

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/15/2018

CLERK OF THE COURT

Form V000

SPECIAL WATER MASTER
SUSAN HARRIS

S. Brown
Deputy

In re Brighthawk Contested Case No. W-1-11-3312

FILED: 3/8/2018

In re the General Adjudication
of All Rights to Use Water in
The Gila River System and Source

Re: Scheduling Conference

MINUTE ENTRY

CCB-301

2:00 p.m. This is the time set for a scheduling conference before Special Water Master Susan Harris.

Court reporter Jennifer Church is present and a record of the proceedings is also made digitally.

The following attorneys and parties appear in person: David Brown on behalf of Brighthawk, LLC, Steve and Jane Turcotte of the Turcotte Family Trust, and David Rychener and Joyce Skeldon who are Successors in Interest of the In re Luebbermann claims; Steven Wene on behalf of the Gorman - Hedrick Trust, Catherine Gorman and Philip Hedrick; Mark McGinnis on behalf of SRP; Robyn Interpreter on behalf of the Pascua Yaqui Tribe and Yavapai-Apache Nation, and John Burnside on behalf of BHP Copper Inc.

The following attorneys appear telephonically: R. Lee Leininger on behalf of the United States; Kimberly R. Parks on behalf of the Arizona Department of Water Resources (ADWR); Joe P. Sparks and Laurel Herrmann on behalf of the San Carlos

Apache Tribe and the Tonto Apache Tribe and Patrick Barry on behalf of the United States Indian Resources Section.

Mr. Brown updates the Court on the amendments made to Brighthawk, LLC's Amended Statements of Claimant (SOC). Copies of the same were mailed to all objecting counsel with proposed abstracts that reflected all of the SOC and included an irrigation use, domestic use, and stock water use. A Stipulation and Order has been delivered to all objectors and responses have been received by all objecting parties except Mr. Sparks, Mr. Murphy and Mr. Barry. Mr. Brown will also provide a copy to Mr. Leininger.

Mr. Barry reports that he and Mr. Sparks have requested additional time to review the abstracts and stipulation.

Mr. Sparks expresses his concern regarding the need for a definitive legal description of the land to which the water right is appurtenant.

Mr. McGinnis and Ms. Interpreter agree with Mr. Spark's position with respect to the legal description of land relating to the water rights issue. Mr. McGinnis suggests aerial photographs in lieu of surveys if possible.

The Court will attach a copy of the map produced by ADWR which was part of its HSR to this minute entry which may suffice to resolve the parties' concerns about an accurate description of the boundaries of the appurtenant land.

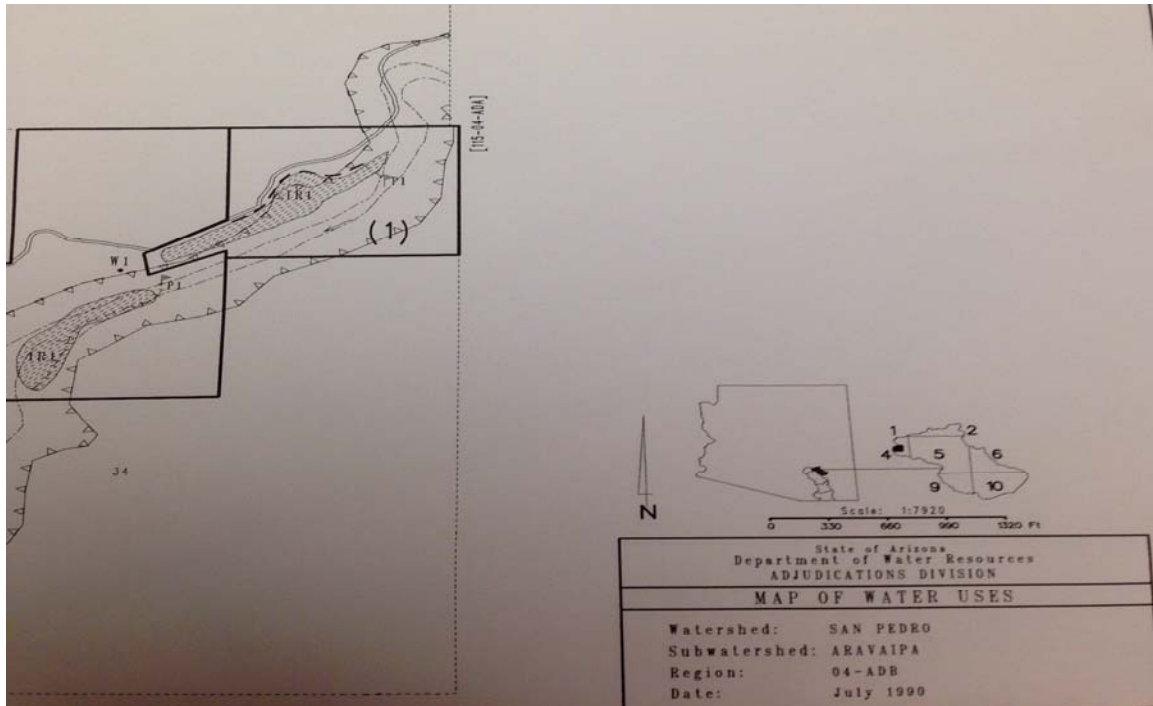
IT IS ORDERED ADWR will provide any aerial photographs it has showing the Brighthawk irrigation area to the parties by March 19, 2018.

IT IS ORDERED the Stipulation and proposed abstracts shall be filed on or before April 3, 2018, or, whoever objects to it, shall file an objection specifically identifying those items in the draft Stipulation which are not acceptable. Any objection to the watershed file report previously raised will not be waived by the filing of the objection to the Stipulation.

2:17 p.m. Matter concludes.

LATER:

As part of the San Pedro HSR, the Arizona Department of Water Resources prepared a series of maps that included a map of the land in watershed file report 115-04-ADB-001, which is the subject of this case. A copy of the relevant portion of the map is shown below:



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