

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

04/05/2017

CLERK OF THE COURT

SPECIAL MASTER SUSAN WARD HARRIS

K. Ballard
Deputy

W-1, W-2, W-3, W-4 (Consolidated)

FILED: 04/07/2017

IN RE THE GENERAL ADJUDICATION
OF ALL RIGHTS TO USE WATER IN THE
GILA RIVER SYSTEM AND SOURCE

In Re Sands Group Of Cases

CIVIL NO: W1-11-19

In Re Scheduling Conference

CONFERENCE

Courtroom: CCB-301

1:30 p.m. This is the time set for a Scheduling Conference.

Appearances in the courtroom are as follows:

- Attorney David Negri is present on behalf of the United States;
- Attorney John Gaudio is present on behalf of the United States Department of Interior (Bureau of Land Management);
- Attorneys Theresa M. Craig, Edwin W. Slade, III, and Carrie J. Brennan are present on behalf of the Arizona State Land Department.
- Attorney David A. Brown is present on behalf of Bayless and Berkalew and the Arizona Cattle Grower's Association;
- Attorney Carlos D. Ronstadt is present on behalf of Sands Investment Company and LS Cattle Company;
- Attorney John B. Weldon, Jr. is present on behalf of Salt River Project;
- Attorney Stanley B. Lutz is present on behalf of Goff & Goff and the Estate of Joseph Goff;
- Attorney Michael J. Pearce is present on behalf of Mercer;
- H.T. Hendrickson is present on his own behalf;

- Attorneys Mario C. Vasta and Shilpa Hunter-Patel are present on behalf of Freeport Minerals;
- Attorneys Kimberly R. Parks and Janet L. Miller are present on behalf of Arizona Department of Water Resources (ADWR); and
- Attorney Justine R. Jimmie is present on behalf of the San Carlos Apache Tribe.

Also present in the courtroom are:

- Joel Rose, a law student appearing with David Brown, and
- James Heitholt and Salek Shafiqullah, non-attorney representatives from the Coronado National Forest.

Appearances on the telephone are as follows:

- Attorneys Joe P. Sparks and Julia M.R. Kolsrud are present on behalf of the San Carlos Apache Tribe and Tonto Apache Tribe;
- Attorneys Randy Bramer, Nicholas Pino and M'Leah Woodard are present on behalf of USDA Forest Services;
- Hydrologist Mark D'Aversa is present from the Bureau of Land Management;
- Attorney Susan Montgomery is present on behalf of the Yavapai-Apache Nation and the Pascua Yaqui Tribe; and
- Attorney J. Albert Brown is present on behalf of Bayless and Berkalew and the Arizona Cattle Grower's Association.

Court Reporter Karen Bolton is present. A record of the proceedings is also made digitally.

The Special Master has reviewed Mr. Negri's report regarding the United States' proposal to deal with issues surrounding water rights on federal land. Discussion is held regarding the same. During the course of that discussion, Mr. Negri provides the Special Master with an update on settlement discussions and requests another six months to pursue settlement negotiations.

Mr. Negri advises the Special Master that they have identified additional WFRs on BLM land that should be included in the group involving federal land ownership. Those WFRs are 113-09-011 (Hendrickson); 113-05-005 (Sombrero Butte Cattle, LLC); 115-04-004 (Turcottes); and 115-04-009 (Turcottes or Nature Conservancy). Mr. Negri is directed to file a notice regarding this information.

Ms. Craig addresses the Special Master regarding Mr. Negri's report.

IT IS ORDERED granting Mr. Negri's request for an extension to **October 5, 2017**. At that time, counsel shall file a report advising the Special Master of the status of settlement negotiations. If no settlement has been reached, or if only a partial settlement has been reached, counsel shall include a list of test cases.

Mr. David Brown addresses the Special Master regarding the recently-filed abstracts and the request for permission to have Mr. Smallhouse obtain GPS information and the timeframe for providing the same. Discussion is briefly held regarding the same.

IT IS ORDERED granting the petition filed by Mr. Brown.

Mr. Hendrickson addresses the Special Master regarding settlement negotiations with the United States and objects to the six-month extension, and reports on the ease of obtaining GPS information and conversion into legal descriptions.

1:52 p.m. Matter concludes.

A copy of this minute entry is mailed to all parties on the Court Approved Mailing List for Contested Case No. W1-11-19.