

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

03/17/2022

CLERK OF THE COURT
Form V000

SPECIAL WATER MASTER
SUSAN HARRIS

S. Ortega
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 and W-4 (Consolidated)

In re: Raymond & Janet Harmon
Contested Case No. W1-11-1495

FILED: 03/28/2022

MINUTE ENTRY

Courtroom: CCB 301

2:09 p.m. This is the time set for a Status Conference before Special Water Master Susan Harris.

The following attorneys and parties appear virtually through Microsoft Teams/Court Connect:

- Mark McGinnis observing for Salt River Project
- Kimberly R. Parks for Arizona Department of Water Resources (“ADWR”)
- Richard Palmer for Tonto Apache Tribe
- Laurel A. Herrmann for the San Carlos Apache Tribe
- Jay Tomkus for the Yavapai-Apache Nation and observing for the Pascua Yaqui Tribe
- Thomas L. Murphy for Gila River Indian Community
- Shawn Ray and Carlisa Burgess observing on their own behalf

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

Mr. Burgess states that they are just observing as they are unsure what this status conference is about. They recently purchased their lot and are in the process of planning their move to the property and applying for a new well.

The Court explains the background of this case and the process of adjudication of water rights in the State of Arizona. A copy of ADWR's report is attached to the order previously mailed to the parties. The Burgesses have been included in this matter because they are successor land owners to a landowner who filed a claim for a water right.

The Court informs the Burgesses that if they want a well, they need to file the appropriate documents with ADWR to get a permit for a new well and the right to pump the water.

The Burgesses claim that they are not currently using any water on the property.

The Court explains the rule to the Burgesses that the court cannot adjudicate a right that does not yet exist because no water has been put to beneficial use and the necessary process at ADWR has not been completed.

Based on the Court's understanding of the landowner that there is no current use of water in this case,

IT IS ORDERED that Statement of Claimant 39-3074 is dismissed. No further action will be taken with regard to Watershed File No. 112-14-DD-022, and Case No. W1-11-1495 is dismissed.

2:16 p.m. Matter concludes.