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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 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)

Contested Case No.: **W1-11-0473**

**ORDER FOR STATUS REPORT AND
ORDER VACATING OCTOBER 23,
2023, STATUS CONFERENCE**

CONTESTED CASE NAME: *In re City of Tombstone*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.
DESCRIPTIVE SUMMARY: Order to file a joint status report by **October 23, 2023**, and vacating the October 23, 2023, status conference.
NUMBER OF PAGES: 6

On September 29, 2023, the City of Tombstone (“City”) filed an Expedited Motion to Continue Scheduling Conference and Motion to Extend Stay. This case was initiated in February 2019 and there have been at least five (5) requests from the City to extend time or reschedule conferences. The City has claims for 25 surface water springs and three (3) wells. The adjudication of the wells has already been stayed until the Arizona Department of Water

1 Resources (ADWR) completes a report on the subflow depletion test. A decision from the
2 Court on this report will be no earlier than March 2024. The claims for the springs have been
3 stayed since October 2020 pending collection of three years of spring flow data. The City
4 now requests that ALL claims, surface springs and wells, be adjudicated together and requests
5 a stay of all claims until after the completion of the subflow depletion test.

6 During the past three years, the Court received an annual status report regarding the
7 progress of this case. The October 23, 2023, status conference was the opportunity for the
8 City and any Objectors to provide the Court an update for the last twelve months. In lieu of
9 a status conference, the Court requires a written update. .

10 **IT IS ORDERED** that the parties will file a joint status report by **October 23, 2023**.

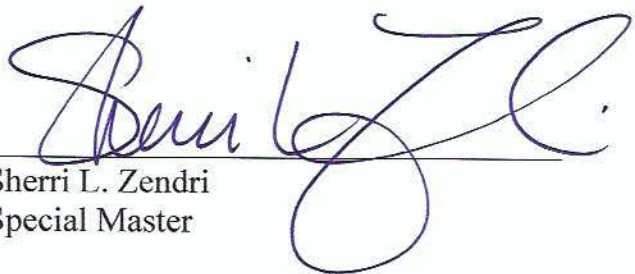
11 The report shall include, at a minimum, updates on the following:

- 12 1. Progress on collection of spring flow data, especially Clark and Rock Springs.
- 13 2. If Clark and Rock Springs still have not had any data collection, an action plan,
14 including dates, of how data will be collected or estimated.
- 15 3. Progress, or an action plan, regarding debris removal, repairs, and
16 improvements to the springs where they are necessary for data collection.
- 17 4. The status of any negotiations including whether any party still has unresolved
18 objections and what are the objections.
- 19 5. Why the City has changed course and decided all claims should be resolved
20 together.
- 21 6. Without providing the locations of the City's wells (for security purposes),
22 provide an estimated distance of the wells from the subflow boundary.

1 Once the status report is reviewed, the Court will determine if all claims for the City should
2 be stayed and adjudicated together.

3 **IT IS FURTHER ORDERD** vacating the status conference scheduled for Monday,
4 October 23, 2023, at 1:30 p.m.

5
6 Dated this 5 of October, 2023.

7
8 
9 Sherri L. Zendri
10 Special Master

11 The original of the foregoing was delivered to the
12 Clerk of the Maricopa County Superior Court on
13 October 5, 2023 for filing and
14 distributing a copy to all persons listed on the
15 Court approved mailing list for this Contested
16 Case.

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Emily Natale

Court Approved Mailing List
In re City of Tombstone, contested case no. W1-11-0473
W1-11-0473 (26 Names)
Prepared by the Special Master
10/5/2023

Alexander B. Ritchie
San Carlos Apache Tribe
Office of the Attorney General
PO Box 40
San Carlos, AZ 85550

Jeremiah Weiner, Kent
Millward,
Brett J. Stavin, & Lauren
Mulhern
ROSETTE, LLP.
120 S. Ash Avenue, Suite 201
Tempe, AZ 85281

Charles L. Cahoy, Asst. City
Attorney
Phoenix City Attorney's Office
200 W. Washington 13th Flr.
Phoenix, AZ 85003

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

City of Tombstone
P. O. Box 339
Tombstone, az 85638

John C. Lemaster
CLARK HILL PLC
3200 North Central Ave., Suite
1600
Phoenix, AZ 85012

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

Josh Edelstein Phoenix Field
Solicitor
Office of the Solicitor
U.S. Department of the Interior
Sandra Day O'Connor U.S.
Courthouse
401 W. Washington St., Ste.
404, SPC 44
Phoenix, AZ 85003

Goldwater Institute
500 East Coronado Road
Phoenix, AZ 85004

Kelly Schwab & Daniel L.
Brown
City of Chandler
City Attorney's Office
Mail Stop 602, P. O. Box 4008
Chandler, AZ 85244-4008

J. B. Weldon, M. A. McGinnis,
M. K. Foy
Salmon, Lewis & Weldon
2850 E. Camelback Rd. Suite
200
Phoenix, AZ 85016

Kimberly R. Parks and Karen J.
Nielsen
Arizona Department of Water
Resources
1110 West Washington, Suite
310
Phoenix, AZ 85007

L. J. Caster, B.J. Heiserman, B.
J. Pew
Fennemore Craig, P.C.
2394 East Camelback Road
Ste 600
Phoenix, AZ 85016-3429

L. William Staudenmaier
Snell & Wilmer, L. L. P.
One E. Washington Street
Suite 2700
Phoenix, AZ 85004

Lee Storey & Alexandra
Arboleda
TSL Law Group, PLC
8767 E. Via De Ventura, Suite
126
Scottsdale, AZ 85258

R. Lee Leininger, David W.
Gehlert
U.S. Department of Justice
Environment & Natural
Resources Division
Natural Resources Section
999 18th Street, S. Terrace,
Suite 370
Denver, CO 80202

Rhett Billingsley
Fennemore Craig, P.C.
2394 E. Camelback Rd. Ste.
600
Phoenix, AZ 85016

Susan B. Montgomery, Robyn
Interpreter,
Kristyne M. Schaaf-Olson
Montgomery & Interpreter PLC
3301 E. Thunderbird Road
Phoenix, AZ 85032

Sean Hood
Fennemore Craig, P.C.
2394 E Camelback Rd, St 600
Phoenix, AZ 85016-3429

Sonia M. Blain & Janis L.
Bladine
Tempe City Attorney's Office
21 E. Sixth Street #201
Tempe, AZ 85281

Sherri L. Zendri
Special Master
Central Court Building, Ste 3A
201 West Jefferson
Phoenix, AZ 85003-2205

Thomas L. Murphy
Gila River Indian Community
Office of the General Counsel
P. O. Box 97
Sacaton, AZ 85147

Todd C. Wiley
Liberty Utilities (Bella Vista
Water)
14920 West Camelback Road
Litchfield Park, AZ 85340

William H. Anger & Michael P.
Rolland
Engelman Berger, P.C.
2800 N. Central Ave., Ste.
1200
Phoenix, AZ 85004

William Sullivan
Law Ofcs of William P. Sullivan
P.L.L.C.
3240 East Union Hills Drive,
Ste. 117
Phoenix, AZ 85050

Yosef M. Negose
U.S. Department of Justice -
ENRD
Indian Resources Section
P.O. Box 7611
Washington, DC 20044