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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 Nos. W1-11-2081, W1-11-2089, W1-11-2090, W1-11-2111, W1-11-2119, W1-11-2127, W1-11-2128, W1-11-2131

ORDER SETTING MAP HEARING AND  
STATUS CONFERENCE

AND

CASE MANAGEMENT ORDER

CONTESTED CASE NAME: *In re Orié Alvin Owens, Sr., et al. (W1-11-2081); In re Valley National Bank (W1-11-2089); In re William & Esther Taylor (W1-11-2090); In re Ruth Singer (W1-11-2111) In re San Pedro Investments (W1-11-2119); In re Jimmie and Gwendolyn Mayberry (W1-11-2127); In re Robin L. and Linda M. Richey (W1-11-2128); In re Andrew and Lavee Mayberry (W1-11-2131)*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: Pretrial deadlines set and hearing set for **January 25, 2023 at 2:30 p.m.**

NUMBER OF PAGES: 5

DATE OF FILING: November 30, 2022

1 On October 18, 2022, the St. David Irrigation District submitted a Status Report and a  
2 proposed schedule to litigate a set of seven cases that have been deconsolidated from contested  
3 case no. W1-11-1675.

4  
5 **W. Warskow Revocable Trust**

6 The St. David Irrigation District represented that the water rights for additional land  
7 owned by the trustee of the William Warskow Revocable Trust (“Trust”) should be adjudicated  
8 with the current set of cases. The land owned by the Trust is as follows:

9

Tax Parcel No.	Watershed File No.	Contested Case No.
121-09-012A	112-17-DBA-088	W1-11-2090
121-09-012B	112-17-DBA-247	W1-11-2111

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13 Contested Case W1-11-2090 had been deconsolidated from *In re St. David*  
14 *Irrigation District* and included in the original set of seven cases. By order dated  
15 November 30, 2022, Contested Case W1-11-2111 was deconsolidated from *In re St.*  
16 *David Irrigation District*. Both cases that involve water rights for land owned by the  
17 Trust will be resolved as part of the first set of cases.  
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20 **Abstracts or Filing by Objectors**

21  
22 St. David Irrigation District represented that it has prepared draft abstracts for the  
23 seven cases originally involved in this set of cases and provided them to the Objectors.  
24 Due to scheduling issues, the parties agree that they have not had sufficient time to discuss  
25 the draft abstracts. By order dated November 30, 2022, an additional case was added to  
26 this original group that will require the preparation of additional abstract(s). St. David  
27  
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1 Irrigation District will distribute any draft abstracts necessary for contested case W1-11-  
2 2111 to the Objectors. If the parties cannot reach agreement on the draft abstracts, then  
3 each Objector shall file a statement that identifies the attributes on each draft abstract  
4 which it contests.  
5

6 **Mapping Hearing**

7 The St. David Irrigation District proposed that its mapping consultants be permitted to  
8 make a 30 - 40 minute demonstration of the maps prepared. The maps will be filed by December  
9 23, 2022. It is important to address any potential objections to the mapping protocols early in  
10 the process of adjudicating the claims included in the St. David Irrigation District.  
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13 **Status Conference**

14 St. David Irrigation District also proposed that a Status Conference be scheduled  
15 after the Objectors have filed their statements identifying the elements of the abstracts  
16 which continue to be in dispute. The San Carlos Apache Tribe in its Response raised  
17 several objections to proposals made by St. David Irrigation District. Accordingly, a  
18 Status Conference shall be held to address procedures moving forward with the  
19 designated cases including the deadlines post-January 17, 2023 proposed by the St. David  
20 Irrigation District that are set forth below.  
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24 **IT IS ORDERED:**

25 St. David Irrigation District shall deliver draft abstracts for contested case W1-11-  
26 2111 to each Objector by **December 30, 2022**.  
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1 Stipulated abstracts representing the agreement of the parties shall be filed by  
2 **January 17, 2023**. In the absence of agreement, each Objector shall file a statement that  
3 specifically identifies the attributes from draft abstracts that will be contested by **January**  
4 **17, 2023**.

5  
6 A mapping hearing and status conference will be held on **January 25, 2023 at 2:30 p.m.**,  
7 at which the consultants will make a presentation about the maps distributed on December 23,  
8 2022, and the parties will have the opportunity to raise objections. In addition, the parties shall  
9 have an opportunity to address their objections to the issues raised in the Status Report filed by  
10 St. David Irrigation District. Finally, the parties shall be prepared to comment on the litigation  
11 schedule proposed by St. David Irrigation District as follows:  
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14 February 28, 2023	Initial Disclosure Statements
15 June 1, 2023	Claimant's expert reports
16 August 1, 2023	Objector's expert rebuttal reports
17 October 2, 2023	Claimant's rebuttal expert reports
18 October 16, 2023 – December 15, 2023	Depositions
19 December 15, 2023	Completion of discovery
20 January 1, 2024	Dispositive motions
21 February 15, 2024	Responses to dispositive motions
22 March 15, 2024	Replies to dispositive motions
23 March 22, 2024	Motions in Limine
24 April 12, 2024	Responses to Motions in Limine
25 April 25, 2024	Pre-Trial Statement
26 May 10, 2024	Trial begins

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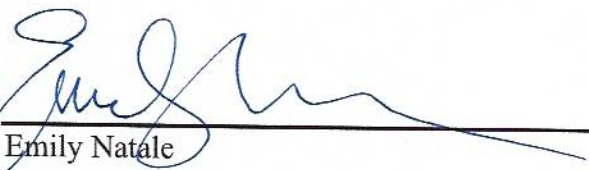
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The mapping hearing and status conference shall be held at:

Maricopa County Superior Court  
Central Court Building  
Courtroom 301  
201 West Jefferson  
Phoenix, AZ 85002

  
SUSAN WARD HARRIS  
Special Master

On November 30, 2022, the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to all persons listed on the Court-approved mailing list for this contested case, a copy of which is attached hereto as Attachment A.

  
Emily Natale