

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0386

CENTER FOR BIOLOGICAL v. HOBBS, et al.

Appellate Case Information

Case Filed: 21-May-2025

Case Closed:

Dept/Composition

Department A

Hon. Samuel A Thumma
Hon. Andrew J Becke
Hon. Kent E Cattani

Side 1. CENTER FOR BIOLOGICAL DIVERSITY, INC., et al., Plaintiff/Appellant

(Litigant Group) CENTER FOR BIOLOGICAL DIVERSITY, INC., et al.

- Center for Biological Diversity Inc
San Padro Alliance
Robin Silver

Attorneys for: Plaintiffs/Appellants
Adriane Janet Hofmeyr, Esq. (AZ Bar No. 25100)

Side 2. KATHLEEN M. HOBBS, et al., Defendant/Appellee

(Litigant Group) KATHLEEN M. HOBBS, et al.

- Kathleen M Hobbs

Co Consl for: Defendant/Appellee Hobbs
Austin C Yost, Esq. (AZ Bar No. 34602)
Sambo Dul, Esq. (AZ Bar No. 30313)

(Litigant Group) ARIZONA DEPARTMENT OF WATER RESOURCES, et al.

- Arizona Department of Water Resources
Thomas Buschatzke

Attorneys for: Defendants/Appellees Water et al.
Nicole D Klobas, Esq. (AZ Bar No. 21350)
Emily Petrick, Esq. (AZ Bar No. 34524)
Sara Leopold, Esq. (AZ Bar No. 38208)
Jennifer Marie Heim, Esq. (AZ Bar No. 30756)

CASE STATUS

Apr 24, 2026.... Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2024-016330, Special Action, Scott A Blaney, Authoring Judge of Order.

DESCENDENT CASE(S)

ASC CV-26-0158-PR

OPEN DUE DATE

Petition for Review to ASC Due Due By: Friday, June 19, 2026 [1 extension]

Re: MEMORANDUM DECISION (Affirmed) Hon Kent E Cattani - Author; Hon Samuel A Thumma - Concur; Hon Andrew J Becke - Concur

CASE DECISION

24-Apr-2026 MEMORANDUM DECISION

Kent Cattani.....Author
Samuel Thumma.....Concur
Andrew Becke.....Concur

Filed: 24-Apr-2026 Mandate:
Decision Disposition
Affirmed

43 PROCEEDING ENTRIES

- 1. 21-May-2025 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 04/22/25
2. 21-May-2025 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 21-May-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 5-Jun-2025 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellant)
5. 10-Jun-2025 FILED: Appellants' Case Management Statement (Appellants)
6. 10-Jun-2025 FILED: Certificate of Service (Appellants)

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7.	12-Jun-2025	RECEIPT No.: 2025-00658 ; \$330.00, Authorization: #63011168536, Applied to: CENTER FOR BIOLOGICAL DIVERSITY, INC., et al. - Class A Filing Fee (\$330.00) Paid for: Adriane Janet Hofmeyr - By nCourt LLC
8.	13-Jun-2025	FILED: Notice of Attorney Substitution; Certificate of Service (Appellee/Hobbs)
9.	17-Jun-2025	FILED: Appellate Clerk Notice re: No Appellee's Fee; Appellant's Brief Due
10.	17-Jun-2025	FILED: Settlement Conference Program Notice
11.	24-Jun-2025	FILED: Ex Parte Application To Withdraw As Counsel With Client Consent; Certificate of Service (Appellee Hobbs)
12.	24-Jun-2025	ORDERED: Ex Parte Application To Withdraw As Counsel With Client Consent; Certificate of Service (Appellee Hobbs) = GRANTED. Steven C Lawrence ProTem Judge - Author
13.	15-Jul-2025	FILED: Appellants' Motion to Extend Time for Filing Opening Brief (Motion for Procedural Order); Certificate of Service: Appellants' Motion to Extend Time for Filing Opening Brief (Motion for Procedural Order) (Appellants)
14.	15-Jul-2025	ORDERED: Appellants' Motion to Extend Time for Filing Opening Brief (Motion for Procedural Order) (Appellants) = GRANTED. Due date Extended from Monday, 07-21-2025 to Thursday, 08-07-2025. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
15.	6-Aug-2025	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
16.	6-Aug-2025	FILED: Appendix to Appellants' Opening Brief (Appellant)
17.	5-Sep-2025	FILED: Unopposed Motion for Procedural Order to Extend Time to File Answering Briefs (First Request); Certificate of Service (Appellee Hobbs)
18.	8-Sep-2025	ORDERED: Unopposed Motion for Procedural Order to Extend Time to File Answering Briefs (First Request) (Appellee Hobbs) = GRANTED. Due date EXTENDED from Monday, 09-15-2025 to Wednesday, 10-15-2025. The court will not grant any further extension absent new and unforeseen circumstances. If the briefs are not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
19.	15-Oct-2025	FILED: Arizona Governor Katie Hobbs's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee Hobbs)
20.	15-Oct-2025	FILED: Appellees Arizona Department of Water Resources And Thomas Buschatzke's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee Water)
21.	3-Nov-2025	FILED: Appellants' Motion to Extend Time to File Reply Brief (Motion for Procedural Order); Certificate of Service: Appellants' Motion to Extend Time to File Reply Brief (Motion for Procedural Order) (Appellants)
22.	3-Nov-2025	ORDERED: Appellants' Motion to Extend Time to File Reply Brief (Motion for Procedural Order) (Appellants) = GRANTED. Due date EXTENDED from Tuesday, 11-04-2025 to Tuesday, 11-18-2025, Due date EXTENDED from Tuesday, 11-04-2025 to Tuesday, 11-18-2025. If the briefs are not timely filed, the court will submit this appeal for decision on the record and the filed briefs. The parties are encouraged to submit future extension motions at least 5 business days prior to the brief deadline. Melina Brill ProTem Judge - Author
23.	18-Nov-2025	FILED: Appellants' Reply Brief to Arizona Department of Water Resources; Certificate of Compliance; Certificate of Service (Appellant)
24.	18-Nov-2025	FILED: Appellants' Reply Brief to the Governor; Certificate of Compliance; Certificate of Service (Appellant)
25.	2-Dec-2025	FILED: Appellants' Request for Oral Argument; Certificate of Service: Appellants' Request for Oral Argument (Appellants)
26.	11-Dec-2025	ORDERED: Appellants' Request for Oral Argument (Appellants) = GRANTED. Hon Randall M Howe - Author
27.	26-Dec-2025	CLNDR: MONTHLY COURT CASE CALENDAR, Department A, 2-10-26, 09:30 am, COURTROOM 2.
28.	2-Jan-2026	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
29.	12-Jan-2026	FILED: Supplemented Superior Court e-Record with Revised Index of Record
30.	13-Jan-2026	FILED: Notice of Oral Argument
31.	27-Jan-2026	FILED: Return Receipt for Notice of Oral Argument, signed by Nicole D. Klobas on 01/27/2026 (Appellees Arizona Department of Water Resources)
32.	27-Jan-2026	FILED: Return Receipt for Notice of Oral Argument, signed by Austin C. Yost on 01/27/2026 (Appellee Hobbs)
33.	27-Jan-2026	FILED: Return Receipt for Notice of Oral Argument, signed by Adriane Hofmeyr on 01/27/2026 (Appellants)
34.	4-Feb-2026	FILED: Appellants' Unopposed Motion to Reschedule Oral Argument (Motion for Procedural Order) (Expedited Ruling Requested); Certificate of Service: Appellants' Unopposed Motion to Reschedule Oral Argument (Appellants)

**Court of Appeals, Division One**

**Civil Appeal**

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**43 PROCEEDING ENTRIES**

35. 4-Feb-2026 ORDERED: Appellants' Unopposed Motion to Reschedule Oral Argument (Motion for Procedural Order) (Expedited Ruling Requested) (Appellants) = GRANTED and vacating the conference and the oral argument initially scheduled for Tuesday, 02/10/2026, at 9:30 a.m. and rescheduling the conference and the oral argument for Tuesday, 03/17 at 10:15 a.m.. before Department A, Courtroom #2. FURTHER ORDERED: Each side shall have twenty minutes to present oral argument. RELPY IS REQUESTED. (See Order). Hon Samuel A Thumma - Author
36. 4-Feb-2026 FILED: Return Receipt for Notice of Oral Argument, signed by Austin C. Yost on 02/04/2026 (Appellee Hobbs)
37. 4-Feb-2026 FILED: Return Receipt for Notice of Oral Argument, signed by Nicole D. Klobas on 02/04/2026 (Appellee Water et al.)
38. 17-Feb-2026 FILED: Return Receipt for Notice of Oral Argument, signed by Adriane J. Hofmeyr, on 02/17/2026 (Appellants)
39. 24-Feb-2026 FILED: Notice of Withdrawal of Counsel; Certificate of Service (Appellee)
40. 17-Mar-2026 FILED: Sign-in Sheet/Case is Under Advisement as of 03/17/2026
41. 24-Apr-2026 MEMORANDUM DECISION (Affirmed) Hon Kent E Cattani - Author; Hon Samuel A Thumma - Concur; Hon Andrew J Becke - Concur
42. 24-Apr-2026 FILED: Decision Distribution Notification
43. 19-May-2026 FILED: ASC Order, 5/19/26, extending the time to file a Petition for Review to 6/19/26