

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

10/02/2020

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER
SUSAN WARD HARRIS

S. Ortega

Deputy

In re: State Land Department – Paul L. Sale
Investment Co.
Contested Case No. W1-11-2805

FILED: 10/12/2020

In Re: The General Adjudication
of All Rights to Use Water in the
Gila River System and Source
W-1, W-2, W-3 and W-4 (Consolidated)

In re: Status Conference

MINUTE ENTRY

Courtroom: CCB 301

2:00 p.m. This is the time set for a Status Conference before Special Master Susan Ward Harris.

The following attorneys and parties appear telephonically: Rhett Billingsley on behalf of ASARCO; Kevin Crestin on behalf of Arizona State Land Department; Mark McGinnis on behalf of Salt River Project (SRP); John Burnside on behalf of BHP Copper; Joe P. Sparks and Laurel A. Herrmann on behalf of the San Carlos Apache Tribe; Richard J. Palmer on behalf of Tonto Apache Tribe; Kimberly Parks on behalf of Arizona Department of Water Resources (ADWR); and Jay Tomkus on behalf of Yavapai-Apache Nation and observing for Pascua Yaqui Tribe.

Discussion is held regarding the proposed *de minimis* abstract submitted by SPR and the Arizona State Land Department and Statement of Claimant 39-18135 filed on by the Arizona State Land Department. Mr. Crestin believes it may be best to proceed with an amended watershed file report (“WFR”) at this point because of the claimed stock and wildlife watering and irrigation uses in Statement of Claimant 39-18135.

Mr. McGinnis states that from SRP’s perspective, its preference is to proceed to adjudicate the stock watering and irrigation claims and bypass the *de minimis* procedure. Mr. McGinnis concerned about relying on the Statement of Claimant asserting as the

1853 date and states that it would not be a bad idea to have ADWR file an amended WFR.

Discussion is held about notice required for an amended WFR.

The Court states that it will not approved the draft abstract at this time.

Ms. Parks asks that ADWR have until end of March or beginning of April of 2021 to prepare an amended WFR.

Mr. McGinnis clarifies his earlier position that its makes sense in this case given the findings in the watershed file report not to use the *de minimis* procedure where there are additional claims that must be determined. Mr. Sparks concurs that this case differs from a situation where the only claim was a *de minimis* claim for a water right.

2:13 p.m. Matter concludes.

LATER:

IT IS ORDERED that the Arizona Department of Water Resources shall file an amended watershed file report 114-01-CCD-010 by **April 9, 2021**.

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