

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

April 21, 2022

CLERK OF THE COURT

SPECIAL WATER MASTER  
SUSAN HARRIS

S. Ortega  
Deputy

In Re: Bayless & Berkalew  
Contested Case No. W1-11-2696

FILED: 4/28/2022

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

**MINUTE ENTRY**

Central Court Building – Courtroom 301

3:00 p.m. This is the time set for a virtual/telephonic Status Conference. All parties and counsel appear virtually or telephonically. Appearances are as follows:

- David A. Brown for Bayless & Berkalew
- Mark A. McGinnis and Michael K. Foy for Salt River Project
- Joseph P. Sparks and Laurel A. Herrmann for the San Carlos Apache Tribe
- Lauren Mulhern for the Tonto Apache Tribe
- Sue Montgomery for the Yavapai Apache Nation and observing for the Pasqua Yaqui Tribe
- Charles L. Cahoy for the City of Phoenix
- Kimberly R. Parks and Komo Akpolo for Arizona Department of Water Resources (ADWR)
- Bradley J. Pew and Christina Jovanovic for ASARCO
- David Gehlert for U. S. Department of Justice
- Thomas L. Murphy for Gila River Indian Community

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

Mr. Brown gives a status update as to the issues in the case. Mr. Brown requests

that this matter be stayed at least until the cone of depression/subflow depletion test is completed. Mr. Brown also states that he has requested documents from the National Archives which have not yet been received. As to the St. David Irrigation case, Mr. Brown states that case has provided some direction but has not completely resolved the issues in this matter. Mr. Brown also states that it would be helpful to have ADWR do a partial watershed file report amendment regarding the quantification at some point in the future.

Mr. Brown represents that more than one of the irrigation wells in the case is located outside the subflow zone.

Based on the matters presented,

IT IS ORDERED that a stay is granted in this case until the subflow depletion test is approved.

3:07 p.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court approved mailing list for Contested Case Number W1-11-2696.