

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

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

CONTESTED CASE NO. W1-11-2801

ORDER GRANTING IN PART AND  
DENYING IN PART A REQUEST FOR  
AN EXTENSION OF TIME TO FILE  
AMENDED STATEMENTS OF  
CLAIMANT

CONTESTED CASE NAME: *In re Asarco – Irrigation*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: ASARCO LLC granted a 90-day extension to file amended statements of claimant, ordered to file a preliminary report regarding potential water rights and denied a request to vacate the status conference.

NUMBER OF PAGES: 3

DATE OF FILING: December 21, 2018

ASARCO, LLC requests an additional 90 days to complete assignments of the statements of claimant filed by ASARCO Incorporated to ASARCO Conservation Foundation

1 and ASARCO LLC.<sup>1</sup> A reference is also made to the need to take additional action due to a  
2 transfer of land to the United States Bureau of Reclamation, although no description is given of  
3 the land involved. ASARCO LLC further seeks additional time to gather factual information to  
4 amend its claims for water rights and to discuss possible settlement with those persons and  
5 entities that have filed objections to the potential water rights described in the Watershed File  
6 Reports. While it is important that the water rights are properly titled in the names of the  
7 correct legal entities, the process of identifying the remaining characteristics of water rights  
8 should continue while the formal title transfers and assignments are completed among the  
9 entities that appear to be related. To avoid unnecessarily delaying the settlement process or,  
10 where necessary, the identification of relevant issues that must be resolved ASARCO, LLC  
11 shall file a report explaining its preliminary objections to the potential water rights described in  
12 Watershed File Report 114-01-CCD-001, 114-04-BDA-001 and 114-04-BDD-002 based on its  
13 extensive field and record research undertaken since July 25, 2018.

14 Accordingly,

15 **IT IS ORDERED** granting an extension of the deadline to file amended statements of  
16 claimant until April 8, 2019 and otherwise denying ASARCO LLC's motion to vacate the  
17 status conference set for February 8, 2019.

18 **IT IS FURTHER ORDERED** that ASARCO LLC shall file with the court by January  
19 31, 2019, a report describing its preliminary objections to the potential water rights at issue in  
20 this case.

21  
22  
23   
24 SUSAN WARD HARRIS  
25 Special Master  
26  
27

28 <sup>1</sup> According to the public records maintained by the Arizona Corporation Commission, ASARCO Incorporated is one of the two members of ASARCO, LLC.

1 On December 21, 2018, the original of the foregoing  
2 was delivered to the Clerk of the Maricopa County  
3 Superior Court for filing and distributing a copy to all  
4 persons listed on the Court-approved mailing list for this  
5 contested case.  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28