

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

10/18/2017

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN HARRIS

T. DeRaddo

Deputy

In Re: Pomerene Water Users Association
Contested Case No. W1-11-1676

FILED: 10/25/2017

In Re: The General Adjudication
of All Rights to Use Water in the
Gila River System and Source

In re: Status Conference

MINUTE ENTRY

Central Court Building - 301

2:15 p.m. This is the time set for a status conference to review the status of this matter.

Appearances are as follows:

Attorneys appearing in person:

- David A. Brown appears on behalf of the Pomerene Water Users Association
- Joseph P. Sparks appears on behalf of the Tonto Apache Tribe and the San Carlos Apache Tribe
- Edwin W. Slade III appears on behalf of the Arizona State Land Department
- Mark A. McGinnis appears on behalf of Salt River Project
- Susan B. Montgomery appears on behalf of the Yavapai Apache Nation and the Pascua Yaqui Tribe
- Monique Coady appears on behalf of the City of Phoenix

Also appearing in person:

- Gayland Davis on behalf of the Pomerene Water Users Association
- Sandra Davis on behalf of the Pomerene Water Users Association

- Michelle East on behalf of the Pomerene Water Users Association,
- Layne East on behalf of the Pomerene Water Users Association
- Sarah Ogilvie on behalf of the Pomerene Water Users Association
- Andrew Ogilvie on behalf of the Pomerene Water Users Association,
- Jacob Kartchner on behalf of Pomerene Water Users Association, Board Member
- Jennifer Kartchner on behalf of Pomerene Water Users Association

Attorney appearing telephonically:

- Kimberly R. Parks appears on behalf of the Arizona Department of Water Resources (ADWR)

Court Reporter, Linda Lopez is present. A record of the proceedings is also made digitally.

David Brown addresses the Court regarding the status of the matter. Mr. Brown advises the Court that the Pomerene Water Users Association board members and officers are present and are in the process of filing their corporate documents so they will then become a non-profit corporation instead of an unincorporated association. All members of the board are present at the hearing with one exception.

Discussion is held regarding Mr. Brown's report and the process to update the mailing list for this matter and to substitute Mr. Brown on the mailing list for those persons who are affiliated with the Pomerene Water Users Association. Further discussion is held regarding the WFRs, prior owners of properties and the Statements of Claimant. Mr. Brown avows that he will need at least nine months to work on and complete the Statements of Claimant. Mr. Brown then needs to refile the claims. He believes that a supplemental report needs to be provided by ADWR.

Mark McGinnis and Joseph Sparks stipulate to the timeline.

Edwin Slade addresses the Court and informs the Court that the State Land Department is in the process of checking to determine if there is state land involved in watershed No. 112-17-BAD-013. Mr. Slade will inform the Court when this information becomes available.

IT IS ORDERED Mr. Brown will file a report with the court that identifies those persons who are members of the Pomerene Water Users Association and consent to be represented by his office by December 29, 2017. Thereafter the court-approved mailing list will be revised consistent with Mr. Brown's report.

IT IS FURTHER ORDERED that new and amended Statements of Claimant by and on behalf of the Pomerene Water Users Association or its members are due by August 31, 2018.

2:28 p.m. Matter concludes.

LATER:

IT IS FURTHER ORDERED that a status conference shall be held on September 6, 2018, at 1:30 p.m. in Maricopa County Superior Court, Courtroom 301, Central Court Building, 201 West Jefferson, Phoenix, Arizona 85003. The purpose of the status conference will be to determine that the mailing list for the case is complete and accurate and determine whether a supplemental report will be requested from ADWR. If such a report is found to be necessary, an additional purpose of the status conference shall be to identify the information that should be included in the report, the amount of time reasonably required by ADWR to prepare a supplemental report, appropriate notice procedures and deadlines for filing new or amended objections.

Instructions for telephonic participation in the status conference:

Dial: 602-506-9695 (local)

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

Dial Participant Pass Code 357264#

A copy of this order is mailed to all persons listed on the Court approved mailing list for Contested Case No. W-1-11-1676.