

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 Larsen Contested Case No. W-1-11-3310

FILED: **03/05/2018**

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

1:30 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; 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. Richard McQuillen appears on his own behalf and of his mother, Mary Larsen.

Mr. McQuillen has no objection to the report issued by ADWR.

Mr. McGinnis has filed Amended Objections but is in discussions with Mr. Wene to resolve this claim. Mr. McGinnis believes that Herbert Larsen is the owner of the property in question.

Mr. McQuillen reports that Herbert Larsen passed away several years ago. Mr. McQuillen indicated that he did not know whether Mr. Larsen's estate had been probated.

IT IS ORDERED Mr. McQuillen will file with the Court a copy of the Deed that transferred the property from his grandfather to his mother and Herbert Larsen and a copy of his stepfather's death certificate by **March 16, 2018**.

Mr. McGinnis agrees that the domestic claim and stockwater claim are *de minimus* claims. He has filed SRP's standard objection as to the methodology regarding the quantity and diversion of the irrigation water. Mr. McGinnis and Mr. Wene are working to come up with an abstract to resolve this claim and hope to file a Stipulation where all parties withdraw their objections subject to the Court's approval of the Stipulation.

Mr. Sparks, Mr. Leininger, and Ms. Interpreter state their clients' positions with respect to resolving their objections.

Mr. Wene addresses the Court regarding progress of the settlement discussions and believes a Stipulated Abstract will be accomplished within 30-45 days.

Discussion is held regarding domestic uses, surface water rights, subflow, and diversion.

Mr. McGinnis addresses his client's objection to category #2 in the WFR regarding applicable filings and decrees and the preferred form to be used in filing objections in the future.

Mr. Sparks addresses his client's objections regarding the sub-flow zone, reference to an exempt well, and multiple points of diversion as opposed to one point of diversion.

Mr. Wene will be amending his statement of claim to claim 1-acre foot for the domestic use and will provide GPS coordinates for the well.

The Court directs that any objections/amendments in the future should not be submitted on the old form but in an Answer format as used by Mr. McGinnis.

IT IS ORDERED Mr. Wene shall file a stipulated abstract addressing all discussed objections by **April 2, 2018**.

1:59 p.m. Matter concludes.

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