SUMMARY: Second status conference set for **October 21, 2021 at 3:00 p.m.**
NUMBER OF PAGES: 9
DATE OF FILING: September 1, 2021

On June 3, 2021, an Order was issued in this case setting a Status Conference to determine if Mickey Joe Rutherford ("Claimant") or Stacey L. Andress and Laura Brennan, the owners of the land shown on Attachment A identified by the Cochise County Assessor, intend to assert rights to water. A copy of the Order can be found on the website maintained by the Maricopa County Superior Court for the General Stream Adjudication as the first entry on the page entitled

Settled, Decided and Inactive Cases:

1 <http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/settled->
2 [and-decided-cases.asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/settled-)

3 A Status Conference was held on August 6, 2021. Neither the Claimant, Stacey L.
4 Address nor Laura Brennan appeared. The Statement of Claimant filed by Mr. Rutherford was
5 dismissed. On August 19, 2021, Stacey L. Address sent an email to the Clerk of the Maricopa
6 County Superior Court and stated that she had not received a copy of the order initiating the case
7 because she had recently moved. Ms. Address provided a new address.


8 Copies of all future documents, pleadings, and other communications by a party with the
9 Court or Clerk of the Court will be sent to all parties on the approved mailing list attached as
10 Attachment B.

11
12 **IT IS ORDERED** that a second status conference will be held in this case for the
13 purpose of determining whether Ms. Address intends to assert a claim for an appropriable water
14 right for the land shown on Attachment A. At the status conference, Ms. Address shall be
15 prepared to state whether she intends to assert a claim for an appropriable water right and, if so,
16 shall provide the date she filed a Statement of Claimant with the Arizona Department of Water
17 Resources and the information included on the form of Statement of Claimant.

18
19 The Status Conference shall be held on **October 21, 2021 at 3:00 p.m.** The Status
20 Conference shall be held using the Court Connect program. Instructions for Court Connect are
21 attached as Attachment C. If you receive this Order by email, click on the red box "Join Court
22 Connect Hearing" on the attached instructions to make an appearance. If you do not receive this
23 Order by email, log into the Court Connect program on the internet by typing
24 <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend
25 telephonically using the telephone number and access code included in the instructions for Court
26 Connect. The Status Conference may also be attended telephonically using the following
27 instructions:
28

1 Dial: 602-506-9695 (local)
2 1-855-506-9695 (toll free long distance)
3 Dial Collaboration (conference) Code 357264#
4

5 **IT IS FURTHER ORDERED** removing Mickey Joe Rutherford from the Court
6 approved mailing list.
7

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10 SUSAN WARD HARRIS
11 Special Master

12
13 On September 1, 2021, the original of the foregoing was
14 delivered to the Clerk of the Maricopa County Superior
15 Court for filing and distributing a copy to all persons
16 listed on the Court-approved mailing list for this contested
17 case, a copy of which is attached hereto as Attachment B.

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19 Emily Natale
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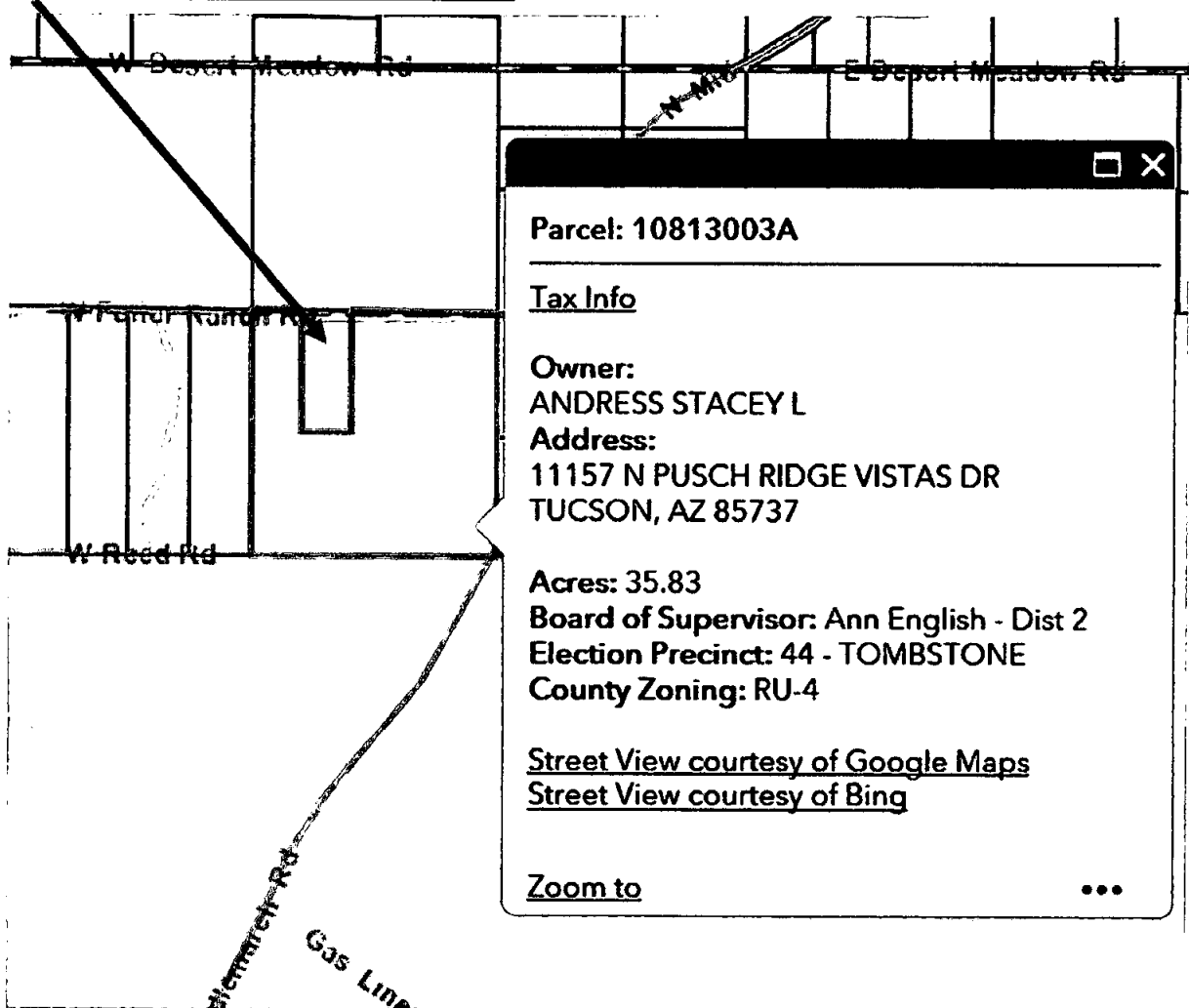
ATTACHMENT A

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Parcel: 10813003B
Tax Info

Owner: BRENNAN LAURA
Address: 11 WOODLAND LN APT A
SMITHTOWN, NY 11787

Acres: 4.00



Parcel: 10813003A
Tax Info

Owner:
ANDRESS STACEY L
Address:
11157 N PUSCH RIDGE VISTAS DR
TUCSON, AZ 85737

Acres: 35.83
Board of Supervisor: Ann English - Dist 2
Election Precinct: 44 - TOMBSTONE
County Zoning: RU-4

Street View courtesy of Google Maps
Street View courtesy of Bing

Zoom to ...

ATTACHMENT B

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4 Arizona Department of Water Resources
Kimberly Parks
5 P. O. Box 36020
6 Phoenix, AZ 85067

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

10 Gila River Indian Community
11 Linus Everling and Thomas L. Murphy
Office of the General Counsel
12 P. O. Box 97
13 Sacaton, AZ 85147

14 Joe P. Sparks and Laurel A. Herrmann
The Sparks Law Firm, P.C.
15 7503 First Street
16 Scottsdale, AZ 85251-4573

17 Laura Brennan
11 Woodland Lane, Apt. A
18 Smithtown, New York 11787

19 Richard Palmer, Jr., Jeremiah Weiner
and Lauren Mulhern
20 Rosette, LLP
21 565 W. Chandler Blvd. Suite 212
Chandler, AZ 85225

22 S. Montgomery, R. Interpreter, J. Tomkus
23 Montgomery & Interpreter, Plc
24 3301 E. Thunderbird Road
Phoenix, AZ 85032

25 Stacey L. Andress
26 13843 N. Maxfli Dr.
27 Oro Valley, AZ 85755-5755
28

1 Special Master Susan Ward Harris
2 Superior Court of Arizona
3 201 W. Jefferson Street
4 Courtroom 301
5 Phoenix, AZ 85003

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ATTACHMENT C



Court Connect Hearing Notice for In re Mickey J. & Britta V. Rutherford

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 Mickey J. & Britta Rutherford, Contested Case No. W1-11-0488

Start Date/Time: October 21, 2021 at 3:00 p.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](#)

