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4 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
5 **IN AND FOR THE COUNTY OF MARICOPA**

6 IN RE: THE GENERAL  
7 ADJUDICATION OF ALL RIGHTS  
8 TO USE WATER IN THE GILA  
9 RIVER SYSTEM AND SOURCE

Contested Case No. W1-11-1865

**ORDER SCHEDULING ORAL  
ARGUMENTS**

Assigned to Special Master Sherri Zendri

10 **CONTESTED CASE NAME:** *In re Thomas and Leonora Farnsworth*

11 **HSR INVOLVED:** San Pedro River Watershed Hydrographic Survey Report.

12 **DESCRIPTIVE SUMMARY:** Scheduling Oral Arguments for **August 15, 2023, at**  
13 **9:00 a.m.**

14 **NUMBER OF PAGES:** 6

15 On May 3, 2023, Craig Dziadowicz and Danielle Middlebrook (“Claimants”) filed  
16 a Motion to Set Aside Order Dated February 22, 2019. Salt River Project (“SRP”) filed a  
17 Response to the Claimant’s Motion on May 22, 2023, and Claimants filed a Reply June 5,  
18 2023. The Court, having reviewed all the documents, including the case initiation order  
19 dated December 24, 2018:

20 **IT IS HEREBY ORDERED** scheduling an oral argument on the Motion for  
21 **Tuesday, August 15, 2023, at 9:00 am.** Claimants should be prepared to discuss the  
22 following:

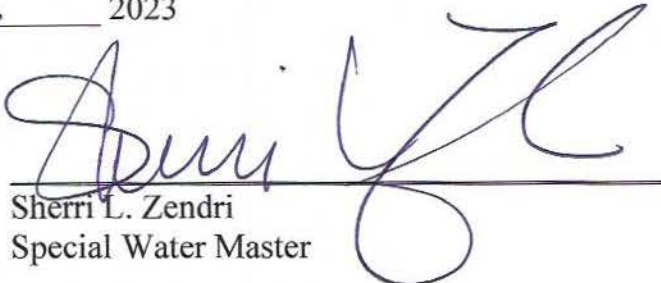
23 1. How the Claimants meet the standard of “extraordinary circumstances of

1 hardship or injustice justifying relief,” *Hilgeman v. Am. Mortg. Sec., Inc.*,  
2 196 Ariz. 215, 220, 994 P.2d 1030, 1035 (Ct. App. 2000)?

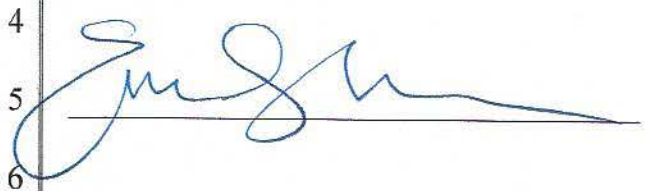
- 3 2. What are the particular circumstances of this case so unique that setting aside  
4 the February 22, 2019, Order (“*Order to Dismiss*”) would not create a crack  
5 in the finality of the adjudication process and jeopardize other dismissed  
6 cases?
- 7 3. If the Court did set aside the *Order to Dismiss*, what would the result be to  
8 potential water rights holder’s junior to the Farnsworth’s, that were elevated  
9 in priority as a result of the *Order to Dismiss*?

10 The oral argument will be held using the Court Connect program. Instructions for  
11 Court Connect are attached as Attachment A. If you receive this Order by email, click on  
12 the red box “Join Court Connect Hearing” on the attached instructions to make an  
13 appearance. If you do not receive this Order by email, log into the Court Connect program  
14 on the internet by typing <https://tinyurl.com/specialwatermaster>. If you do not have  
15 access to the internet, you may attend telephonically using the telephone number and  
16 access code included in the instructions for Court Connect.

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18 Signed this 21 day of June 2023

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\_\_\_\_\_  
Sherri L. Zendri  
Special Water Master

1 ORIGINAL of the foregoing delivered to the  
2 Clerk of the Maricopa County Superior Court  
3 on the 21 day of June,  
4 2023, for filing and distribution to all persons  
5 listed on the Court Approved Mailing List for  
6 Case No. W1-11-1865.

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Court Approved Mailing List  
In re Thomas and Leonora Farnsworth, Contested Case No. W1-11-1865  
W1-11-1865 (11 Names)  
Prepared by the Special Master  
6/21/2023

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# **ATTACHMENT A**

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## Court Connect Hearing Notice for In re Thomas and Leonora Farnsworth

*This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.*

*All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.*

**Participants:** Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

**Case Name:** In re Thomas and Leonora Farnsworth, Contested Case No. W1-11-1865

**Start Date/Time:** August 15, 2023 at 9:00 a.m.

**JOIN COURT CONNECT HEARING**

**Dial-in Information:** +1 917-781-4590

**Private Dial-in Information:** for privacy purposes, you can block your phone number by dialing \*67 +1 917-781-4590

**Dial-in Access Code:** 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)

