

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

February 3, 2022

CLERK OF THE COURT  
FORM V000

SPECIAL WATER MASTER  
SUSAN HARRIS

M. Pritchard  
Deputy

FILED: February 14, 2022

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: Karen C. LeCount  
Contested Case No. W1-11-3395

**MINUTE ENTRY**

**Courtroom: CCB 301**

1:31 p.m. This is the time set for a telephonic Status Conference before Special Water Master Susan Ward Harris.

The following attorneys and parties appear via Court Connect:

- Kimberly Parks on behalf of the Arizona Department of Water Resources (“ADWR”)
- Mark McGinnis on behalf of Salt River Project (“SRP”)
- Thomas Murphy on behalf of the Gila River Indian Community
- Joe Sparks and Steve Titla on behalf of the San Carlos Apache Tribe
- Lauren Mulhearn on behalf of the Tonto Apache Tribe
- Sue Montgomery of behalf of the Yavapai Apache Nation (and observing on behalf of Pascua Yaquai Tribe)
- John Burnside on behalf of BHP Copper
- Rhett Billingsley on behalf of ASARCO, LLC
- Anna Magoffin, as trustee, on behalf of the Magoffin Family Trust

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

The Court inquires of Mrs. Magoffin whether a stipulation has been reached regarding her claim for water for stock watering from the Long Hollow well.

Mrs. Magoffin states there has not yet been a stipulation. She sent a letter correcting the land patent date to 1913. A map was done of the well and it is in the subflow zone.

Mr. McGinnis states he received an abstract from Mrs. Magoffin for the Long Hollow well on November 28, 2021. He did not respond to the abstract because he thought there were still procedural issues. He inquires whether an amended Watershed File Report (“WFR”) is needed.

The Court notes the correct legal description for the well is SE NE SW Section 21.

The Court inquires of Mr. McGinnis whether an amended WFR is needed now that ADWR has mapped the well and confirmed it is in the subflow zone.

Mr. McGinnis states he believes an amended WFR is needed and then, after an objection period, would like to proceed by de minimus process.

Mr. Sparks, Ms. Mulhearn, Mr. Murphy, Ms. Montgomery, and Mrs. Magoffin agree with the proposal.

Ms. Parks requests 90 days to complete the amended WFR.

Mr. McGinnis believes no stipulation is needed and the parties can proceed by de minimus process if reasonable use is claimed.

The Court agrees and inquires whether reasonable use is being claimed.

Mrs. Magoffin affirms.

Mr. Sparks has concerns regarding the capacity of the stock water tank.

Mrs. Magoffin responds. There is a 2,500 gallon storage tank and 1,000 gallon troughs.

Mr. Sparks requests that the place of use and capacity of the above be included in the amended WFR.

Based on the discussion,

**IT IS ORDERED** that AWDR shall prepare an amended WFR, including the place of use and capacity of the tanks and troughs, within 90 days of the date of this minute entry. Once the amended WFR has been filed, the parties shall have 60 days thereafter to file any objection. Thereafter, the Court shall prepare a proposed abstract and distribute this to the parties for proposed corrections.

1:47 p.m. Matter concludes.

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