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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' REQUEST FOR**  
25 **EXTENSION OF TIME**

26 Special Master Sherri Zendri

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

**HSR INVOLVED:** None

**DESCRIPTIVE SUMMARY:** The Arizona Department of Water Resources hereby requests an extension of time until May 31, 2024 to file its comments in response to three motions for summary judgment recently filed in the above- referenced matter.

**NUMBER OF PAGES:** Three

**DATE OF FILING:** April 18, 2024

1 On Friday, April 12, 2024, the Salt River Project Agricultural Improvement and  
2 Power District and Salt River Valley Water Users' Association (collectively "SRP") filed  
3 three separate Motions for Partial Summary Judgment<sup>1</sup> regarding issues related to  
4 ADWR's Technical Report<sup>2</sup> on potentially *de minimis* uses in the Verde River watershed.  
5 Under Rule 56 (c)(2) of the Arizona Rules for Civil Procedure, responses to the motions  
6 are due within 30 days, or May 13, 2024.

7 Given that there are three separate motions requiring a response from ADWR,  
8 ADWR hereby requests an extension of time until May 31, 2024 to file comments in  
9 response to these motions. Legal Counsel for ADWR will be on medical leave beginning  
10 April 22, 2024 for one to two weeks. Additionally, under the Rules for Proceedings  
11 Before the Special Master § 9.08(5), ADWR is required to receive deposition transcripts;  
12 however, as of the date of this filing, ADWR has not received deposition transcripts for  
13 the expert depositions taken by SRP or the Arizona State Land Department relating to  
14 ADWR's Technical Report on potentially *de minimis* uses in the Verde River watershed  
15 which are cited in SRP's Consolidated Statement of Facts<sup>3</sup> and which will be necessary to  
16 craft responses.<sup>4</sup>

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17 <sup>1</sup> Salt River Project's Motion for Partial Summary Judgment Regarding Water  
18 Availability for Summary Adjudication Determination (Thorson Factor 1); Salt River  
19 Project's Motion for Partial Summary Judgment Regarding Number of Uses for Summary  
20 Adjudication Determination (Thorson Factor 2); and Salt River Project's Motion for  
21 Partial Summary Judgment Regarding Impact of Uses for Summary Adjudication  
22 Determination (Thorson Factor 3), all filed April 12, 2024.

23 <sup>2</sup> ADWR's Technical Report: *De Minimis* Domestic, Stockpond, and Stock and Wildlife  
24 Watering Uses in the Verde River Watershed filed August 2022.

25 <sup>3</sup> Salt River Project's SRP's Consolidated Statement of Facts in Support of its Motions for  
26 Partial Summary Judgment Regarding Water Availability, Number of Uses, and Impact of  
27 Uses (Thorson Factors 1-3) for Summary Adjudication Determination filed April 12,  
28 2024.

<sup>4</sup> ADWR requested the deposition transcripts from both SRP and ASLD at the time of the  
depositions and via email. At the time of the depositions, both parties indicated a  
willingness to comply with Rule 9.08(5).

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**RESPECTFULLY SUBMITTED** this 18th day of April, 2024.

ARIZONA DEPARTMENT OF WATER  
RESOURCES



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Kimberly R. Parks, Deputy Counsel  
Karen J. Nielsen, Deputy Counsel

**ORIGINAL** of the foregoing sent by  
first-class mail on April 18, 2024, to:

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

**COPY** of the foregoing sent by  
first-class mail on April 18, 2024, to:

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

**COPIES** of the foregoing sent by  
first-class mail on April 18, 2024 to all  
parties on the court-approved mailing list  
for Contested Case No. W1-106.



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