

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

12/18/2020

CLERK OF THE COURT

SPECIAL WATER MASTER  
SUSAN HARRIS

T. DeRaddo

Deputy

In re: Arizona Water Company San Manuel  
System  
Contested Case No. W1-11-2413

FILED: 1/4/2021

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)

**MINUTE ENTRY**

**Courtroom: CCB 301**

2:16 p.m. This is the time set for a Status Conference before Special Master Susan Ward Harris. This case was initiated to adjudicate potential water rights for Arizona Water Company San Manuel System municipal use.

All attorneys and parties appear virtually/telephonically via the GoToMeeting application. Appearances are as follows:

- Mark McGinnis and John Weldon on behalf of Salt River Project
- Meghan Grabel and Rob Spear on behalf of The Arizona Water Company
- John Burnside on behalf of BHP Copper/Magma Copper Co.
- Kimberly Parks, Mike Hillstrom, Kelly Hermanson and Cera Lane on behalf of ADWR
- Rhett Billingsley on behalf of Asarco
- Charles Cahoy on behalf of The City of Phoenix
- Joseph Sparks on behalf of the San Carlos Apache Tribe
- Lucas Christian on behalf of the Tonto Apache Tribe
- Jay Tomkus on behalf of the Yavapai Apache Nation and the Pasqua Yaqui Tribe
- Bill Anger on behalf of the City of Mesa

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

Discussion is held regarding the Court's Order to Initiate Contested Case to consider the claims for water fights and resolve objections to Watershed File Report 113-08-003, filed November 19, 2020.

Discussion is held regarding whether to dismiss this case due to the fact that the issues in this case will be decided in: W1-11-2428 (In re Magma Copper - Mining).

Meghan Grabel addresses the Court. Ms. Grabel states that the Arizona Water Company (AWC) does not believe that the Statement of Claimant should be dismissed because the AWC believes that it has separate, independent rights to assert its ability to use that water and to serve its customers in the San Manuel Community, which it has done since 1952.

Brief discussion is held regarding consolidating this case (W1-11-2413 – Arizona Water Company, San Manuel System) with the two Magma cases (W1-11-2428 – Magma Mining, and W1-11-2503 – Magma Irrigation).

Mr. Burnside states that he does not see a basis for dismissing this case because it is the forum for Arizona Water Company to establish water rights.

No objections having been made by any party, the Court shall continue this case regarding the best way to proceed with this matter.

Ms. Grabel stated that Arizona Water Company does not anticipate amending its Statement of Claimant at this time.

IT IS ORDERED setting a telephonic Status Conference for May **7, 2021 at 1:30 p.m.**

2:20 p.m. Matter concludes.

**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.

A copy of this order is mailed to all persons listed on the Court approved mailing list for Contested Case No. W1-11-2413.