

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

September 7, 2023

CLERK OF THE COURT
A. Parmar
Deputy

SPECIAL WATER MASTER
SHERRI ZENDRI

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: September 7, 2023

In re: ASARCO – Irrigation
Contested Case No. W1-11-2801

MINUTE ENTRY

Courtroom 301 – Central Court Building

1:30 p.m. This is the time set for a Status Conference to discuss the status of agreements and obtain a schedule for discovery before Special Water Master Sherri Zendri.

The following parties/attorneys appear virtually through Court Connect:

- Sean Hood on behalf of American Smelting and Refining Company (“ASARCO”)
- Kimberly Parks on behalf of Arizona Department of Water Resources (“ADWR”)
- Katrina Wilkinson on behalf of Salt River Project (“SRP”)
- Joe Sparks and Laurel Herrmann on behalf of the San Carlos Apache Tribe
- Lee Leininger and Charmayne Staloff on behalf of the United States Department of Justice (in its capacity as trustee for Indian Tribes)
- Anthony Proano on behalf of the Tonto Apache Tribe
- Charles Cahoy on behalf of the City of Phoenix

- Michael Rolland observing on behalf of the Cities of Mesa, Tempe, Scottsdale, Avondale and Glendale
- John Burnside observing on behalf of BHP Copper
- Thomas Murphy on behalf of the Gila River Indian Community
- Carla Consoli on behalf of the Nature Conservancy
- Kristyne Schaaf-Olson on behalf of the Yavapai Apache Nation (and observing on behalf of Pascua Yaqui Tribe)
- Katya Lancero on behalf of the Navajo Nation
- Kevin Crestin observing on behalf of the Arizona State Land Department

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

Counsel for ASARCO, Mr. Hood, reports that they have circulated draft abstracts and received comments. They are hopeful they can reach a full settlement and request an additional 90 days.

Counsel for the United States, Mr. Leininger, concurs with Mr. Hood's statements. They are in communication and settlement talks with Mr. Hood and his clients but more time is needed for settlement discussions.

Counsel for San Carlos Apache Tribe, Mr. Sparks, agrees with Mr. Hood. He reports that they have provided a number of historical documents; however, it's a complicated set of claims that will require an additional amount of time to settle.

Good cause appearing,

IT IS ORDERED granting the request for additional time. The parties shall submit a Joint Status Report no later than **Friday, December 8, 2023** detailing the parties' progress, when they expect stipulated abstracts or a proposed schedule if they don't anticipate settling.

1:39 p.m. Matter concludes.

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