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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

W-1 (Salt)  
W-2 (Verde)  
W-3 (Upper Gila)  
W-4 (San Pedro)  
(Consolidated)

Case No. W1-106

**ARIZONA DEPARTMENT OF  
WATER RESOURCES' NOTICE OF  
PROVIDING SUPPLEMENTAL  
PUBLIC RECORDS**

Special Master Sherri Zendri

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

**DESCRIPTIVE SUMMARY:** The Arizona Department of Water Resources (“ADWR”) files this notice to inform the Court of its supplemental public records disclosure to the Parties to this contested case.

**NUMBER OF PAGES:** Three and six-page attachment

**DATE OF FILING:** September 11, 2024

1 On August 30, 2024, ADWR filed its Notice of Production of Public Records and  
2 Continued Public Records Review (“Notice”) after providing those records to the Court  
3 and Parties via email. Additionally, in that Notice, ADWR informed the Court that, at the  
4 request of ADWR Counsel, the Public Records Request team (“PRR team”) was re-  
5 running the inquires related to the originating public records requests.

6 Since sending its initial batch of records, counsel for the Salt River Project  
7 Agricultural Improvement and Power District and Salt River Valley Water Users’  
8 Association (collectively, “SRP”) notified ADWR Counsel that certain attachments were  
9 missing from its initial production of records and further requested emails from Ms. Joy  
10 Hernbrode be included in a supplemental public records production.<sup>1</sup>

11 ADWR has provided SRP, the other Parties to this contested case, and the Court a  
12 copy of the attachments identified by SRP where available via email on September 11,  
13 2024. However, one record, Maps showing ground-water conditions in the lower Big  
14 Chino Valley and Williamson Valley areas, Yavapai and Coconino Counties, Arizona--  
15 1975-76, was unable to be located at ADWR. This record was referenced in an email sent  
16 by a former ADWR employee, and was not relied upon by ADWR staff when delineating  
17 the Verde River Watershed Subflow Zone. A screenshot of the source referenced in the  
18 email is provided within the production of records, however. Additionally, the PRR team  
19 is searching Ms. Hernbrode’s emails as part of the comprehensive re-run of the  
20 originating public records request inquiries. Thus, any responsive communications  
21 coming from Ms. Hernbrode will be produced at the culmination of that search and is  
22 unavailable at this time.

23 All records produced related to these filings to date are available to view online at:  
24 <https://bit.ly/47jVWlv>. Additionally, all supplemental public records disclosed resulting

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25  
26 <sup>1</sup> See Attachment A.

1 from SRP's notification to ADWR Counsel are identified in the third column of  
2 Attachment B to this filing.

3 **DATED** this 11th day of September, 2024.

4 ARIZONA DEPARTMENT OF WATER  
5 RESOURCES

6   
7 \_\_\_\_\_  
8 Kimberly R. Parks, Deputy Counsel  
9 Karen J. Nielsen, Deputy Counsel

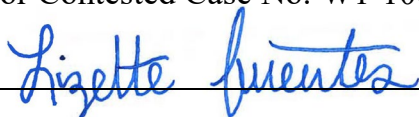
10 **ORIGINAL** of the foregoing sent by first-class  
11 mail on September 11, 2024, to:

12 Clerk of the Maricopa Superior Court  
13 Attn: Water Case  
14 601 W. Jackson Street  
15 Phoenix, Arizona 85003

16 **COPY** of the foregoing sent by  
17 electronic mail on September 11, 2024, to:

18 Special Master Sherri Zendri  
19 [water@jbazmc.maricopa.gov](mailto:water@jbazmc.maricopa.gov)

20 **COPIES** of the foregoing sent by first-class  
21 mail on September 11, 2024, to all parties  
22 on the court-approved mailing list and  
23 electronic copies have also been sent to those  
24 parties that have provided email contact information,  
25 for Contested Case No. W1-106.

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# **ATTACHMENT A**

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

Attorneys at Law

602-801-9086

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Phoenix, Arizona 85016  
Telephone 602-801-9060  
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kmu@slwplc.com

September 5, 2024

## **VIA EMAIL**

Kim Parks and Karen Nielson

kparks@azwater.gov

knielsen@azwater.gov

Re: *In re Subflow Technical Report, Verde River Watershed (W1-106),  
Supplemental Public Records Production*

Dear Kim and Karen:

Thank you for providing the Salt River Project Agricultural Improvement and Power District and the Salt River Valley Water Users' Association (collectively, "SRP") and the parties to the above-referenced contested case ("Parties") with the Arizona Department of Water Resources' ("ADWR") first supplemental public records production. Based upon ADWR's Notice of Production of Public Records and Continued Public Records Review, filed with the Court on August 30, 2024, it is SRP's understanding that ADWR is continuing its review of potentially responsive documents and will provide SRP and the Parties with at least one additional supplemental production.

After reviewing the 90 documents produced in ADWR's first supplemental production, SRP identified several emails where the attachment to the email was not provided. Some emails included hyperlinks to documents that SRP could not access. In addition, one of the emails was produced in a format that omitted portions of the text as well as the photos that were embedded within the body of the email. The missing attachments and linked documents, and the emails to which those documents were attached or linked, are identified in the table below.

Additionally, several of the documents produced in ADWR's first supplemental production refer to communications or direction from Ms. Joy Hernbrode. However, it does not appear as though Ms. Hernbrode's emails or other records were searched for responsive documents. Because SRP must notify the Court of the results of ADWR's supplemental public records production, SRP would appreciate ADWR providing the documents identified in the table below, as well as responsive documents from Ms. Hernbrode, as expeditiously as possible. I am happy to discuss should you have any questions.

Sincerely,

/s/ Kathryn M. Ust

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

Kathryn M. Ust

File Name	Name of Missing Attachment or Linked Document
Comments on potential subflow zone recon and mapping map dated Feb 17_memo_sml	<a href="https://azwater.sharepoint.com/sites/Gila%20River%20Adjudication/Shared%20Documents/Forms/AllItems.aspx?originalPath=aHR0cHM6Ly9hendhdGVyLnNoYXJlcG9pbmQuY29tLzpmOi9zL0dpbGElMjBSaXZlciUyMEFkanVkaWNhdGlvi9FdGl3cmVDZXkzMU5xRzI0NEg0OWZIOEJjbVdQQjNlbUxZOVRyLVFCbHBhT0Z3P3J0aW1lPWw4dEhCVFBVMkVn&amp;id=%2Fsites%2FGila%20River%20Adjudication%2FShared%20Documents%2FW1%2D106%20Verde%20River%20Watershed%2FTechnical%20Work%2FSubflow%2FStreams%2FPDF%5FMaps%2FVerde%5FStreams%5F20210218%2Epdf&amp;parent=%2Fsites%2FGila%20River%20Adjudication%2FShared%20Documents%2FW1%2D106%20Verde%20River%20Watershed%2FTechnical%20Work%2FSubflow%2FStreams%2FPDF%5FMaps">https://azwater.sharepoint.com/sites/Gila%20River%20Adjudication/Shared%20Documents/Forms/AllItems.aspx?originalPath=aHR0cHM6Ly9hendhdGVyLnNoYXJlcG9pbmQuY29tLzpmOi9zL0dpbGElMjBSaXZlciUyMEFkanVkaWNhdGlvi9FdGl3cmVDZXkzMU5xRzI0NEg0OWZIOEJjbVdQQjNlbUxZOVRyLVFCbHBhT0Z3P3J0aW1lPWw4dEhCVFBVMkVn&amp;id=%2Fsites%2FGila%20River%20Adjudication%2FShared%20Documents%2FW1%2D106%20Verde%20River%20Watershed%2FTechnical%20Work%2FSubflow%2FStreams%2FPDF%5FMaps</a>
Redacted_State of Arizona Mail - Big Chino Wash source location, 1876	Big Chino Wash on 1876 map_MEMO_sml.pdf
State of Arizona Mail - AZGS Task 1 Tech Memo	<p><b>Tech memo:</b>  <a href="https://azwater.sharepoint.com/:f/s/Gila%20River%20Adjudication/EnK7CM3b6JhBuBp_2wda74QBSdMp-B9nhzd2xZgGMrN6Fw?e=pL4tVu">https://azwater.sharepoint.com/:f/s/Gila%20River%20Adjudication/EnK7CM3b6JhBuBp_2wda74QBSdMp-B9nhzd2xZgGMrN6Fw?e=pL4tVu</a></p> <p><b>Miro board:</b> <a href="https://miro.com/app/board/o9J_1-9hcR0=/">https://miro.com/app/board/o9J_1-9hcR0=/</a></p>
State of Arizona Mail - Big Chino aerial photos	Portions of the text and the photos embedded within the body of this email were omitted.
State of Arizona Mail - groundwater & ag map - upper Verde	<a href="https://portal.azoah.com/oedf/documents/08A-AWS001-DWR/Beverly/197606%20USGS%20Wallace%20and%20Laney%20WRI%2076-78%20Groundwater%20Conditions.pdf">https://portal.azoah.com/oedf/documents/08A-AWS001-DWR/Beverly/197606%20USGS%20Wallace%20and%20Laney%20WRI%2076-78%20Groundwater%20Conditions.pdf</a>
State of Arizona Mail - river alluvium poster	Cook_2011_verde_alluvial mapping poster_GSA_smaller.pdf
State of Arizona Mail - USBR 1994 Big Chino Study	USBR_1994_Hydrology and hydrogeology_Sec 3 of 3_Big Chino Valley.pdf
State of Arizona Mail - Verde mapping table	Verde_Streams_Additional_Mapping.xlsx
State of Arizona Mail - Verde question	AZGS Verde contract.PDF
State of Arizona Mail - Verde River Watershed - Meeting Notes (02-16-2021)	<a href="https://azwater.sharepoint.com/:w/s/Gila%20River%20Adjudication/EVSJHIO9PplIvFCHFEBmP_kBBH0X2GUmTaH6d65iKRVEHw?e=7wUie8">https://azwater.sharepoint.com/:w/s/Gila%20River%20Adjudication/EVSJHIO9PplIvFCHFEBmP_kBBH0X2GUmTaH6d65iKRVEHw?e=7wUie8</a>
State of Arizona Mail - Verde Subflow Methods - selecting reaches for AZGS mapping	Methods for Identifying Potential Subflow Zones_2020-08-06.docx

# **ATTACHMENT B**

File Name	Name of Missing Attachment or Linked Document	Provided Document
Comments on potential subflow zone recon and mapping map dated Feb 17_memo_sml	<a href="https://azwater.sharepoint.com/sites/Gila%20River%20Adjudication/Shared%20Documents/Forms/AllItems.aspx?originalPath=aHR0cHM6Ly9hendhdGVyLnNoYXJlcG9pbmQuY29tLzpmOi9zL0dpbGE1MjBSaXZlciUyMEFkanVkaWNhdGlubi9FdGl3cmVDZXkzMU5xRzI0NEg0OWZIOEJjbVdQOjNlUxZOVRYLVFCbHBhT0Z3P3J0aW1lPWw4dEhCVFBVMkVn&amp;id=%2Fsites%2FGila%20River%20Adjudication%2FShared%20Documents%2FW1%2D106%20Verde%20River%20Watershed%2FTechnical%20Work%2FSubflow%2FStreams%2FPDF%5FMaps%2FVerde%5FStreams%5F20210218%2Epdf&amp;parent=%2Fsites%2FGila%20River%20Adjudication%2FShared%20Documents%2FW1%2D106%20Verde%20River%20Watershed%2FTechnical%20Work%2FSubflow%2FStreams%2FPDF%5FMaps">https://azwater.sharepoint.com/sites/Gila%20River%20Adjudication/Shared%20Documents/Forms/AllItems.aspx?originalPath=aHR0cHM6Ly9hendhdGVyLnNoYXJlcG9pbmQuY29tLzpmOi9zL0dpbGE1MjBSaXZlciUyMEFkanVkaWNhdGlubi9FdGl3cmVDZXkzMU5xRzI0NEg0OWZIOEJjbVdQOjNlUxZOVRYLVFCbHBhT0Z3P3J0aW1lPWw4dEhCVFBVMkVn&amp;id=%2Fsites%2FGila%20River%20Adjudication%2FShared%20Documents%2FW1%2D106%20Verde%20River%20Watershed%2FTechnical%20Work%2FSubflow%2FStreams%2FPDF%5FMaps%2FVerde%5FStreams%5F20210218%2Epdf&amp;parent=%2Fsites%2FGila%20River%20Adjudication%2FShared%20Documents%2FW1%2D106%20Verde%20River%20Watershed%2FTechnical%20Work%2FSubflow%2FStreams%2FPDF%5FMaps</a>	01_2021-02-18 Verde_Streams.pdf
Redacted_State of Arizona Mail - Big Chino Wash source location, 1876	Big Chino Wash on 1876 map_MEMO_sml.pdf	02_Big Chino Wash on 1876 map_MEMO_sml.pdf
State of Arizona Mail - AZGS Task 1 Tech Memo	<b>Tech memo:</b> <a href="https://azwater.sharepoint.com/:f:/s/Gila%20River%20Adjudication/EnK7CM3b6JhBuBp_2wda74QBSdMp-B9nhzd2xZgGMrN6Fw?e=pL4tVu">https://azwater.sharepoint.com/:f:/s/Gila%20River%20Adjudication/EnK7CM3b6JhBuBp_2wda74QBSdMp-B9nhzd2xZgGMrN6Fw?e=pL4tVu</a> <b>Miro board:</b> <a href="https://miro.com/app/board/o9J_1-9hcR0=/">https://miro.com/app/board/o9J_1-9hcR0=/</a>	<b>Tech memo:</b> 03_Redacted_AZGS Task 1_Memo.pdf <b>Miro board:</b> 03_AZGS Task 1_Miro board.jpg
State of Arizona Mail - Big Chino aerial photos	Portions of the text and the photos embedded within the body of this email were omitted.	04_State of Arizona Mail - Big Chino aerial photos.pdf
State of Arizona Mail - groundwater & ag map - upper Verde	<a href="https://portal.azoah.com/oedf/documents/08A-AWS001-DWR/Beverly/197606%20USGS%20Wallace%20and%20Laney%20WRI%2076-78%20Groundwater%20Conditions.pdf">https://portal.azoah.com/oedf/documents/08A-AWS001-DWR/Beverly/197606%20USGS%20Wallace%20and%20Laney%20WRI%2076-78%20Groundwater%20Conditions.pdf</a>	05_Maps showing ground-water conditions in the lower Big Chino Valley and Williamson Valley areas, Yavapai and Coconino Counties, Arizona--1975-76.pdf
State of Arizona Mail - river alluvium poster	Cook_2011_verde_alluvial mapping poster_GSA_smaller.pdf	06_Cook_2011_verde_alluvial mapping poster_GSA_smaller.pdf
State of Arizona Mail - USBR 1994 Big Chino Study	USBR_1994_Hydrology and hydrogeology_Sec 3 of 3_Big Chino Valley.pdf	07_USBR_1994_Hydrology and hydrogeology_Sec 3 of 3_Big Chino Valley.pdf
State of Arizona Mail - Verde mapping table	Verde_Streams_Additional_Mapping.xlsx	08_Verde_Streams_Additional_Mapping.xlsx
State of Arizona Mail - Verde question	AZGS Verde contract.PDF	09_AZGS Verde contract.pdf
State of Arizona Mail - Verde River Watershed -	<a href="https://azwater.sharepoint.com/:w:/s/Gila%20River%20Adjudication/EVSJHIO9PpllvFCHFEbmP_kBBH0X2GUmTaH6d65iKRVEHw?e">https://azwater.sharepoint.com/:w:/s/Gila%20River%20Adjudication/EVSJHIO9PpllvFCHFEbmP_kBBH0X2GUmTaH6d65iKRVEHw?e</a>	10_2021-03-30 Verde_Streams_Additional_Mapping.docx



Meeting Notes (02-16-2021)	=7wUie8	
State of Arizona Mail - Verde Subflow Methods - selecting reaches for AZGS mapping	Methods for Identifying Potential Subflow Zones_2020-08-06.docx	11_Methods for Identifying Potential Subflow Zones_2020-08-06.docx