

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

04/04/2018

CLERK OF THE COURT

Form V000

SPECIAL WATER MASTER
SUSAN HARRIS

L. Stogsdill
Deputy

In re: Salazar-Tapia Ditch, Contested Case
No. W-1-11-3377

FILED: 04/11/2018

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

Re: Status Conference

MINUTE ENTRY

CCB-301

1:57 p.m. This is the time set for a status conference before Special Water Master Susan Harris.

Court reporter Mike Benitez is present and a record of the proceedings is also made digitally.

The following attorneys and parties appear in person: Monique Coady on behalf of the City of Phoenix, Carla A. Consoli and Scott M. Deeny on behalf of the Arizona Chapter of Nature Conservancy; Mark A McGinnis and R. Jeffrey Heilman on behalf of the Salt River Project.

The following attorneys appear telephonically: Joe P. Sparks on behalf of the San Carlos Apache Tribe and the Tonto Apache Tribe; Kimberly R. Parks on behalf of the Arizona Department of Water Resources; Jay Tomkus on behalf of the Pascua Yaqui and Yavapai-Apache Nation and Bradley Pew on behalf of ASARCO.

The court questions why the claims for domestic use are much higher than one acre foot.

Ms. Consoli advises the court that these domestic claims are for an area that includes outside water usage, for example, watering gardens for food and that these areas are in very remote locations.

Mr. McGinnis states that the court can grant more than the *de minimis* quantity if the property size is less than 0.2 acres assuming that the claimant proves up the right. The claimant cannot rely on the *de minimis* procedures.

Mr. Sparks also addresses the court regarding this issue. He stated that domestic use can exceed one acre foot but it is not a *de minimis* use and would be adjudicated rather than treated as a *de minimis* matter.

Ms. Consoli confirms that the amounts claimed in the amended schedules are less than those listed in the WFR and that all of the wells are in the sub-flow zone. Mr. McGinnis said that the wells were either in the subflow zone or very close to the subflow zone.

Ms. Consoli further confirms that there are 4 irrigation claims.

Mr. Sparks suggested that GPS coordinates should be given for point of diversion.

The court indicates that the court will prepare and distribute abstracts. The abstracts will be distributed to those persons on the approved mailing list for the contested case for the purpose of submitting corrections to typographical or clerical errors.

2:02 p.m. Matter concludes.

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