

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

09/25/2020

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN HARRIS

L. Stogsdill
Deputy

In re: Town of Mammoth
Contested Case No. W1-11-2325

FILED: 10/05/2020

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

1:30 p.m. This is the time set for a Status Conference before Special Water Master Susan Ward Harris.

The following attorneys telephonically: Mark McGinnis and Michael Foy on behalf of Salt River Project (“SRP”); John Burnside on behalf of BHP Copper; William Anger on behalf of the City of Mesa; Charles Cahoy on behalf of the City of Phoenix; Stephen R. Cooper on behalf of the Town of Mammoth; Laurel Herrmann and Joe Sparks on behalf of the San Carlos Apache Tribe; Kimberly Parks on behalf of ADWR; Brad Pew on behalf of ASARCO; Susan Montgomery and Jay Tomkus on behalf of the Yavapai Apache Nation and observing for the Pascua Yaqui Tribe; Thomas Murphy on behalf of the Gila River Community and Lucas Christian on behalf of the Tonto Apache Tribe.

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

Mr. Cooper confirms with the Court that an agreement has not yet been reached.

He requests that in setting a schedule that consideration be given to his limited ability to access public records due to COVID restrictions.

It appears that the issue of doctrine of great and growing cities will be raised in this matter. Mr. Cooper states that he intends to focus more on historical use of the water.

Counsel agree that some discovery and a development of facts will be required in this matter.

The Court notes that Mr. Sparks filed a notice of filing a disclosure statement rather than actual disclosure statement. The Court will require a Case Information Report, required by Rules for Proceedings Before the Special Master, from counsel in the future in lieu of a disclosure statement.

Mr. Sparks explained that he had produced a substantial and comprehensive disclosure of documents that were evidentiary in nature and could not be appropriately provided to the Court at this time.

For the reasons stated on the record the Court sets the following deadlines:

Discovery deadline:	March 15, 2021;
Dispositive motions due:	May 3, 2021;
Trial:	August 2, 2021

If desired, counsel may file a request with the Court to schedule a pre-trial conference.

1:41 p.m. Matter concludes.

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