

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

February 9, 2023

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

A. Parmar
Deputy

FILED: February 17, 2023

In re: the General Adjudication
Of All Rights to Use Water in the
Little Colorado River System and Source
Case No. CV6417-33-6828

In Re: FS - Apache Sitgreaves

MINUTE ENTRY

Central Court Building – Courtroom 301

2:38 p.m. This is the time set for Status Conference to receive an update from the parties regarding any objections and determine how to proceed before Special Water Master Susan Ward Harris.

The following attorneys appear virtually through Court Connect:

- Carrie J. Brennan and Kevin Crestin on behalf of the Arizona State Land Department (“ASLD”)
- Mike Foy on behalf of the Salt River Project (“SRP”)
- Kome Akpolo on behalf of the Arizona Department of Water Resources (“ADWR”)
- Mark Widerschein and Maggie Woodward on behalf of the U.S. Department of Justice
- Sean Hood on behalf of Freeport Minerals
- Phillip Londen on behalf of the Hopi Tribe
- Judith Dworkin, Kathryn Hoover and Katya Lancero on behalf of the Navajo Nation

- David Brown on behalf of the City of Show Low, Show Low/Pinetop-Woodland Pinetop Irrigation and LCR Coalition

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

Ms. Brennan addresses the Court. She indicates that Mr. Brown is on the bridge line but is unable to be heard. He will be calling in through TEAMS.

Ms. Brennan reports that she spoke with the United States per the Court's order and received an amended Statement of Claimant {"SOC"). She notes that it was substantially different from the SOC previously filed. She discussed the additional information that needs to be determined before the claim can be amended: for example, an identification for the irrigation claim, the particular fields that are being irrigated and the crops that are being grown. The US indicated that they are willing to do that and provide them with the notices of appropriation that they are working off of. It is Ms. Brennan's understanding the US has not been able to make it out to the property due to the weather conditions.

Mr. Widerschein addresses the Court. He reports that they have not been able to get in touch with the permittee or conduct a field visit due to the ice and mud. He anticipates being able to accomplish this within 90 days.

The Court inquires if the Hopi Tribe or Navajo Tribe have been involved in the discussions. Mr. Londen states that the Hopi Tribe has not as they are not objectors in this matter. Mr. Dworkin states the same and that she is waiting to review the amended claim to see if there are any objections.

The Court inquires as to SRP's involvement in the claim. Mr. Foy states that they are objectors and have attended meetings with the United States to discuss the nature of their objections. He believes the claimant should be given 90 days to meet/confer with objectors and work toward stipulated abstracts.

Mr. Hood states that he participated in the conference and agrees that 90 days should be given to attempt to agree to stipulated abstracts.

Mr. Widerschein indicates that the permittee is Brady Peters and the field hydrologist has not been able to get in touch with him.

Mr. Brown addresses the Court. He concurs with having 90 days to meet/confer with the parties.

By agreement of the parties,

IT IS ORDERED that the parties shall meet/confer and attempt to resolve any objections. Mr. Widerschein shall file a status report or stipulated abstracts within 90 days.

By request of Mr. Londen,

IT IS FURTHER ORDERED adding Mr. Londen on behalf of the Hopi Tribe to the Court approved mailing list.

1:41 p.m. Matter concludes.

A copy of this minute entry is provided to all parties on the Court approved mailing list.