

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

07/18/2019

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER
SUSAN HARRIS

A. Hatfield

Deputy

In re: Geldmacher
Contested Case No. W1-11-3320

FILED: 07/25/2019

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

1:30 p.m. This is the time set for a status conference before Special Master Susan Ward Harris to consider the claims and resolve objections to Watershed File Report (“WFR”) 115-04-ADC-001.

The following attorneys and parties appear in-person: Mark McGinnis on behalf of Salt River Project; Joe Sparks on behalf of San Carlos Apache Tribe and Tonto Apache Tribe; and David Brown on behalf of landowners, Carol Steele and Lazaro Cervantes.

The following attorneys and parties appear telephonically: John Burnside on behalf of BHP Copper; Kimberly Parks on behalf of AZ Department of Water Resources; Bradley Pew on behalf of ASARCO; Jay Tomkus on behalf of Pascua Yaqui Tribe and Yavapai-Apache Nation; and George Meyer, Trustee of the George Meyer and Maria Semple Family Trust.

The Court notes that no appearance is made by or on behalf of Ranch at Holy Joe Canyon, LLC, Buck Hill Farms, or Emily Johnston as trustee of the Emily Johnston Revocable Trust.

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

Mr. Brown states that he will file on behalf of his clients by **November 1, 2019**, an amended 36- filing (a statement of claim of right to use public water) and amended 39- filings (statements of claimant) with ADWR and he will prepare proposed abstracts and a

proposed stipulation and order which will be sent to the objectors for their review and proposed corrections.

The Court states its concerns regarding the legal import of a “water deed” which to transfer the water independent of the land.

Discussion is held whether a patent can be located for the land. Mr. McGinnis and Mr. Sparks state their clients’ positions and the types of documents they can access to in the chain of title. Mr. Sparks will file a notice of filing of the documents he is able to locate along with a copy of those title documents.

The Court inquires about landowner George Meyers’ position regarding a claim for a potential water right identified by ADWR in the watershed file report as IR004. Mr. Meyers states that he does not currently have a position with respect to a claim for a potential water right for irrigation use as he has not been using any water at this time because he has not yet built a residence on that land.

IT IS ORDERED directing Mr. Brown to file stipulated abstracts or a status report, if the objectors and the landowners do not agree to his proposed abstracts by **November 1, 2019**.

IT IS FURTHER ORDERED that Mr. Meyers or counsel retained by Mr. Meyers file a statement of his position by **November 1, 2019** stating whether he intends to pursue a water right for irrigation use. Mr. Meyers is directed to send a copy of his statement to all parties s listed on the Court-approved mailing list.

Further discussion is held regarding consolidation of case with cases for water rights for neighboring land. Based on an objection from Mr. Brown, the Court will not consolidate the cases.

1:51 p.m. Matter concludes.