

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/04/2020

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN HARRIS

T. DeRaddo
Deputy

In re: Town of Mammoth
Contested Case No. W1-11-2325

FILED: 2/11/2020

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: Status Conference

MINUTE ENTRY

Central Court Building – Courtroom 301

1:30 p.m. This is the time set for a Status Conference before Special Water Master Susan Ward Harris.

The following attorneys appear in person: Mark McGinnis on behalf of Salt River Project (“SRP”); John Burnside on behalf of BHP Copper; Charles Cahoy on behalf of the City of Phoenix; and William Anger on behalf of the City of Mesa.

The following attorneys appear telephonically: Stephen R. Cooper on behalf of the Town of Mammoth; Laurel Herrmann on behalf of the San Carlos Apache Tribe; Kimberly Parks on behalf of ADWR; Brad Pew on behalf of Asarco and the LCR Coalition; Jay Tomkus and Robin Interpreter on behalf of the Yavapai Apache Nation and observing for the Pascua Yaqui Tribe; Richard Palmer on behalf of the Tonto Apache Tribe; Alexandra Arboleda observing on behalf of the Cities of Tempe and Tombstone.

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

Mr. Cooper informs the court that the Town of Mammoth has reached a stipulated agreement with SRP, the City of Phoenix, the City of Mesa, BHP Copper and the Gila River Indian Community. Mr. Cooper believes that the Town of Mammoth is close to a resolution of its water rights claims with ASARCO. Mr. Cooper informs the Court that

the Town of Mammoth still needs approval from the San Carlos Apache Tribe, the Yavapai Apache Tribe, the Tonto Apache Tribe, and the United States Department of Justice.

Mr. Pew on behalf of ASARCO states that he believes that they have resolved most of the issues, and are in the process of working out certain terms of the agreement.

Ms. Herrmann on behalf of the San Carlos Apache Tribe states that she has received information from the Town of Mammoth regarding its claim for the priority date and needs additional information about the amount of water it is seeking. She needs to tie the amount used to the claimed priority date.

Mr. Cooper states that he will research his files and provide additional information to the extent that he has it, to Ms. Herrmann. Mr. Cooper informs the Court that the Town of Mammoth will conduct a city council meeting on February 20, 2020 at 7:00 p.m. This issue will be discussed at this meeting.

Jay Tomkus on behalf of the Yavapai Apache Nation is looking for the same type of evidence regarding historical use and will confer with Mr. Cooper. Mr. Palmer also requests more information on the priority date and the amount of water usage.

Mr. Cooper avows that he will get information to all parties who have requested it. Mr. McGinnis states that he has authorized Mr. Cooper to accept the stipulation on behalf of SRP.

Mr. Cooper will either file the stipulation that is approved at the next council meeting with the City of Mammoth or file a status report by **February 24, 2020**.

1:40 p.m. Matter concludes.

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