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11 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
12 **IN AND FOR THE COUNTY OF MARICOPA**

13 IN RE THE GENERAL ADJUDICATION
14 OF ALL RIGHTS TO USE WATER IN
15 THE GILA RIVER SYSTEM AND
16 SOURCE

17 W-1 (Salt)
18 W-2 (Verde)
19 W-3 (Upper Gila)
20 W-4 (San Pedro)
21 (Consolidated)

22 Contested Case No. W1-106

23 **ARIZONA DEPARTMENT OF WATER**
24 **RESOURCES' DESIGNATION OF**
25 **WITNESSES**

26 Special Master Sherri Zendri

CONTESTED CASE NAME: *In re Subflow Technical Report, Verde River Watershed*

DESCRIPTIVE SUMMARY: The Arizona Department of Water Resources (“ADWR”) designates witnesses testifying on behalf of ADWR in the depositions scheduled to begin on February 26, 2024.

NUMBER OF PAGES: Five

DATE OF FILING: January 19, 2024

1 On January 16, 2024, The Salt River Project (“SRP”) filed a Notice of Deposition
2 of Arizona Department of Water Resources regarding ADWR’s technical reports on
3 potential *de minimis* uses of water in the Verde River watershed. Pursuant to the Rules
4 for Proceedings Before the Special Master A.R.S. § 9.02 (4), ADWR designates the
5 following witnesses that will testify in the depositions scheduled to begin on February 26,
6 2024 and the matters on which each person will testify:

7 Rachel Cook- Water Resources Supervisor, Adjudications Division, ADWR

- 8 • ADWR’s “Technical Report, *De Minimis* Domestic Water Use in the Verde River
9 Watershed” filed December 3, 2021;
- 10 • ADWR’s opinions, analysis, or critiques on the factual statements made in SRP’s
11 “Proposal for Analyzing a Potential Domestic *De Minimis* Designation in the
12 Verde River Watershed” that was filed on March 14, 2022;
- 13 • ADWR’s Response to SRP’s “Proposal for Analyzing a Potential Domestic *De*
14 *Minimis* Designation in the Verde River Watershed” filed April 4, 2022; and
- 15 • ADWR’s opinions, analysis, and/or critiques of other technical experts’
16 reports/disclosure statements, including: Section I of SRP’s Second Supplemental
17 Rule 26.1 Disclosure Statement dated December 29, 2023; Sections I and II of the
18 Arizona State Land Department’s (“ASLD”) Second Supplemental Rule 26.1
19 Disclosure Statement dated December 29, 2023; Section II(a) of the Town of
20 Chino Valley’s Initial Rule 26.1 Disclosure Statement dated October 26, 2023; the
21 October 2023 report from LRE Water entitled “Expert Comments on ADWR
22 Technical Report Re: ‘*De Minimis*’ Domestic Uses in the Verde River
23 Watershed,” which report was disclosed by SRP on October 27, 2023 and is
24 labeled as SRP000001 through -65; the October 2023 report from Harvey
25 Economics entitled “Review of Approaches to Determining *De Minimis* Domestic
26

1 Water Uses in the Verde River Watershed,” which report was disclosed by SRP on
2 October 27, 2023 and is labeled as SRP000066 through -103; the October 2023
3 report from Mike Kellogg of JE Fuller Hydrology and Geomorphology entitled
4 “Analysis of Arizona Department of Water Resources Technical Report: *De*
5 *Minimis* Domestic, Stockpond, and Stock and Wildlife Watering Uses in the
6 Verde River Watershed (2022),” which report was disclosed by ASLD on October
7 27, 2023 and is labeled as ASLD-DEMINIMIS VERDE 000009 through -000021;
8 the December 2023 report from LRE Hydrology entitled “Rebuttal Expert Report
9 Re: ‘*De Minimis*’ Domestic Uses in the Verde River Watershed,” which report
10 was disclosed by SRP on December 29, 2023 and is labeled as SRP001402
11 through -1417; the December 2023 memorandum report from Mike Kellogg of JE
12 Fuller Hydrology and Geomorphology that was disclosed by ASLD on December
13 29, 2023 and is labeled as ASLD-DEMINIMIS VERDE 003493 through -3497.

14 Kevin Hadder- Hydrogeologist Associate, Adjudications Division, ADWR

- 15 • Hydrological and geological questions and/or questions about stream gages related
16 to ADWR’s August 2022 “Technical Report, *De Minimis* Domestic, Stockpond,
17 and Stock and Wildlife Watering Uses in the Verde River Watershed” and related
18 objections;
- 19 • Hydrological and geological questions and/or questions about stream gages related
20 to SRP’s “Proposal for Analyzing a Potential Domestic *De Minimis* Designation in
21 the Verde River Watershed” that was filed on March 14, 2022 and ADWR’s
22 Response to SRP’s “Proposal for Analyzing a Potential Domestic *De Minimis*
23 Designation in the Verde River Watershed” filed April 4, 2022; and
- 24 • ADWR’s opinions, analysis, and/or critiques of other technical experts’
25 reports/disclosure statements, including: the October 2023 report from Mike
26

1 Kellogg of JE Fuller Hydrology and Geomorphology entitled “Analysis of
2 Arizona Department of Water Resources Technical Report: *De Minimis* Domestic,
3 Stockpond, and Stock and Wildlife Watering Uses in the Verde River Watershed
4 (2022),” which report was disclosed by ASLD on October 27, 2023 and is labeled
5 as ASLD-DEMINIMIS VERDE 000009 through -000021; the December 2023
6 report from LRE Hydrology entitled “Rebuttal Expert Report Re: ‘*De Minimis*’
7 Domestic Uses in the Verde River Watershed,” which report was disclosed by
8 SRP on December 29, 2023 and is labeled as SRP001402 through -1417; the
9 December 2023 memorandum report from Mike Kellogg of JE Fuller Hydrology
10 and Geomorphology that was disclosed by ASLD on December 29, 2023 and is
11 labeled as ASLD-DEMINIMIS VERDE 003493 through -3497.

12 Vincent Sutton- Water Resources Specialist III, Adjudications Division, ADWR

- 13 • Questions related to ADWR’s domestic use and stockpond analysis for
14 ADWR’s August 2022 “Technical Report, *De Minimis* Domestic, Stockpond,
15 and Stock and Wildlife Watering Uses in the Verde River Watershed” and
16 related objections;
- 17 • Questions related to ADWR’s domestic use analysis for ADWR’s “Technical
18 Report, *De Minimis* Domestic Water Use in the Verde River Watershed” filed
19 on December 3, 2021; and
- 20 • Questions related to domestic demand calculations in SRP’s “Proposal for
21 Analyzing a Potential Domestic *De Minimis* Designation in the Verde River
22 Watershed” that was filed on March 14, 2022 and ADWR’s Response to SRP’s
23 “Proposal for Analyzing a Potential Domestic *De Minimis* Designation in the
24 Verde River Watershed” filed April 4, 2022.

1 Kyli Denton- Water Resources Specialist II, Adjudications Division, ADWR

- 2 • Questions related to ADWR’s wildlife and stockwatering analysis for ADWR’s
3 August 2022 “Technical Report, *De Minimis* Domestic, Stockpond, and Stock and
4 Wildlife Watering Uses in the Verde River Watershed” and related objections.

5 The original of this Notice is being filed with the Clerk and a copy is being posted
6 to ADWR’s website at: <https://www.azwater.gov/adjudications>.

7 **DATED** this 19th day of January, 2024.

8 ARIZONA DEPARTMENT OF WATER
9 RESOURCES

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11 _____
12 Kimberly R. Parks, Deputy Counsel
13 Karen J. Nielsen, Deputy Counsel

14 ORIGINAL of the foregoing sent by first-class
15 mail on January 19, 2024, to:

16 Clerk of the Maricopa Superior Court
17 Attn: Water Case
18 601 W. Jackson Street
19 Phoenix, Arizona 85003

20 COPY of the foregoing sent by
21 first-class mail on January 19, 2024, to:

22 Special Master Sherri Zendri
23 Maricopa County Superior Court
24 Central Court Building
25 201 West Jefferson Street, Suite 3A
26 Phoenix, AZ 85003-2205

COPIES of the foregoing sent by first-class
mail on January 19, 2024 to all parties
on the court-approved mailing list for Contested
Case No. W1-106.

