

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

12/02/2021

SPECIAL WATER MASTER SUSAN WARD HARRIS

In re: The General Adjudication of All Rights To Use Water in the Gila River System and Source  
Contested Case No. W1-11-1892  
Contested Case Name In Re: Mark & Marion Kartchner

In Re: Status Conference

CLERK OF THE COURT

L. Brown

Deputy

FILED: 12/13/2021

**MINUTE ENTRY**

Central Court Building- Courtroom 301

3:30 p.m. This is the time set for a Status Conference In Re: Mark & Marion Kartchner before  
Special Master Susan Ward Harris.

The following attorneys and parties appear via Court Connect/ Microsoft Teams and via telephone:

- Mark McGinnis on behalf of Salt River Project (“SRP”)
- Kimberly Parks, on behalf of Arizona Department of Water Resources (“ADWR”)
- Richard Palmer Jr. on behalf of the Tonto Apache Tribe
- Joseph Sparks on behalf of San Carlos Apache Tribe
- David Brown on behalf of St. David Irrigation District
- Rhett Billingsley on behalf of ASARCO, LLC
- Sue Montgomery on behalf of the Yavapai Apache Nation (observing on behalf of the Pascua Yaqui Tribe)
- Thomas Murphy on behalf of Gila River Indian Community
- John Burnside on behalf of BHP Copper
- Allen Brandt on behalf of himself and Eileen J. Brandt(mother)
- Steven Wene on behalf of Mr. and Mrs. Kartchner

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

Mr. Brown addressed the Court and requested that the cases be consolidated with the other cases in the St. David Irrigation case. He has spoken with Mr. Brandt and he agrees with the case being consolidated.

Mr. Brandt states he does not object to his case being added to the St. David Irrigation case.

Mr. Wene addresses the Court. His client wants to make sure there is no further assignments to be made to the Court.

Mr. Brown states he does not know if there have been any assignments made by the Kartchners.

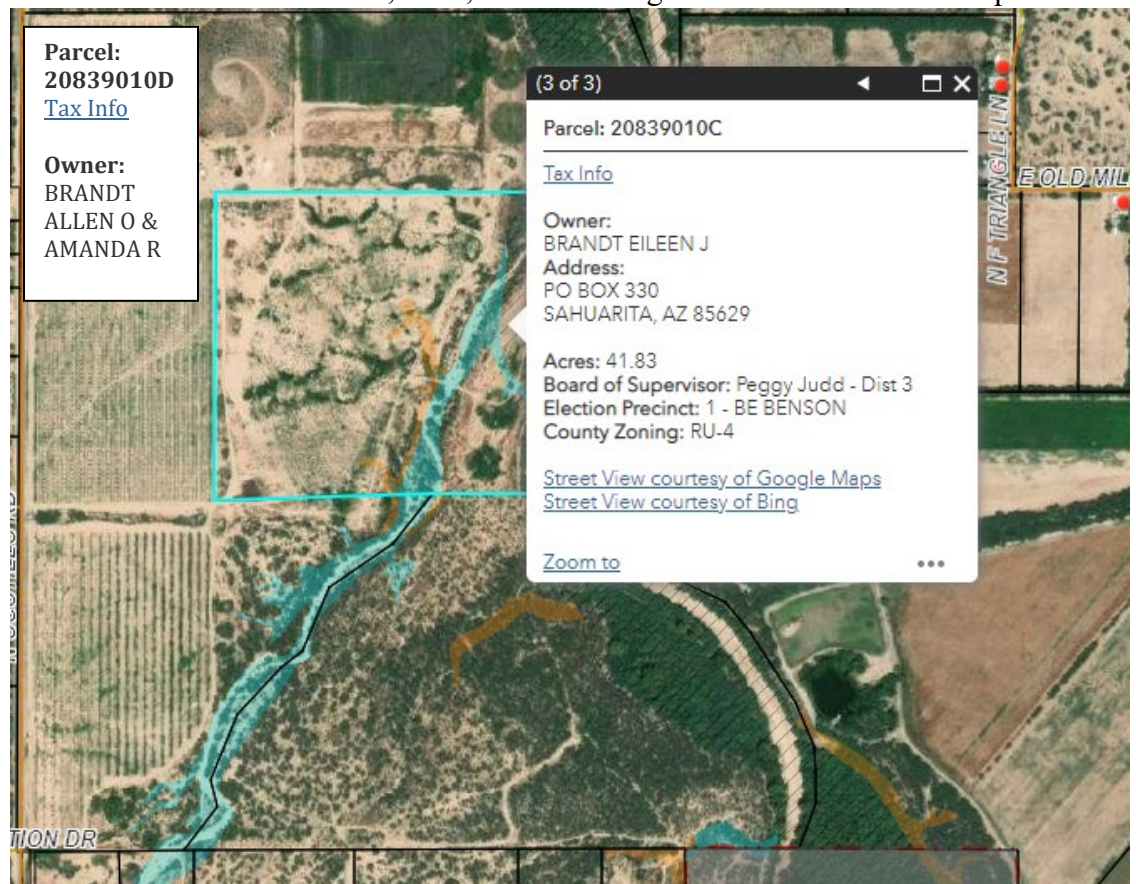
The Court will look at the filing made by St. David Irrigation District in May 2020 and then will consolidate the case with the St. David Irrigation case, if appropriate.

3:36 p.m. Matter concludes.

LATER: On May 12, 2020, St. David Irrigation District filed a Status Report Regarding Status of Annexation of Lands and Results of Its investigation of Watershed File Report. It reported that a petition had been filed by Allen and Amanda Brandt and Eileen Brandt to annex tax parcel 208-39-010D6 into the District. The District reported that it had approved the petitions, but it had to hold a public hearing on the petitions. By Resolution No. 01-2021 dated March 21, 2021, St. David Irrigation District annexed tax parcel

208-39-010D6 within the boundaries of the St. David Irrigation District. See Document 2021-07785 recorded March 23, 2021 with the Cochise County Recorder. Neither the Status Report nor the Resolution No. 01-2021 references tax parcel 208-39-010C although Eileen Brandt is listed as a petitioner.

Neither the Status Report nor the Resolution No. 01-2021 references tax parcel 208-39-010E.



The owner of tax parcel 208-39-010E is Benson Farm Estates, LLC. Benson Farm Estates LLC did not

appear at the Status Conference. Accordingly,

**IT IS ORDERED** that no further action will be taken with respect to ta sparce 208-39-010E

**IT IS FURTHER ORDERED** that St. David Irrigation District shall file a Status Report by **January 10, 2022** that states whether tax parcel 208-39-010C has been annexed into the District.

A copy of this order is mailed to all parties on the Court-approved mailing list for this contested case.

**NOTE:** All court proceedings are recorded digitally and not by a court reporter. The parties or counsel may request a CD of the proceedings. For copies of hearings or trial proceedings recorded previously, please call Electronic Records Services at 602-506-7100.