

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

11/21/2014

CLERK OF THE COURT
Form V000

SPECIAL MASTER.
GEORGE A. SCHADE, JR

T. Springston
Deputy

W1-11-1174 (Consolidated)

FILED: December 4, 2014

In re PWR 107 Claims

W1-11-1174

In re Status Conference

MINUTE ENTRY

9:45 a.m. This is the time set for a status conference before the Special Master set for November 21, 2014, following the conclusion of a prior conference held today. The following attorneys appear telephonically: Robyn L. Interpreter on behalf of Pascua Yaqui Tribe; William P. Sullivan on behalf of the City of Sierra Vista, Pueblo Del Sol Water Company and Liberty Utilities (Bella Vista Water Company) Corp.; and Joe P. Sparks on behalf of the San Carlos Apache Tribe and Tonto Apache Tribe. The following attorneys appear in-person: R. Lee Leininger, Mark A. Holycross, and Daniel D. Haws II on behalf of the United States; John B. Weldon, Jr., Scott M. Deeny, Lisa M. McKnight, and Patrick B. Sigl on behalf of Salt River Project; Sean T. Hood, Shilpa Hunter-Patel, and L. William Staudenmaier on behalf of Freeport Minerals Corporation; Janet L. Miller and Nicole D. Klobas on behalf of the Arizona Department of Water Resources; Theresa M. Craig on behalf of the State of Arizona; David A. Brown and J. Albert Brown on behalf of Babacomari Ranch Company, LLLP and St. David Irrigation District; Gregory L. Adams on behalf of ASARCO LLC.

Court reporter MaryLynn LeMoine is present and a record of the proceedings is also made by audio and/or videotape.

Discussion is held regarding the efforts of the United States and the San Carlos Apache Tribe ("Tribe") to resolve this case. Mr. Sparks states that the Tribe and the United States have used a digital map to locate springs and determine the direction of their flows. The Tribal Council plans to review this matter, but it will not be until February 2015, that a meeting with the Council will be possible. Messrs. Leininger and Sparks indicate that an agreement as to the water rights attributes may be accomplished by the first week of March 2015.

The Special Master states that the United States and Tribe will be requested to file either a report regarding settlement status or a settlement agreement by March 13, 2015. Messrs. Sparks and Leininger concur with the request.

The Special Master states that after a settlement agreement is submitted the Arizona Department of Water Resources (“ADWR”) will review the agreement and abstracts of water rights in accordance with the June 20, 2013, order.

Ms. Miller requests additional time for ADWR to prepare the technical review. The Special Master states that the request will be considered, but an extension of time will be short.

The Special Master encourages the parties to finish the San Pedro River Watershed cases.

10:05 a.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court approved mailing list for Contested Case No. W1-11-1174 dated November 24, 2014.