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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)

ORDER ON UNITED STATES' MOTION  
FOR CLARIFICATION REGARDING  
ELECTRONIC SERVICE

CONTESTED CASE NAME: *In re General Adjudication of All Rights to Use Water in the Gila River System and Source*

HSR INVOLVED: none

DESCRIPTIVE SUMMARY: The United States is directed to consent for electronic service using a singular email address to receive official Court documents.

NUMBER OF PAGES: 4

On June 24, 2024, the Office of the Special Water Master issued an Order for Parties to Sign up for Electronic Service (“Order”). This Order instructed all attorneys who currently appear in case W-1, W-2, W-3, W-4 as part of the General Adjudication to sign up for electronic service of Court documents. Additionally, if multiple attorneys from the same law firm appear, the Order instructed them to use a single email address to received Court documents. On July 19, 2024, the United States filed a Motion for Clarification (“Motion”) regarding the Order.

The Motion requests the Court clarify whether 1) government agencies are included within the definition of “law firm;” 2) the Order is applicable to all subcases

1 within W-1, W-2, W-3, W-4 or solely to the 'lead' case; 3) service to the single email  
2 address replaces or supplements the courtesy email copies of Court documents to individual  
3 attorneys; and 4) if the single email address will replace or supplement the addresses listed  
4 on Court Approved Mailing List. *See* Motion at 2-3.

5 **Government agencies ARE included within the definition of “law firm.”**

6 The Court recognizes that some government agencies such as the United States  
7 Department of Justice (“DOJ”), or the Arizona Attorney General’s Office, include  
8 different litigating sections, which represent different interests. However, the goal of  
9 the Order is to bring the Water Adjudication’s service requirements in line with other  
10 Court divisions, reduce the amount of time for parties to receive their official Court  
11 documents, help ensure correct service, and reduce the amount of labor and cost  
12 involved in serving Court documents. To that end, a single governmental entity is  
13 considered a firm. This is a similar expectation to those found in other Maricopa  
14 County Superior Court divisions. Furthermore, if a governmental agency has attorneys  
15 that represent multiple divisions, the single email system will only capture one email  
16 per attorney anyway.

17 **The Order is applicable to all subcases within W-1, W-2, W-3, W-4.**

18 The misunderstanding here by the United States is understandable. Although the  
19 Order instructed only attorneys who are appearing in case W-1, W-2, W-3, W-4 to  
20 consent to electronic service, once an attorney consents to receive their Court  
21 documents via email, they will receive *all* Court documents via email, for *all* cases  
22 regarding the General Adjudication of All Rights to Use Water in The Gila River  
23 System and Source including individual contested cases, any non-HSR technical report  
24 cases, or any other cases regarding issues of broad legal importance.

25 **Service to the single email address does not supplement the courtesy email**  
26 **copies from Court at this time.**

27 The courtesy email copy system is not changing at this time. However, the  
28 Adjudication Court is working diligently to develop technology and procedures that

1 mirror the other court divisions. It is expected that at some point, the courtesy email  
2 lists, at least for Maricopa County, will be discontinued when electronic service for all  
3 parties becomes easily accessible.

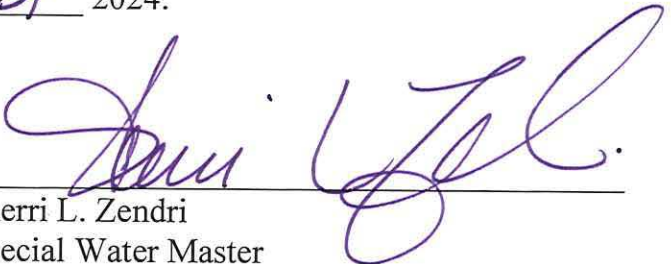
4 The parties are reminded that the courtesy email lists maintained by the Judicial  
5 Assistant to the Special Water Master are just that, a courtesy to the parties in an  
6 attempt to provide information regarding our cases as quickly as possible.

7 **The single email address does not replace addresses listed on Court**  
8 **Approved Mailing List (“CAML”).**

9 The CAML, as well as the information that appears on the CAML, will not  
10 change at this time either. Not only is the list necessary for rural pro se parties who  
11 may not use electronic mail, Current Court technology cannot generate a CAML which  
12 includes email addresses or indicates who should be receiving their Court documents  
13 electronically. Again, as the Adjudications Court is folded into other Superior Court  
14 technology, procedures for the CAML are likely to change.

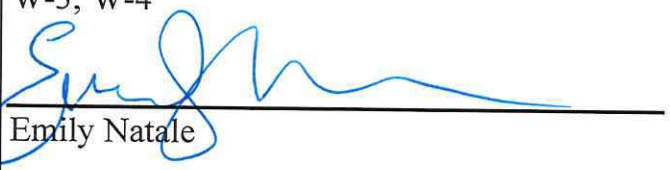
15 The General Stream Adjudication Court will eventually achieve the same  
16 technology as the rest of the Maricopa County Superior Court divisions. The significant  
17 number of potential parties to an adjudication case has always been the challenge with  
18 the current systems. As the Court moves forward there will be more minor procedural  
19 changes. The cooperation of all the parties is appreciated. Where issues with changes  
20 are simply procedural, parties are encouraged to call the General Stream Adjudication  
21 office at (602)372-4115.

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23 Signed this 5<sup>th</sup> day of August 2024.

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28 Sherri L. Zendri  
Special Water Master

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On August 5, 2024, the original of the foregoing was delivered to the Clerk of the Maricopa County for filing and distributing a copy to all persons listed on the Court-approved mailing list for Case No. W-1, W-2, W-3, W-4

  
Emily Natale