

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

November 10, 2009

CLERK OF THE COURT  
FORM V000A

SPECIAL MASTER GEORGE A.SCHADE,  
JR.

T.A. PAVIA

Deputy

W-1, W-2, W-3, W-4(Consolidated)

FILED: November 17, 2009

IN RE THE GENERAL ADJUDICATION OF  
ALL RIGHTS TO USE WATER IN THE  
GILA RIVER SYSTEM AND SOURCE

IN RE SAN PEDRO RIPARIAN NATIONAL  
CONSERVATION AREA

CIVIL NO. W1-11-232  
(Consolidated)

9:30 a.m. This is the time set for a telephonic conference to review the status of the pending technical report. Present telephonically are William P. Sullivan for City of Sierra Vista, Bella Vista Water Company, Inc., and Pueblo Del Sol Water Company; David A. Brown for St. David Irrigation District; R. Lee Leininger, U. S. Department of Justice, for the United States Department of the Interior; Janet L. Ronald, Arizona Department of Water Resources (“ADWR”); Gregory L. Adams for ASARCO LLC; Lisa M. McKnight for Salt River Project; Joe P. Sparks for San Carlos Apache Tribe; Rhett A. Billingsley for Babacomari Ranch Co., LLLP and Freeport-McMoRan Corporation; and Susan B. Montgomery for Yavapai-Apache Nation and Pascua Yaqui Tribe.

No court reporter is present.

Discussion is held regarding the information recently discovered about the official maps of the exterior boundaries of the conservation area and the steps to take to resolve the questions regarding it.

Mr. Leininger advised the Special Master that the desired documentation may be in the National Archives, and the United States is working on obtaining historians to research the archives. It is estimated it will take approximately three months to look through the National Archives.

IT IS ORDERED directing the United States to file a status report on or before February 19, 2010, concerning efforts to obtain information from the National Archives and other sources related to the exterior boundaries of the conservation area and the railroad right-of-way.

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IT IS FURTHER ORDERED directing the United States to provide ADWR access to the aerial photography, survey maps, and notes used by the Bureau of Land Management to prepare the August, 2009, GIS cover based on legal descriptions the United States previously disclosed.

Mr. Leininger stated it is not necessary to have a stay. The case has not been stayed only the preparation of ADWR's report. The United States will continue to research the documentation, and the legal determinations of law can proceed.

The Special Master stated two motions are pending on two legal issues being briefed, this case has not been stayed, and he intends to proceed with that briefing.

Discussion is held regarding the current mailing address of Stilde Investment, LLC.

IT IS ORDERED directing the United States to provide an updated list of the names and addresses of lessees, allottees, or permittees associated with the conservation area.

Further discussion is held regarding the Bureau of Land Management continuing to resolve the railroad right of way issue. The United States will submit to ADWR the information they obtain regarding the right of way.

10:08 a.m. Matter concludes.

A copy of this order is mailed to all parties on the Court-approved mailing list for Contested Case No. W1-11-232 dated July 27, 2009.