

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

8/25/2022

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

T. DeRaddo
Deputy

In re: First Nat'l Bank and Charles Leftault
Contested Case No: W1-11-1345

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

FILED: 8/29/2022

In re: Status Conference

MINUTE ENTRY

Courtroom CCB - 301

1:45 p.m. This is the time set for a virtual/telephonic Status Conference before
Special Water Master, Susan W. Harris.

The following attorneys appear virtually/telephonically via Court Connect/Teams.

- Michael Foy and Mark McGinnis on behalf of Salt River Project
- Kome Akpolo and Kimberly Parks on behalf of ADWR
- John Burnside on behalf of BHP Copper
- Rhett Billingsley on behalf of ASARCO
- Laurel Herrmann and Joseph Sparks on behalf of the San Carlos Apache Tribe
- Richard Palmer on behalf of the Tonto Apache Tribe
- Sue Montgomery on behalf of the Yavapai Apache Nation and observing on behalf of the Pasqua Yaqui Tribe
- David Brown on behalf of Rio San Pedro, LLC
- Tom Murphy on behalf of the Gila River Indian Community
- Mr. Knackendoffel as an observer on behalf of Arthur H. Thompson Trust which owns the membership interest in Rancho Del Rio San Pedro, LLC

The United States, an objector, did not make an appearance.

Mr. Brown reports a sequence of events in this matter as follows:

He filed a status report about 60 days ago and distributed abstracts to the parties on April 19, 2022; he received comments from SRP on May 24, 2022; and he sent out a letter on May 15, 2022 with the revised abstracts. A letter was sent from SRP which indicated a typo in Mr. Brown's documents. He then received approval from the Yavapai-Apache Nation and the Tonto Apache Tribe. He received final approval from SRP. He then filed a draft report on June 30, 2022 and received an email from ASARCO with one minor change. He then received a letter from the San Carlos Apache Tribe written on July 29, 2022 – he did not receive the letter until August 8, 2022 - with concerns and comments to which Mr. Brown responded in writing on August 17, 2022.

Mr. Brown has not heard from the Gila River Indian Community nor from the United States.

Mr. Sparks states that he can respond to Mr. Brown by the end of September.

Mr. Murphy has not yet been able to view the documents due to unforeseen internet and electronic problems.

Mr. Brown reports that there is a pending deadline of September 1, 2022 at this time. He asks the Court to vacate that date.

IT IS ORDERED vacating the deadline for Mr. Brown to submit a status report in this matter.

Mr. Burnside requests that he be added to the official mailing list for this matter.

Mr. Brown states that he will send the documents to Mr. Burnside.

Mr. Sparks informs the Court that Mr. Leininger and Mr. Negose from the federal government should be added to the mailing list for this case.

1:55 p.m. Matter concludes.

LATER:

IT IS ORDERED that the Claimant shall file stipulated abstracts if any agreement is reached by **October 7, 2022**. If no agreement is reached, Claimant shall file a status report by **October 7, 2022**. If a Status Report is filed and it states that the United States has not responded to Claimant, an Order to Show Cause shall be issued requiring the United States to show cause that its objections should not be dismissed.

IT IS FURTHER ORDERED that John Burnside be added to the Court-approved Mailing List for this case.

A copy of this minute entry will be sent to all people on the court-approved mailing list for this matter.