

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF APACHE

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

CV 6417-203

AMENDED CASE MANAGEMENT  
ORDER

CONTESTED CASE NAME: *In re Hopi Reservation HSR*

HSR INVOLVED: *Hopi Reservation*

NUMBER OF PAGES: 4

DATE OF FILING: August 23, 2018.

At the pretrial conference held on August 1, 2018, the parties represented that the duration of the trial of the first phase of this case will substantially extend beyond the six weeks originally anticipated. They further reported that approximately 90 witnesses may need to be deposed in preparation for the second phase of this bifurcated proceeding necessitating a longer discovery period. To provide additional time to allow counsel to

prepare and to otherwise seek to improve the pretrial process, the Case Management Order filed August 25, 2016, as amended, is further amended as follows:

1. Amended Statements of Claimant. The United States and the Hopi Tribe shall each file a Sixth Amended Statement of Claimant setting forth in detail the basis for each claim Claimants intend to assert during the future use phase of this case. The purpose of the Sixth Amended Statement of Claimant is not to invite new claims, but to assure that Claimants provide a clear explanation to the parties of their theories supporting their claims for future use. The Sixth Amended Statements of Claimant shall be filed on or by January 4, 2019. In addition, the United States and the Hopi Tribe shall attach to the Sixth Amended Statements of Claimant with respect to the identified claims for future use:

(a) The names and addresses of any lay witnesses whom the Claimants expect to call to substantiate their claims with a fair description of the substance of each witness' expected testimony.

(b) The name and address of each person whom the Claimants expect to call as an expert witness, the subject matter on which the expert is expected to testify, and the substance of the facts and opinions to which the expert is expected to testify.

(c) A brief description of the documents the Claimants expect to offer as evidence. The description shall include the date of the document, the person or entity that prepared the document and the subject of the document.

2. Discovery.

(a) All discovery including depositions shall be completed by **June 21, 2019.**

(b) All discovery shall be conducted in accordance with the Arizona Rules of Civil Procedure 26 through 37, the order regarding depositions and as applicable, pretrial orders issued in this adjudication.

3. Motions.

(a) On or before **August 1, 2019**, any party in this case may file a motion that is dispositive as to a factual or legal issue.

(b) On or before **October 11, 2019**, any party in this case may file a motion in limine.

(c) The Arizona Rules of Civil Procedure shall apply to the form, page limits and substance of the pleadings as well as to the amount of time and the computation of time allowed for responses and, when permitted, replies in support of motions.

4. Trial. Trial on claims based on past and present water uses shall begin at 10:30 a.m. on **September 11, 2018.** Trial on claims for future water uses shall begin at 10:30 a.m. on **December 2, 2019.** The place of trial shall be the Maricopa County Superior Court in Phoenix, Arizona.

5. Pretrial Conference. A pretrial conference shall be held on **February 1, 2019**, at 9:30 a.m. at Maricopa County Superior Court, Courtroom 301, 201 West Jefferson, Phoenix, Arizona 85003.


Instructions for telephonic participation:

Dial: 602-506-9695 (local)

1-855-506-9695 (toll free long distance)

Dial Collaboration (conference) Code 357264#

DATED: August 23, 2017.

  
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Susan Ward Harris  
Special Master

On August 23, 2018, the original of the foregoing was mailed to the Clerk of the Apache County Superior Court for filing and distributing a copy to all persons listed on the Court approved mailing list for *In re Hopi Reservation HSR*.

  
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Barbara Brown