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12 *Improvement and Power District and Salt River*
13 *Valley Water Users' Association*

14 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
15 **IN AND FOR THE COUNTY OF MARICOPA**

16 **IN RE: THE GENERAL**
17 **ADJUDICATION OF ALL RIGHTS**
18 **TO USE WATER IN THE GILA**
19 **RIVER SYSTEM AND SOURCE**

No. W-1 (Salt)
No. W-2 (Verde)
No. W-3 (Upper Gila)
No. W-4 (San Pedro)

Contested Case No. W1-103

SALT RIVER PROJECT'S INITIAL
RULE 26.1 DISCLOSURE
STATEMENT

(Assigned to the Hon. Mark H. Brain)

(Referred to Special Master Susan Ward
Harris)

Descriptive Summary: The Salt River Project submits its initial Rule 26.1 disclosure statement with regard to proceedings on the Arizona Department of Water Resources' proposed cone of depression test methodology.

Statement of Claimant Nos.: 39-07-1040, -1041, -1998, -1206, -1207; 39-0550053, -50054, -50055; 39-68-35212 and -35213.

Date of Filing: August 18, 2017.

Number of Pages: 5 + 4 (attachments) = 9 (total).

1 Pursuant to the Special Master's Case Management Order dated April 6, 2017 and Rule
2 26.1 of the Arizona Rules of Civil Procedure, the Salt River Project Agricultural Improvement
3 and Power District and Salt River Valley Water Users' Association (collectively, "SRP")
4 hereby submit their initial Rule 26.1 disclosure statement for proceedings relating to the cone
5 of depression test methodology proposed by the Arizona Department of Water Resources
6 ("ADWR").

7 **I. Factual Basis of the Claims**

8 The factual bases for SRP's objections are set forth in Salt River Project's Comments
9 on ADWR's Demonstration Project Report (March 6, 2017) ("SRP Comments") and Salt
10 River Project's Objections to ADWR's Cone of Depression Test Methodology (August 18,
11 2017) ("SRP Objections").

12 **II. Legal Theories Upon Which SRP's Claims Are Based**

13 The legal theories upon which SRP's objections are based are set forth in the SRP
14 Comments and the SRP Objections.

15 **III. Names, Addresses, and Telephone Numbers of any Witnesses Whom SRP Expects**
16 **to Call at Trial**

17 SRP expects that any hearing in this matter will involve expert testimony only. SRP
18 intends to call only the following witness:

19 Jon R. Ford
20 Leonard Rice Engineers, Inc.
21 1221 Auraria Parkway
22 Denver, CO 80204
23 (303) 455-9589

24 **IV. Names and Addresses of All Persons Whom SRP Believes May Have Knowledge**
25 **or Information Relevant to the Events, Transactions, or Occurrences That Gave**
26 **Rise to the Action**

27 This hearing relates to technical issues associated with ADWR's cone of depression
test methodology. Mr. Ford (listed above) has information relating to his opinions in this

1 matter. That information is contained in the reports that have been submitted along with
2 SRP's filings and those additional documents that are attached to this disclosure statement.
3 SRP further believes that the other parties' experts and staff at ADWR likely have information
4 regarding the disputed issues.

5 **V. Names and Addresses of All Persons Who Have Given Statements**

6 Aside from the reports of Mr. Ford discussed above and other reports and testimony
7 during prior hearings, SRP is aware of no written or oral statements regarding the issues to be
8 addressed in this matter.

9 **VI. Name and Address of Each Person Whom SRP Expects to Call as an Expert
10 Witness at Trial**

11 *See Section III, supra.*

12 **VII. Computation and Measure of Damages**

13 SRP is seeking no damages in this matter.

14 **VIII. Existence, Location, Custodian, and General Description of any Tangible
15 Evidence or Relevant Documents that SRP Plans to Use at Trial**

16 SRP anticipates that it likely will use exhibits at any trial in this matter, but SRP has
17 not at this time determined the extent of all documents that it will use as exhibits. SRP's
18 exhibits may include, without limitation, some or all of the following categories of
19 documents:

- 20 A. Any documents attached to or listed in this Disclosure Statement;
- 21 B. Any exhibits attached to any pleadings;
- 22 C. Any exhibits identified through further discovery; and
- 23 D. Any exhibits identified by any other party.

24 **IX. List of Documents that SRP Believes May Be Relevant to the Subject Matter of
25 This Action**

26 Exhibit 1 attached to this disclosure statement includes the documents cited in Mr.
27 Ford's expert report in this matter. Copies of those documents, other than those public
documents generated by ADWR or the Court and previously filed in this case, are available

1 from SRP's counsel upon request. SRP reserves its right to supplement this initial disclosure
2 statement as additional documents become available.

3 DATED this 18th day of August, 2017.

4 SALMON, LEWIS & WELDON, P.L.C.

5
6 By Mark A. McGinnis

7 John B. Weldon, Jr.
8 Mark A. McGinnis
9 R. Jeffrey Heilman
10 2850 East Camelback Road, Suite 200
11 Phoenix, Arizona 85016
12 Attorneys for SRP

11 ORIGINAL of the foregoing hand-delivered
12 this 18th day of August, 2017 to:

13 Clerk of the Superior Court of Maricopa County
14 101/201 West Jefferson
15 Phoenix, AZ 85003-2205

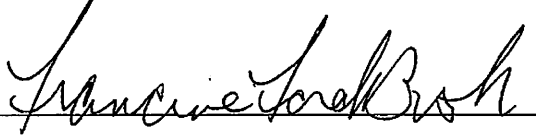
15 AND COPY hand-delivered this 18th day of
16 August, 2017 to:

17 Honorable Mark H. Brain
18 Maricopa County Superior Court
19 101 W. Jefferson, Suite 413
20 Phoenix, Arizona 85003

21 Special Master Susan Ward Harris
22 Arizona General Stream Adjudication
23 Maricopa County Superior Court
24 201 West Jefferson, Suite 5B
25 Phoenix, AZ 85003-2205

26 Arizona Department of Water Resources
27 Legal Division
Janet L. Miller
3550 North Central Avenue
Phoenix, AZ 85012

1 AND COPY mailed this 18th day of August, 2017
2 to all persons appearing on the Court-approved
3 mailing list in Contested Case No. W1-103 dated
4 July 25, 2017.

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EXHIBIT 1

EXHIBIT 1
Document List for Initial Rule 26.1 Disclosure Statement
08/18/2017

September 12, 1949

No	Date	Type	Author	Description
1.	00/00/1981	Article	K. G. Kissler, J.S. Haimson,	Estimations of Aquifer Characteristics Using Drillers' Logs, Hydrology and Water Resources in Arizona and the Southwest, 11, 113, http://hdl.handle.net/10150/301283
2.	00/00/1981	Article	M. A. Niccoli, M. R. Long	Determination of Transmissivity Values in the Salt River Valley Using Recovery Tests, Specific Capacity Data and DWR Driller Log Program, <i>Hydrology and Water Resources in Arizona and the Southwest</i> , 11, 117, http://hdl.handle.net/10150/301283
3.	00/00/1981	Study	K. Kissler, J.S. Haimson, T.W. Anderson	SWAB/RASA Aquifer Parameter Study, Phoenix, AZ: U.S. Geological Survey
4.	00/00/1982	Study	L.G. Evans, J.S. Haimson, T.W. Anderson	SWAB/RASA Aquifer Parameter Study, Phoenix, AZ: U.S. Geological Survey
5.	00/00/1986	Appendices	F. G. Driscoll	Groundwater and Wells (2 nd ed.) St. Paul, MN: U.S. Filter/Johnson Screens
6.	00/00/1989	Report	O. Strack	Groundwater Mechanics, Englewood Cliffs, New Jersey: Prentice Hall
7.	00/00/1991	Report	ADWR	Hydrographic Survey Report for the San Pedro Watershed, Order Re: <i>The General Adjudication of the Gila River System and Source</i> , Arizona Department of Water Resources
8.	06/00/1994	Order	Hon. Stanley Goodfarb	Order Re: <i>The General Adjudication of the Gila River System and Source</i> , WC-79-0004, Maricopa County
9.	00/00/1996	Report	S.N. Davis	Hydrogeology, New York, New York: John Wiley & Sons, Inc.
10.	00/00/1999	Report	D.R. Pool, A.L. Coes	U.S. Department of the Interior & U.S. Geological Survey, <i>Hydrogeologic Investigations of the Sierra Vista Subwatershed of the Upper San Pedro Basin, Cochise County, Southeast Arizona</i> (Water-Resources Investigations Report 99-4197), Tucson, Arizona
11.	00/00/2005	Order	Hon. E. Ballinger	Order Re: <i>the Report of the Special Master on the Arizona Department of Water Resources' Subflow Technical Report, San Pedro Watershed</i> . Submitted to the Court, Phoenix

EXHIBIT 1
Document List for Initial Rule 26.1 Disclosure Statement
08/18/2017

No	Date	Type	Author	Description
12.	00/00/2005	Report	ADWR	<i>Upper San Pedro Basin Active Management Area Review Report</i> . Phoenix, AZ: Guenther, Herbert R., Arizona Department of Water Resources
13.	00/00/2007	Report	D.R. Pool, J.E. Dickinson	<i>Groundwater Flow Model of the Sierra Vista Subwatershed and Sonoran Portions of the Upper San Pedro Basin, Southeastern Arizona, United States and Northern Sonora, Mexico</i> : U.S. Geological Survey (Scientific Investigations Report 2006-5228), Reston, Virginia
14.	00/00/2015	Report	J. R. Ford, Leonard Rice Engineers, Inc.	ADWR Initial Cone of Depression Test Progress Report, Denver, Colorado
15.	00/00/2015	Report	J.L. Miller, N.D. Klobas, ADWR	<i>Arizona Department of Water Resources: Initial Progress Report Concerning Implementation of Cone of Depression Tests</i> , Phoenix, AZ: Arizona Department of Water Resources, Legal Division
16.	10/00/2015		D. Rumbaugh	Personal Communication
17.	00/00/2016	Report	ADWR	Order Re: <i>The 3rd Progress Report Concerning General Adjudication of All Rights to Use Water in the Gila River System and Source</i> , Arizona Department of Water Resources, Legal Division
18.	07/11/2016	Report		In Re: San Pedro Subflow Technical Report, W1-W3, State of Arizona
19.	00/00/2017	Report	ADWR	<i>ADWR Demonstration Project Report: De Minimis Assessment & Cone of Depression Test Methodology</i> , Order Re: <i>The General Adjudication of the Gila River System and Source</i> , Phoenix, Arizona
20.	00/00/2017	Guide	Environmental Simulations, Inc.	Guide to Using AquiferWin32
21.	00/00/2017	Comments	J. B. Weldon, M. A. McGinnis, J.R. Heilman; Salmon, Lewis & Weldon	Salt River Project's Comments of ADW's Demonstration Project Report, Phoenix, Arizona
22.	08/00/2017		J. Trembly	Personal Communication

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Document List for Initial Rule 26.1 Disclosure Statement
08/18/2017

No	Date	Type	Author	Description
23.	08/17/2017	Report	J. R. Ford, Leonard Rice Engineers, Inc.	Cone of Depression Test, Gila River Adjudication