

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/08/2019

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER
SUSAN HARRIS

A. Hatfield

Deputy

In re: Asarco-Diversion
Contested Case No. W1-11-2798

In re: Asarco-Irrigation
Contested Case No. W1-11-2801

FILED: 02/14/2019

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

10:30 a.m. This is the time set for a Status Conference before Special Master Susan Ward Harris.

The following attorneys appear in-person: David Brown and J. Albert Brown on behalf of St. David Irrigation District; John Burnside and Farcis Gilman on behalf of BHP Copper; Rhett Billingsley and Bradley Pew on behalf of ASARCO; and Mark McGinnis, Patrick Sigl and John Weldon on behalf of Salt River Project.

The following attorneys and parties appear telephonically: Charles Cahoy on behalf of City of Phoenix; Kimberly Parks on behalf of AZ Department of Water Resources; Joe Sparks on behalf of San Carlos Apache Tribe and Tonto Apache Tribe; and Jay Tomkus on behalf of Pascua Yaqui Tribe and Yavapai-Apache Nation.

Court reporter, Crystal Hereford, is present and a record of these proceedings is made digitally.

Mr. Billingsley provides the Court with an update with respect to the amendment of their Statements of Claimant (SOCs) and assignments of the underlying claims for water rights. Mr. Billingsley states that they have filed the assignments for the majority

of the claims with AZ Department of Water Resources (“ADWR”). ASARCO is currently working with the Bureau of Reclamation on a partial assignment which was delayed due to the federal government shutdown.

The Court inquires if ASARCO is ready to dismiss SOC Nos. 39-13817 and 39-13818. Mr. Billingsley states that it would be best to wait to make a decision until they have filed their amendments.

Discussion is held regarding whether or not ADWR will be filing a revised Watershed File Report (“WFR”).

Mr. McGinnis, Mr. David Brown, Mr. Sparks, and Ms. Parks state their position regarding the filing of a revised WFR.

Further discussion is held on the possibility of reaching a settlement with the objectors.

Mr. McGinnis suggests a status conference be held thirty days after the filing of ASARCO’s amended SOC which are due on or before April 8, 2019.

There being no objections,

IT IS ORDERED setting a Status Conference on **May 9, 2019** at **1:30 p.m.** in the Superior Court of Arizona, Central Court Building, Courtroom 301, 201 West Jefferson Street, Phoenix, AZ 85003-2202. The parties are to be prepared to advise if amended Watershed File Reports are needed based on their review of the amended SOC. If they believe that amended WFRs will be required, the parties will be expected to address notice issues.

10:45 a.m. Matter concludes.

LATER:

Instructions for telephonic participation in the status conference:

Dial: 602-506-9695 (local)

1-855-506-9695 (toll free long distance)

Dial Collaboration (conference) Code 357264#

A copy of this order is mailed to all persons listed on the Court approved mailing lists for Contested Case Nos. W1-11-2798 and W1-11- 2801.