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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. W1-106

**ORDER GRANTING CITY OF
COTTONWOOD'S MOTION TO
INTERVENE IN SUBFLOW
DELINEATION PROCEEDING**

AND

**DENYING MOTION TO INTERVENE IN
DE MINIMIS DETERMINATION
PROCEEDING**

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

DESCRIPTIVE SUMMARY: Order granting the City of Cottonwood's motion to intervene in the subflow delineation proceedings and denying motion to intervene in *de minimis* determination proceedings.

NUMBER OF PAGES:

Arizona Rule of Civil Procedure 24 and the Rules for Proceedings Before the Special Master permit intervention where a party "claims an interest relating to the subject of the action, and is so situated that disposing of the action in the person's absence may as a practical matter impair or impede the person's ability to protect that interest, unless existing parties adequately represent that interest." Ariz. R. Civ. P. 24.

The March 11, 2024, Motion to Intervene ("Motion") from the City of

1 Cottonwood ("Cottonwood") claims the subflow proceedings "will address issues that
2 may impact Cottonwood's rights to distribute water to residents within its service areas."
3 Motion at 2. While not mentioned in the motion, a review of Cottonwood's statements of
4 claimant informed the Court that Cottonwood has municipal drinking water wells
5 potentially within the subflow zone.

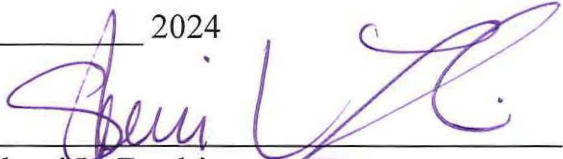
6 The Motion further claims that Cottonwood has an interest in the *de minimis*
7 proceedings because it "may impact the rights of private well owners located within
8 [Cottonwood's] incorporated area." Motion at 2. The Motion does not, however,
9 explain any interest of Cottonwood's that may be impacted by the *de minimis*
10 proceedings.

11 Having reviewed the motion and considered the interests of the City of
12 Cottonwood and the efficient progress of both proceedings:

13 **IT IS ORDERED** granting the City of Cottonwood's motion to intervene in the
14 subflow delineation proceeding.

15 **IT IS FURTHER ORDRED** denying the City of Cottonwood's motion to
16 intervene in *de minimis* determination proceeding.

17
18 Signed this 18th day of March 2024

19
20 
21 Sherri L. Zendri
Special Water Master

22
23 The original of the foregoing was delivered
24 to the Clerk of the Maricopa County Superior
25 Court on March 18, 2024 for
26 filing and distributing a copy to all persons
listed on the Court approved mailing list for
this contested case.

27 
28 Cheryl Kee

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