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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**

Case No.: 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, W1-11-2128

**ORDER DENYING MOTION TO  
LIMIT ENTRY AND DENYING  
ENTRY ONTO LAND**

and

**ORDER SETTING DEADLINES TO  
RESPOND AND REPLY TO  
MOTION TO PRECLUDE  
PARTICIPATION OF GILA RIVER  
INDIAN COMMUNITY AND  
UNITED STATES AS TRUSTEE**

**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 B. Singer (W1-11-2111); In re San Pedro Investments (W1-11-2119); In re Robin L. and Linda M. Richey (W1-11-2128).*

**HSR INVOLVED:** San Pedro River Watershed

**DESCRIPTIVE SUMMARY:** Order to postpone consideration of Gila River Indian Community and the United States’ motion for entry onto land. Responses to related motions to preclude participation of the Gila River Indian Community and the United States as Trustee must be filed by **June 25, 2024**. Replies must be filed by **July 10, 2024**.

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1 On May 15, 2024, the St. David Irrigation District (“SDID”) filed “St. David  
2 Irrigation District’s Motion to Preclude Participation of Gila River Indian Community  
3 and United States as Trustee Pursuant to Water Rights Settlement Agreement”  
4 regarding contested cases *In re Orie Alvin Owens, Sr., et al.* (W1-11-2081); *In re*  
5 *Valley National Bank* (W1-11-2089); *In re William & Esther Taylor* (W1-11-2090); *In re*  
6 *Ruth B. Singer* (W1-11-2111); *In re San Pedro Investments* (W1-11-2119); *In re*  
7 *Robin L. and Linda M. Richey* (W1-11-2128) (collectively “Contested Cases”). On  
8 May 22, 2024, C-Spear LLC filed “C-Spear LLC’s Motion to Preclude Participation of  
9 Gila River Indian Community and United Staes as Trustee Pursuant to Water Rights  
10 Settlement Agreement” regarding contested case W1-11-2697. Also on May 22, 2024,  
11 Krili Land LLC and Bodie 9 LLC filed “Motion to Preclude Participation of Gila River  
12 Indian Community and United States as Trustee Pursuant to Water Rights Settlement  
13 Agreement” regarding contested case W1-11-2708. At the time of this filing, the Court  
14 has not received responses from the Gila River Indian Community (“GRIC”) or the  
15 United States (“US”).

16 On May 31, 2024, SDID filed a “Motion to Limit the Scope of the Requested  
17 Entries” (“Motion”) regarding requests by GRIC and the US to enter onto the lands at  
18 issue in the Contested Cases. It is understood by this latest motion from SDID that  
19 GRIC and the US request to “inspect, measure, survey, photograph, test, or sample the  
20 property, in particular, past and present points of diversion, including wells and pumps;  
21 past and present means of conveyance, including canals, ditches and irrigation  
22 connections to irrigated fields; and past and present irrigated lands,” in some cases  
23 using drone photography and videography. Motion at 2. SDID’s motion also notes  
24 that the deadline for disclosure of expert opinions in the each of the Contested Cases  
25 was March 2024. *Id.* at 3.

26 While there is currently a motion before the Court requesting clarification on  
27 whether GRIC and the US as Trustee are permissible parties to the matter, it is not  
28 sensible to spend time and resources evaluating a request for entry onto the land of any

1 of the Contested Cases, by GRIC and the US.

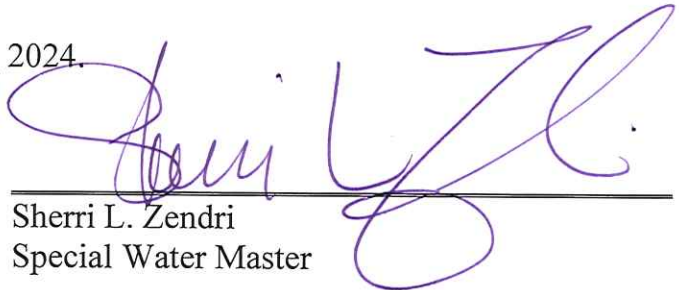
2 **THEREFORE, IT IS ORDERED** postponing consideration of SDID's  
3 motion to limit the scope of the requested entries.

4 **IT IS FURTHER ORDERED** denying entry onto the land of any of the  
5 Contested Cases, by GRIC and the US, until after the Court has determined whether  
6 GRIC and the US, as Trustee, may participate in the Contested Cases.

7 **IT IS FURTHER ORDERED** that the Arizona Rules of Civil Procedure shall  
8 govern deadlines for motions involving issues specific to these Contested Cases.

9 **IT IS FURTHER ORDERED** that the deadlines for responses to the three  
10 Motions to Preclude GRIC and the US as Trustee shall be **June 25, 2024**. The reply  
11 deadline will be **July 10, 2024**.

12  
13 Signed this 4<sup>th</sup> day of June 2024.

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17 Sherri L. Zendri  
Special Water Master

18 The original of the foregoing was  
19 delivered to the Clerk of the Maricopa  
20 County Superior Court on  
21 June 4, 2024, for  
22 filing and distributing a copy to all persons  
23 listed on the Court Approved Mailing List  
24 for these contested cases.

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26 \_\_\_\_\_  
27 Emily Natale  
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