

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/04/2020

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

T. DeRaddo
Deputy

In re: Clarence R. Miller
Contested Case No. W1-11-3246

FILED: 2/11/2020

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

Central Court Building – Courtroom 301

2:15 p.m. This is the time set for a Status Conference before Special Water Master Susan Ward Harris.

The following attorneys appear in person: Mark McGinnis on behalf of Salt River Project; John Burnside on behalf of BHP Copper, and Kevin Crestin on behalf of the Arizona State Land Department.

The following attorneys appear telephonically: Laurel Herrmann on behalf of the San Carlos Apache Tribe; Kimberly Parks on behalf of ADWR; Brad Pew on behalf of Asarco and the LCR Coalition; Robin Interpreter on behalf of the Yavapai Apache Nation and observing for the Pascua Yaqui Tribe; Richard Palmer on behalf of the Tonto Apache Tribe; and Amy Brown appearing for Harriett Hedrick.

A record of the proceedings is made digitally in lieu of a court reporter.

Amy Brown addresses the Court and reports that Harriett Hedrick is the current owner of the property, and is co-owner with Beverly Meade Miller.

The Court reports that Watershed File Report 114-04-DCA-001 (“WFR”) references sections one and twelve of Township 8 south, Range 17 east.

Mr. Crestin reports that there is state trust land in section 12, but it is not referenced in the WFR. Watershed File Report 114-04-DCA-002 (“DCA-2”) identifies the land investigated as BLM land. Mr. Crestin believes that it is state trust land. He states that section 6 is largely BLM land, north of DCA-2. Mr. Crestin believes that no state trust land exists in the WFR.

Ms. Brown believes that her client owns all of the land included in the WFR. She believes that there is a typo in the WFR, and it should read section 12, Township 8 south, Range 16 east (not Range 17). Also, she believes that the same error exists for section 1, Township 8 south, Range 16 east.

Ms. Parks states that ADWR filed a report on this issue, which the Court had not yet received. Ms. Parks states that the sections that are identified on the map are correct, and a typo exists in the WFR. She agrees with Ms. Brown regarding the correct legal description of the property.

Ms. Brown’s client, Harriett Hedrick, is the executor of the Estate of Mr. Clarence R. Miller. Ms. Brown is planning to file an assignment of the Statement of Claimant 39-4235 (“SOC”). Ms. Brown states that they have located a potential homestead and they have ordered the land entry file from the National Archives. Ms. Brown states that she plans to file a new 36 on behalf of her client, as well as amending the SOC. The amended claim will be pretty close to what is in the WFR.

Ms. Brown requests that she be given 180 days to file the stipulated abstracts to allow time for the new Statement of Claim to be processed.

IT IS ORDERED that Ms. Brown has until **June 30, 2020** to file a proposed form of order and stipulated abstracts with the court.

IT IS FURTHER ORDERED if Ms. Brown cannot obtain stipulation to proposed abstracts by June 30, 2020, she shall file a status report with this court.

2:22 p.m. Matter concludes.