

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

July 12, 2022

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

T. DeRaddo
Deputy

In re Winifred J. Bundy
Contested Case No. W1-11-1890

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

FILED: 7/18/2022

In Re: Status Conference

MINUTE ENTRY

Courtroom CCB – 301

1:30 p.m. This is the time set for a Status Conference before Special Water Master Susan Ward Harris, to determine whether the parties have been able to reach an agreement to resolve the objections to the claimed water rights.

The following attorneys and parties appear virtually/telephonically via the Court Connect/Teams application.

- Mark McGinnis and Michael Foy on behalf of Salt River Project (“SRP”)
- Kimberly Parks on behalf of the Arizona Department of Water Resources (“ADWR”)
- Richard Palmer on behalf of the Tonto Apache Tribe
- Laurel Herrmann on behalf of the San Carlos Apache Tribe
- John Burnside of BHP Copper
- Sue Montgomery of behalf of the Yavapai Apache Nation and observing on behalf of Pascua Yaqui Tribe
- Rhett Billingsley observing on behalf of American Smelting and Refining Company (“ASARCO”)
- Thomas Murphy on behalf of the Gila River Indian Community

- TC Bundy on behalf of the Winnifred J. Bundy Trust
- Rodney Held is also present

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

Discussion is held regarding the status of the case. Mr. Bundy reports that he did not contact the National Archives to obtain records to support his claims for water rights. He states that he has spoken to a few of the attorneys listed above and intends to submit two abstracts. He believes that the priority date is prior to 1914 (March 1911).

Laurel Hermann states that she would like to see documentation to show the dates of water use, the quantity of water being used, a map of the property and where it is located with respect to the subflow zone. She states that she needs to see supporting documents to address any abstract that may be submitted by Mr. Bundy. Ms. Hermann reports that she has not been contacted by Mr. Bundy.

Thomas Murphy is in agreement with Ms. Hermann regarding the fact that he needs to review all of the necessary documents to support an abstract that may be submitted by Mr. Bundy. Mr. Murphy states that Mr. Bundy has not contacted him.

Michael Foy states that Mr. Bundy did contacted him. He believes Mr. Bundy should file an assignment of the existing Statement of Claimant.

Sue Montgomery states that Mr. Bundy did contact her. She reports that the Yavapai Nation is willing to review the documents that Mr. Bundy provides in support of his claim.

John Burnside reports that Mr. Bundy has not contacted him. He is in agreement with the other counsel and requests copies of any and all documents that Mr. Bundy is able to gather - in addition to the proposed abstracts - to support his claim, as is Mr. Billingsley.

The Court informs Mr. T.C. Bundy that he should collect the documents requested by counsel, and create a map of the irrigated land and indicate where the wells are located.

The existing Statements of Claimant are in Mr. Bundy's mother's name (Winnifred Bundy). Mr. Bundy is directed to contact Kimberly Parks at ADWR with respect to assigning an existing Statement of Claimant.

Kimberly Parks states that she or one of her staff members will assist Mr. Bundy to create a map of the irrigated land with the correct GPS coordinates to identify the wells on his property.

Mr. Bundy is directed to contact the National Archives and request copies of the homestead affidavits for his land.

1:55 p.m. Matter concludes.

LATER: A status conference shall be held on **August 25, 2022 at 1:30 p.m.** The Scheduling Conference shall be held using the Court Connect program. Instructions for Court Connect are attached. If you receive this Order by email, click on the red box “Join Court Connect Hearing” on the attached instructions to make an appearance. If you do not receive this Order by email, log into the Court Connect program on the internet by typing <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend telephonically using the telephone number and access code included in the instructions for Court Connect. The Scheduling Conference may also be attended telephonically using the following instructions:

Dial: 602-506-9695 (local)
1-855-506-9695 (toll free long distance)
Dial Collaboration (conference) Code 357264#

Mr. Bundy shall be prepared to provide details about: (1) documents obtained to support his claims; (2) documents provided to objecting parties; (3) documents requested from public entities; and (4) status of map of irrigated land.

The National Archives maintains the General Land Office tract books that can be used to locate the original patent for the land. Requests for homestead documents from the National Archives can be made using form NATF Form No. 84 under its tab “**Federal Land Entry Files**” on its website: <https://www.archives.gov/forms>

Information about the Land Patents may also be available from:

Bureau of Land Management
<https://www.blm.gov/services/land-records> using the link for the “GLO Records website”

or

National Archives at Riverside (RW-RS)
23123 Cajalco Rd
Perris, CA 92570
Phone: 951-956-2000
Fax: 951-956-2049
Email: riverside.archives@nara.gov

NOTE: 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.

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



Court Connect Hearing Notice for In re Winifred J. Bundy

This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.

All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.

Participants: Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

Case Name: In re Winifred J Bundy Contested Case No. W1-11-1890

Start Date/Time: August 25, 2022 at 1:30 p.m.

JOIN COURT CONNECT HEARING

Dial-in Information: +1 917-781-4590

Private Dial-in Information: for privacy purposes, you can block your phone number by dialing *67 +1 917-781-4590

Dial-in Access Code: 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)

