

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/04/2020

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

T. DeRaddo
Deputy

In re: Manuela Franco
Contested Case No. W1-11-3239

FILED: 2/11/2020

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)

In re: Status Conference

MINUTE ENTRY

Central Court Building – Courtroom 301

1:45 p.m. This is the time set for a Status Conference before Special Water Master Susan Ward Harris.

The following attorneys appear in person: Mark McGinnis on behalf of Salt River Project; and John Burnside on behalf of BHP Copper. Also appearing in person are landowners, Anna Estrada and Francisco Estrada. No appearance is made by or on behalf of Helidoro Lerma or Robert Chavez.

The following attorneys appear telephonically: Laurel Herrmann on behalf of the San Carlos Apache Tribe; Kimberly Parks on behalf of ADWR; Brad Pew on behalf of Asarco and the LCR Coalition; Robin Interpreter on behalf of the Yavapai Apache Nation and observing for the Pascua Yaqui Tribe; and Richard Palmer on behalf of the Tonto Apache Tribe.

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

The Court informs the parties that Manuela Franco filed a Statement of Claimant 39-12960. Ms. Franco claimed water rights for irrigation and domestic use. ADWR reports that it found that there was a well on the property and the water from the well was

being used for irrigation and domestic use. ADWR found that there were 2.5 acres that were irrigated and used three methods to determine the amount of the use.

The Court states that the landowners in this case are listed as Helidoro Lerma and Robert Chavez and Francisco and Anna Estrada.

Francisco and Anna Estrada address the Court and state that they bought property from a relative of Manuela Franco, Ms. Franco's in-laws. Mr. Estrada believes that both of those in-laws are now deceased. Manuela Franco was married to the son of the previous landowner, and she may be residing in Texas. Francisco and Anna Estrada report that they believe that the irrigation well is part of their property, but they are not irrigating the property. They are claiming a water right for domestic use.

The Court explains to the Estradas the process of resolving claims for water. Arizona Department of Water Resources prepared a report about its investigation of the claim filed by Ms. Franco. A number of objectors had issues with the ADWR report.

The Estradas are to meet with the objectors to ADWR's report at a meeting to be coordinated by ADWR. The landowners may need to provide information to the objectors about the water use in order to resolve the objections. If the parties are not able to resolve the objections, the Court will set this matter for litigation.

Kimberly Parks states that she will schedule a meeting between the landowners and the objectors at ADWR by not later than **June 30, 2020**.

The Court suggests that the Estradas access the information maintained at ADWR attached to Statement of Claimant 39-12960.

1:56 p.m. Matter concludes.

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