

MARICOPA COUNTY CLERK OF SUPERIOR COURT

W1-103

In re Subflow Technical Report, San Pedro River Watershed

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Doc. No	File Date	Document Description
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**178**    **03-17-2005**    **MINUTE ENTRY**

SUMMARY: IT IS ORDERED a hearing will be held on the Special Master's Motion for Approval of the Subflow Report and the objections and comments directed to this request on July 13, 2005, at 2:00 p.m. at the following location: Old Courthouse, 125 W. Washington, Courtroom 309, Phoenix, AZ

CLAIMANT NO: Not Applicable

PAGES: 2

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<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
<b>179</b>	<b>07-13-2005</b>	<b>TRANSCRIPTS</b> <u>SUMMARY</u> : Transcripts from the conference held on April 10, 2003 In Re Subflow Technical Report, San Pedro River Watershed. <u>CLAIMANT NO</u> : Not Applicable <u>PAGES</u> : 80
<b>180</b>	<b>07-13-2005</b>	<b>TRANSCRIPTS</b> <u>SUMMARY</u> : Transcripts of Proceedings (Hearing - Cross-Examination of Expert Witnesses) held on October 21-22, 2003. <u>CLAIMANT NO</u> : Not Applicable <u>PAGES</u> : 459
<b>181</b>	<b>07-13-2005</b>	<b>TRANSCRIPTS</b> <u>SUMMARY</u> : Transcripts of Proceedings (Oral Arguments) held on May 20, 2004. <u>CLAIMANT NO</u> : Not Applicable <u>PAGES</u> : 100
<b>182</b>	<b>07-12-2005</b>	<b>JOINT SUBMISSION OF PROPOSED SCHEDULE FOR ORAL ARGUMENT ON JULY 13, 2005</b> <u>SUMMARY</u> : The Salt River Project, Arizona Public Service Company, and Phelps Dodge Corporation, after consultation with counsel for various parties, submit a proposed schedule for oral argument to be held on July 13, 2005 regarding subflow issues. <u>CLAIMANT NO</u> : 39-07-1040, et al. <u>PAGES</u> : 4
<b>183</b>	<b>07-20-2005</b>	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : Argument is presented by Bill Staudenmaier, Bill Anger, Tom Wilmoth, Anthony Fines, Joe Sparks, John Hestand, Pat Berry, Lee Leiningner, and Mark McGinnis. Argument is presented by Jan Ronald on behalf of Arizona Department of Water Resources. Rebuttal argument is presented by Bill Staudenmaier, Bill Anger, Tom Wilmoth and Bill Anger. <u>CLAIMANT NO</u> : Not Applicable <u>PAGES</u> : 3

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Doc. No	File Date	Document Description
184	10-04-2005	<p><b>MINUTE ENTRY</b></p> <p><u>SUMMARY</u>: IT IS ORDERED, approving the Subflow Report as modified by this Order. IT IS FURTHER ORDERED, that with respect to the recommendations set forth in the Special Master's Report: (1) The Court approves and adopts , as modifications to the Subflow Report, Recommendations Nos. 1-5 , 7-11, 13, 14, 20-30,&amp; 31. (2) With respect to Recommendation No. 6, the Court approves and adopts this recommendation, but notes that ADWR shall include as part of the subflow zone any areas determined to fall within the ephemeral stream exception discussed above. (3) If ADWR determines, with respect to any specific area, it cannot delineate a reasonably accurate and reliable subflow zone, it shall proceed in accordance with Recommendation No. 12. (4) Recommendation No. 15, as clarified by this Order, is approved and adopted. (5) Recommendation Nos. 16, 17, and 32 are not approved and adopted. (6) Recommendation Nos. 18, 19, 29, 33, 34, 36, 37, 38, and 39 are approved and adopted to the extent consistent with this Order. (7) Recommendation No. 28 is not approved and adopted. ADWR shall utilize a reasonably reliable steady state model for use in evaluating the effect of cones of depression. (8) The Court approves and adopts Special Master's Recommendation No. 35 to the extent modified by this Court's holdings. (9) The Special Master is directed to seek input from the Department and claimants and take such other necessary steps to fashion standards for identifying non-domestic <i>de minimis</i> water uses. IT IS FURTHER ORDERED, that claimants shall be provided a period of one hundred eighty (180) days from the filing date to file timely objections and comments to technical reports containing ADWR's subflow zone determinations.</p> <p><u>CLAIMANT NO</u>: Not Applicable</p> <p><u>PAGES</u>: 43</p>

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<b>Doc. No</b>	<b>File Date</b>	<b>Document Description</b>
<b>185</b>	<b>12-19-2005</b>	<b>MINUTE ENTRY</b> <u>SUMMARY</u> : The Court will consider the Verde Ditch Company's Motion to Intervene in the Order to Show Cause Hearing Regarding Salt River Project Agricultural Improvement and Power District, Salt River Valley Water Users' Association vs. Verde River Ranch, L.L.C. at the December 13-14, 2005, evidentiary hearing. The San Carlos Apache Tribe, Tonto Apache Tribe, and Yavapai-Apache Nation will file their response to the Verde Ditch Company's Motion to Intervene prior to the December 13, 2005, evidentiary hearing. <u>CLAIMANT NO</u> : Not Applicable <u>PAGES</u> : 2
<b>186</b>	<b>12-27-2005</b>	<b>ARIZONA PUBLIC SERVICE COMPANY'S, PHELPS DODGE CORPORATION'S AND ROOSEVELT WATER CONSERVATION DISTRICT'S NOTICE OF FILING PETITION FOR INTERLOCUTORY REVIEW</b> <u>SUMMARY</u> : Arizona Public Service Company, Phelps Dodge Corporation and Roosevelt Water Conservation District submit this Notice of Filing Petition for Interlocutory Review of portions of the Trial Court's Order dated September 28, 2005. <u>CLAIMANT NO</u> : 39-34900, et al. <u>PAGES</u> : 2 + 330 (Attachments) = 332 (Total)
<b>187</b>	<b>12-30-2005</b>	<b>CITIES' PETITION FOR INTERLOCUTORY REVIEW</b> <u>SUMMARY</u> : The Cities of Chandler, Glendale, Mesa, and Scottsdale Petition for Interlocutory Review relating to a portion of the trial court's subflow order filed September 28, 2005 ("Ballinger's Order"). <u>CLAIMANT NO</u> : None Given <u>PAGES</u> : 43

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