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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

**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)

Contested Case No. **W1-11-1508**

**ORDER DENYING REPRESENTATION  
VIA POWER OF ATTORNEY AND  
SCHEDULING STATUS CONFERENCE**

**CONTESTED CASE NAME:** *In re Chester C. Antonick*  
**HSR INVOLVED:** San Pedro Hydrographic Survey  
**DESCRIPTIVE SUMMARY:** Order denying Mr. Andrew Abernathy's representation of claimant Heather Cantrell via power of attorney and scheduling a status conference for **Thursday, September 12, 2024, at 11:00 am.**  
**NUMBER OF PAGES:** 12

On June 25, 2024, the office of the Special Master received email communication from Mr. Andrew Abernathy providing power of attorney to represent claimant Heather Cantrell in this contested case, a copy of this communication is attached as Attachment A. This notice was not appropriately filed with the Court, nor were copies provided to all other parties. More importantly however, in accordance with the Arizona Rules of Civil Procedure, Rule 17(b), someone granted power of attorney, may not represent a claimant in court. Mr. Abernathy may appear on behalf of Heather Cantrell only if one

1 of the exceptions in ARCP 17(b) applies., and power of attorney is not one of those  
2 exceptions. Therefore,

3 **IT IS ORDERED** that unless Mr. Abernathy meets one of the exceptions within  
4 Arizona Rules of Civil Procedure, Rule 17(b) and provides evidence of such, Mr.  
5 Abernathy may not represent Ms. Cantrell in this contested case.

6 Furthermore, Mr. Cantrell is not otherwise a claimant in this contested case.  
7 Therefore,

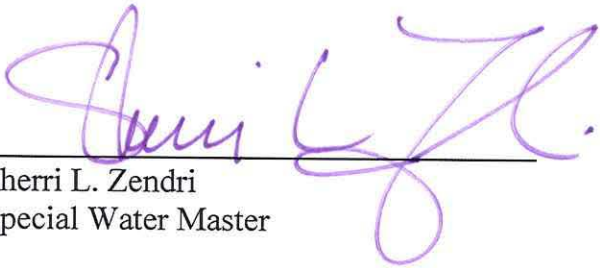
8 **IT IS FURTHER ORDERED** that Mr. Abernathy will not be added to the Court-  
9 approved mailing list. However, Mr. Abernathy may continue to remain on the courtesy  
10 email list.

11 On June 26, 2024, the Arizona Department of Water Resources (ADWR)  
12 conducted a meeting for landowners intending to make claims for potential water rights in  
13 the contested case. A meeting summary was filed by ADWR June 28, 2024. The Court  
14 has reviewed the meeting summary and ADWR's recommendations regarding the next  
15 steps in the contested case. It is noted that neither Doreen Edwards nor the Bidegains  
16 attended the ADWR meeting.

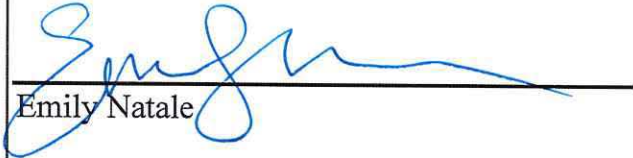
17 **IT IS FURTHER ORDERED** scheduling a status conference for **Thursday,**  
18 **September 12, 2024, at 11:00 a.m.** Unless otherwise excused by the Court, Claimants  
19 wishing to pursue potential water rights must attend the status conference and provide  
20 an update on their progress in resolving objections to the claims. The status conference  
21 will be held using the Court Connect program. Instructions for Court Connect are  
22 attached as Attachment B. If you receive this Order by email, click on the red box "Join  
23 Court Connect Hearing" on the attached instructions to make an appearance. If you do  
24 not receive this Order by email, log into the Court Connect program on the internet by  
25 typing <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet,  
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1 you may attend telephonically using the telephone number and access code included in  
2 the instructions for Court Connect.

3  
4 Signed this 12<sup>th</sup> day of July 2024

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9 Sherri L. Zendri  
Special Water Master

10  
11 On July 12, 2024 the  
12 original of the foregoing was delivered to the  
13 Clerk of the Maricopa County Superior Court  
14 for filing and distributing a copy to all persons  
listed on the Court approved mailing lists for  
W1-11-1508

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16 Emily Natale

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Court Approved Mailing List  
In re Chester C. Antonick  
W1-11-1508 (21 Names)  
Prepared by the Special Master  
7/12/2024

---

Alexander B. Ritchie  
San Carlos Apache Tribe  
Office of the Attorney General  
PO Box 40  
San Carlos, AZ 85550

Javier Ramos & Sunshine  
Manuel  
Gila River Indian Community  
Office of the General Counsel  
P. O. Box 97  
Sacaton, AZ 85147

Amber Marie Parker  
2137 N Monte Vina Ct  
Benson, AZ 85602

Jeremiah Weiner, Kent  
Millward,  
Brett J. Stavin, & Lauren  
Mulhern  
ROSETTE, LLP.  
120 S. Ash Avenue, Suite 201  
Tempe, AZ 85281

Clerk of the Superior Court  
Maricopa County  
Attn: Water Case  
601 West Jackson Street  
Phoenix, AZ 85003

Joe P. Sparks and Laurel A.  
Herrmann  
The Sparks Law Firm, P.C.  
7503 First Street  
Scottsdale, AZ 85251-4573

Doreen Edwards  
PO Box 1763  
Bisbee, AZ 85603

John D. Burnside  
Snell & Wilmer, L. L. P.  
One E. Washington Street,  
Suite 2700  
Phoenix, AZ 85004-2556

Eileen M Brien & Joseph  
Regnier  
2152 N Bella Vista Ln  
Benson, MT 85602

Kevin T & Michelle M Rasch  
2248 N Ocotillo Rd  
Benson, AZ 85602

J. B. Weldon, M. A. McGinnis,  
M. K. Foy  
Salmon, Lewis & Weldon  
2850 E. Camelback Rd. Suite  
200  
Phoenix, AZ 85016

Kimberly R. Parks and Karen J.  
Nielsen  
Arizona Department of Water  
Resources  
1110 West Washington, Suite  
310  
Phoenix, AZ 85007

Lauren Caster & Bradley Pew  
Fennemore Craig, P.C.  
2394 East Camelback Road  
Ste 600  
Phoenix, AZ 85016-3429

Sherri L. Zendri  
Special Master  
Central Court Building, Ste 3A  
201 West Jefferson  
Phoenix, AZ 85003-2205

Maggie Woodward & Alexa  
Penalosa  
United States Dept. of Justice -  
ENRD  
Natural Resources Section  
PO Box 7611, Ben Franklin  
Station  
Washington, DC 20044

Wayne & Heather Cantrell  
2196 Bidwell Bar Dr  
Plumas Lake, CA 95961

Matthew J & Kristin B Bidegain  
2127 N Bella Vista Ln  
Benson, AZ 85602

William J.W. Crum  
United States Dept. of Justice -  
ENRD  
Indian Resources Section  
PO Box 7611, Ben Franklin  
Station  
Washington, DC 20044

Michael J Mason & Emma  
Huang  
446 S Star Ave  
Tucson, AZ 85719

Michelle Rasch  
C/O Colt Rr LLC  
2248 N Ocotillo Rd  
Benson, AZ 85602

Susan B. Montgomery, Robyn  
Interpreter  
Montgomery & Interpreter PLC  
3301 E. Thunderbird Road  
Phoenix, AZ 85032

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# **ATTACHMENT A**

## Emily Natale (SUP)

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**From:** Andrew Abernathy <anethy.az@gmail.com>  
**Sent:** Tuesday, June 25, 2024 7:47 AM  
**To:** Emily Natale (SUP)  
**Subject:** Re: W1-11-1508  
**Attachments:** Cantrell POA Land.pdf

**Categories:** Done

### This Message Is From an Untrusted Sender

You have not previously corresponded with this sender. Please use caution when you receive messages from new senders. Always validate the sender first.

Ms Natale,  
I'm sending you my Power of Attorney from Heather Cantrel regarding her representation in the matter of water rights from the well located on her property in the matter referenced above. Thank you for adding me to the notices issued by the court in this matter.  
If you have any questions, please let me know.

Thank you,  
Andrew Abernathy

On Thu, Jun 13, 2024 at 2:48 PM Emily Natale (SUP) <[Emily.Natale@jbazmc.maricopa.gov](mailto:Emily.Natale@jbazmc.maricopa.gov)> wrote:

To Counsel and Parties in the subject case.

Attached is a copy of the **June 13, 2024** Order for case W1-11-1508. The clerk for the Maricopa Superior Court will distribute a copy of the Order.

This copy is provided as a courtesy.

**Emily Natale (she/her/hers)**

Judicial Assistant to the Special Water Master

**Uniform Statutory Form Power of Attorney**

THIS POWER OF ATTORNEY MAY BE REVOKED LATER UPON NOTICE TO THE APPOINTED PARTY.

I, Heather Cantrell appoint Kevin Rasch of 2248 N Ocotillo Road, Benson, AZ 85602 as my agent (attorney-in-fact) to act for me in any lawful way with respect to the following initialed subjects:

He Real property water rights related to Parcel # 20826027B located in Cochise County, Arizona.

**SPECIAL INSTRUCTIONS:**

The party named above is appointed to represent me in matters related to the water rights attached to this property as embodied in either surface or subsurface water rights. This party is appointed as of the date of execution of this document and will continue until revoked by proper notice.

**EXERCISE OF POWER OF ATTORNEY WHERE MORE THAN ONE AGENT DESIGNATED**

If I have designated more than one agent, the agents are to act SEPARATELY.

I agree that any third party who receives a copy of this document may act under it. Revocation of the power of attorney is not effective as to a third party until the third party has actual knowledge of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.

Signed this 16<sup>th</sup> day of May, 2024  
Heather Cantrell  
(your signature)

State of California, County of Sacramento

BY ACCEPTING OR ACTING UNDER THE APPOINTMENT, THE AGENT ASSUMES THE FIDUCIARY AND OTHER LEGAL RESPONSIBILITIES OF AN AGENT.



A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

**CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC**

State of California  
County of Sacramento

On May 16, 2024 before me, Sarah Lenhoff, Notary Public  
personally appeared Heather Cantrell, who proved to me on the basis of satisfactory  
evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Sarah Lenhoff (Seal)



**Uniform Statutory Form Power of Attorney**

THIS POWER OF ATTORNEY MAY BE REVOKED LATER UPON NOTICE TO THE APPOINTED PARTY.

I, Heather Cantrell appoint Andrew Abernathy of 621 S Mesquite Street, Benson, AZ 85602 as my agent (attorney-in-fact) to act for me in any lawful way with respect to the following initialed subjects:

HC Real property water rights related to Parcel # 20826027B located in Cochise County, Arizona.

**SPECIAL INSTRUCTIONS:**

The party named above is appointed to represent me in matters related to the water rights attached to this property as embodied in either surface or subsurface water rights. This party is appointed as of the date of execution of this document and will continue until revoked by proper notice.

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Signed this 16<sup>th</sup> day of May, 2024.

Heather Cantrell  
(your signature)

State of California, County of Sacramento

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**CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC**

State of California

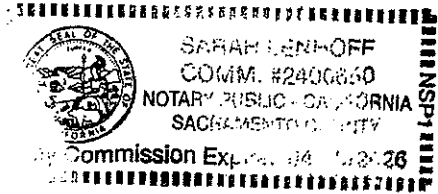
County of Sacramento

On May 16, 2024 before me: Sarah Lenhoff, Notary Public  
personally appeared Heather Cantrell, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Sarah Lenhoff (Seal)



Attachment B



**Court Connect Hearing Notice for In re In re Chester C. Antonick**

*This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.*

*All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.*

**Participants:** Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

**Case Name:** In re In re Chester C. Antonick, Contested Case No. W1-11-1508  
**Start Date/Time:** Thursday, September 12, 2024, at 11:00 a.m.

**JOIN COURT CONNECT HEARING**

**Dial-in Information:** +1 917-781-4590

**Private Dial-in Information:** for privacy purposes, you can block your phone number by dialing \*67 +1 917-781-4590

**Dial-in Access Code:** 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)