

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

12/11/2019

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

T. DeRaddo

Deputy

In re Aravaipa Farm,
Contested Case No. W1-11-3321

FILED: 12/23/2019

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

3:46 p.m. This is the time set for a status conference before Special Master Susan Ward Harris.

Court reporter, Lauren Kuhnnehn is present. A record of the proceedings is also made digitally.

The following attorneys appear in-person:

- Mark McGinnis and R. Jeffrey Heilman on behalf of Salt River Project.
- Joe Sparks on behalf of the San Carlos Apache Tribe.
- John Burnside on behalf of BHP Copper
- David Brown on behalf of Aravaipa Farm LLC and Aravaipa JAKS LLC
- Kimberly Parks on behalf of Arizona Department of Water Resources (“ADWR”)

The following attorneys appear telephonically:

- Carla Consoli on behalf of the Nature Conservancy
- Brad Pew on behalf of Asarco
- Lucas Christian on behalf of the Tonto Apache Tribe
- Jay Tomkus on behalf of the Pascua Yaqui Tribe and Yavapai-Apache Nation

LET THE RECORD REFLECT that the sale of the property from Larry Steele to Aravaipa JAKS LLC was completed and Mr. Brown filed an amended Statement of Claimant.

Mr. Brown informs the Court that certain historical documents were filed. Also, Mr. Brown has filed amended claims on November 1, 2019 pursuant to the prior agreement and order in this matter. Mr. Brown states that he sent out abstracts to all parties. Due to an error, he sent out redlined amendments yesterday to all parties. Most of the parties may not have received them or had a chance to view them.

Ms. Consoli states she has seen the abstracts and that the Nature Conservancy is not making claims for water in this case.

The Court states that it had difficulty reading the historical documents and does not know the places of historical use. Mr. Brown states that historic and present place of use are the same.

Mr. Brown states that he is not claiming more water than ADWR found was being used in its reports, and that for settlement purposes his clients have used the middle number (“Regional” calculation) listed in the WFRs for the potential water rights for irrigation use.

Mr. Sparks states that he will review the historical documents and maps with a magnifier to ascertain what the maps indicate.

Discussion is held that ADWR also shows irrigated land to the north of the land that is the subject of WFR 115-04-ADC-002 and is shown as “(ADB-9)” on the map attached to the order that initiated this case.

Mr. McGinnis states that he has reviewed the abstracts and has authorized Mr. Brown to sign the documents on behalf of Salt River Project.

Mr. Brown will file stipulated abstracts or a status report by **January 24, 2020**.

3:53 p.m. Matter concludes.