

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

06/18/2019

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER
SUSAN HARRIS

L. Stogsdill

Deputy

In re: Max J. and Donna Kartchner
Case No. W1-11-1986

FILED: 07/02/2019

In re the General Adjudication
of All Rights to Use Water in the
Gila River System and Source

In re: Status Conference

MINUTE ENTRY

Courtroom: CCB 301

1:30 p.m. This is the time set for a Status Conference.

The following attorneys and parties appear telephonically:

Court reporter, Lydia Stauder-Gray is present and a record of the proceedings is made digitally.

The following attorneys appear in person: Robert Anderson on behalf of El Dorado Benson, L.L.C.; Rhett Billingsley on behalf of ASARCO; Kevin Crestin on behalf of the Arizona State Land Department; Mark A. McGinnis on behalf of the Salt River Project and Joe P. Sparks on behalf of the San Carlos Apache and Tonto Apache Tribes.

The following attorneys appear telephonically: J. Albert Brown on behalf of the Kirkpatrick Trust; John D. Burnside on behalf of BHP Copper; Kimberly R. Parks on behalf of the Arizona Department of Water Resources and Jay Tomkus on behalf of the Pascua Yaqui Tribe and the Yavapai-Apache Nation.

The Court notes that returned mail notifications have been received from mail sent to Max Kartchner, Robert Prater and Rancho Rio Vista, Inc. who either filed objections and/or statements of claimant. Accordingly,

IT IS ORDERED removing Max Kartchner, Robert Prater, and Rancho Rio Vista, Inc. from the Court's approved mailing list.

Robert Anderson requests a 90 day continuance of this matter. He advises the Court that they are still evaluating claims and reviewing objections.

J. Albert Brown advises the Court that he is also evaluating claims and reviewing objections and requests 120 days to complete the same.

There are no objections to the requests.

For the reasons stated on the record,

IT IS ORDERED that Mr. Anderson shall file a status report by **September 20, 2019** regarding their assessment of the claims. The status report shall include a scheduled date for meeting with the objectors.

IT IS FURTHER ORDERED that Mr. Brown shall also file a status report regarding their assessment of the claims by **September 20, 2019**. No scheduled meeting with objectors is required at this time with regard to the Kirkpatrick Family Trust. The status report shall include a statement regarding any requested or planned actions with respect to annexation of the land owned by the Kirkpatrick Family Trust by the St. David Irrigation District.

1:42 p.m. Matter concludes.

LATER:

The status report to be filed by El Dorado Benson, L.L.C shall include a map that shows the boundaries of any land for which it claims an irrigation use in this contested case. The map shall be prepared by plotting the boundaries of the irrigated land on the map prepared by ADWR filed on May 30, 2019. The boundaries of the irrigated land shall include points for which specific GPS coordinates are provided. The report shall include the total number of acres irrigated.

The status report shall identify all sources of water used to irrigate the designated land for which an irrigation use is claimed and the maximum diversion rate for each source. With respect to wells used as sources of irrigation water, the report shall list any wells used in addition to those wells included in ADWR's report filed on May 30, 2019, and shall provide the location of the wells, the well registry number, and indicate whether such additional wells are located within or outside the subflow boundaries.

1:42 p.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court approved mailing list.