

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

May 5, 2020

CLERK OF THE COURT  
FORM V000

SPECIAL WATER MASTER  
SUSAN WARD HARRIS

L. Stogsdill

Deputy

In re: Joel William Rubin  
Contested Case No. W1-11-3324

FILED: June 1, 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**

**Courtroom: CCB 301**

2:15 p.m. This is the time set for a Status Conference

The following attorneys and parties appear telephonically: Mark McGinnis for SRP, Bradley Pew for ASARCO, John Burnside for BHP Copper, Kimberly Parks for ADWR, Laurel Hermann and Joe Sparks for the San Carlos Apache Tribe, and Richard Palmer for the Tonto Apache Tribe.

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

LET THE RECORD REFLECT that Ms. Hermann filed an objection to the proposed abstract filed with respect to land owned by Joel Rubin.

Ms. Hermann states that ADWR was unable to tie the notice of water right used as the basis of right to the use of water on this land.

The Notice and the legal basis for the notice is discussed. Mr. McGinnis advises the Court that he reviewed the notice, and for SRP's purposes, it is sufficient notice for his client.

Mr. Burnside stated that BHP Copper agrees with SRP.

Ms. Parks stated that ADWR looked at the Notice of Appropriation (NOA) again and she does not see that it ties to the subject property and is unable to change ADWR's original opinion.

Ms. Hermann further explains her basis for filing the objection. Ms. Hermann has also requested GPS coordinates for the residence.

The Court reviewed the status report filed by Mr. Palmer. Further, discussion is held.

Mr. McGinnis reported that Ms. Knox had called him last week and he believed that she is still actively involved in the case.

Matter concludes: 2:18 p.m.

LATER:

The landowners, Joel Rubin, Sandra Knox, and Kelly Glenn did not appear at the status conference. With the exception of the information provided by Mr. McGinnis, it is not known if the parties continue to be interested in working with the objectors to resolve the objections to the report filed by ADWR so that proposed abstracts for water rights can be issued in this case.

Accordingly, a scheduling conference will be set. The purpose of the scheduling conference is to set the dates needed for the resolution of the objections and claims for the water rights by the court. At the scheduling conference, dates will be set to complete any discovery, file any motions the parties believe necessary, and to set a date for a hearing on the claims.

IT IS ORDERED setting a telephonic scheduling conference on **July 13, 2020** at 3:00 p.m.

Instructions for telephonic participation:

Dial: 602-506-9695 (local)

1-855-506-9695 (toll free long distance)

Dial Collaboration (conference) Code 357264#

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