

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

January 23, 2023

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

A. Parmar
Deputy

In Re The General Adjudication of
All Rights to Use Water in the Gila
River System and Source
W-1, W-2, W-3, W-4 (Consolidated)

FILED: February 3, 2023

In re: First National Bank/Charles Leftault
Contested Case No. W1-11-1345

MINUTE ENTRY

Courtroom 613 – East Court Building

1:34 p.m. This is the time set for a telephonic Status Conference before Special Water Master Susan Ward Harris.

The following parties/attorneys appear in person:

- David Brown, J Albert Brown and Garrett Perkins on behalf of Rancho Del Rio San Pedro LLC
- John Burnside on behalf of BHP Copper
- Robyn Interpreter on behalf of the Yavapai Apache Nation (and observing on behalf of Pascua Yaqui Tribe)
- Joe Sparks on behalf of the San Carlos Apache Tribe

The following parties/attorneys appear telephonically through Court Connect/TEAMS:

- Michael Foy on behalf of Salt River Project (“SRP”)
- Kimberly Parks and Kome Akpolo on behalf Arizona Department of Water Resources (“ADWR”)
- Rhett Billingsley on behalf of American Smelting and Refining Company (“ASARCO”)
- Charmayne G. Staloff on behalf of the United States Department of Justice, Environment and Natural Resources Division
- Maggie Woodward and R. Lee Leininger on behalf of the United States Department of Justice, Natural Resources Section
- Arthur H. Thompson Jr. (Statutory Agent) observing on behalf of Rancho Del Rio San Pedro LLC

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

The Court explains the process used to initiate a case and efforts made to locate the current landowners. When the case was initiated, the Court noticed the original claimant, the objectors and the current landowners.

Mr. Brown addresses the Court regarding the progress of agreements. He reports that he has resolved all issues with the San Carlos Apache Tribe and United States. He has sent out the proposed abstract and heard back from all the parties except the Tonto Apache Tribe and Gila River Indian Community.

1:41 p.m. Kent Millward appears virtually through Court Connect on behalf of the Tonto Apache Tribe.

Mr. Millward reflects that they have reviewed the proposed abstract and it is acceptable.

IT IS ORDERED that Mr. Brown file the stipulated abstracts within 20 days.

1:44 p.m. Matter concludes.

LATER: Based on the representations of Mr. Brown and the parties attending the status conference, an agreement has been reached in this case among those parties concerning proposed water rights. At this point only the Gila River Indian Community has not advised whether the draft abstracts are acceptable. The Gila River Indian Community shall advise Mr. Brown of its position no later than **February 6, 2023**. Stipulated abstracts shall be filed by **February 13, 2023** if an agreement can be reached by all of the parties. If an agreement cannot be reached, then Gila River Indian Community shall file a status report by **February 13, 2023**.

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