

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

August 18, 2022

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

T. DeRaddo
Deputy

In re: Oceanic Properties Arizona, Inc.
Contested Case No: W1-11-1712

In re the General Adjudication of
All Water Rights to Use Water in the
Gila River System and Source
W-1, W-2, W-3, W-4 (Consolidated)

FILED: 9/7/22

In re: Status Conference

MINUTE ENTRY

Courtroom CCB - 301

1:30 a.m. This is the time set for a Status Conference before Special Water Master, Susan Ward Harris.

The following attorneys appear virtually/telephonically via Court Connect/Teams.

- Michael Foy on behalf of Salt River Project (“SRP”)
- Thomas Murphy on behalf of the Gila River Indian Community
- Kimberly Parks and Kylie Denton on behalf of the Arizona Department of Water Resources (“ADWR”)
- Robin Interpreter on behalf of the Yavapai-Apache Nation
- Laurel Herrmann and Joseph Sparks on behalf of the San Carlos Apache Tribe
- John Tripp, landowner
- Michael B. and Katherine Jolley, landowners
- Steve Titla observing for the San Carlos Apache Tribe
- Mark McGinnis on behalf of SRP
- Sara Ransom is present, but did not announce her appearance

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

Michael and Kathryn Jolly

Mr. and Mrs. Jolly state that they have reviewed the map that was provided to them by ADWR. Mr. and Mrs. Jolly are in agreement that their well is outside of the subflow zone.

The Court informs the parties that in accordance with the map that was provided by ADWR, their well is presumed to be pumping ground water and not appropriable water.

The Court intends to stay this matter and will not proceed with an adjudication of their claim for appropriable water rights until ADWR completes its subflow depletion test to determine whether the Jolleys' well is pumping subflow.

IT IS ORDERED that this case is stayed until there is an approved subflow depletion test prepared by ADWR.

John and Cassie Tripp

Mr. Tripp states that he has filed a Statement of Claimant and is pumping water from a well that was drilled in 2001. This well is located in the subflow zone; thus, it is presumed that Mr. Tripp is pumping appropriable water. Mr. Tripp states that his well is an artesian well. Mr. Tripp "put the well to use in 2001."

The Court informs Mr. Tripp about the difference between appropriable water and groundwater.

In this adjudication, the Court and counsel are sorting through all of the claims that ADWR investigated. ADWR concluded its initial investigation and wrote a report about its findings of investigations conducted before 1990. Due to the fact that Mr. Tripp's well was not yet in existence at that time, it will not be a part of this stage of the adjudication.

ADWR must investigate this case before the claim for a water right can be adjudicated. This case will be a part of the San Pedro II cases. Ms. Parks states that ADWR does not currently have a projected date for completion of the San Pedro II HSR.

The Natural Resource Use & Management Clinic at the The University of Arizona Law School may be able to assist Mr. Tripp. The contact number is 520-626-5232.

1:42 p.m. Matter concludes.

LATER: The law clinic can also be reached at:

Email: law-waterrights@list.arizona.edu
Phone: 520-621-6722

A copy of this order is mailed to all parties on the Court-approved mailing list for this case.

All court proceedings are recorded digitally and not by a court reporter. The parties or counsel may request a CD of the proceedings. For copies of hearings or trial proceedings recorded previously, please call Electronic Records Services at 602-506-7100.