

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/08/2019

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER
SUSAN HARRIS

A. Hatfield

Deputy

In Re: Pima County Irrigation
Contested Case No. W1-11-2694

FILED: 02/25/2019

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

Courtroom: CCB 301

11:50 a.m. This is the time set for a status conference before Special Water Susan Ward Harris.

The following attorneys appear in-person: David Brown and J. Albert Brown on behalf of St. David Irrigation District; John Burnside and Farcis Gilman on behalf of BHP Copper; Bradley Pew on behalf of ASARCO; Michael Foy, Patrick Sigl and John Weldon on behalf of Salt River Project; Michael LeBlanc on behalf of Pima County Flood Control District; and Carrie Brennan and Kevin Crestin on behalf of Arizona State Land Department.

The following attorneys and parties appear telephonically: Charles Cahoy on behalf of City of Phoenix; Kimberly Parks on behalf of AZ Department of Water Resources; and Joe Sparks on behalf of San Carlos Apache Tribe and Tonto Apache Tribe.

Court reporter, Crystal Hereford, is present and a record of these proceedings is made digitally.

Mr. LeBlanc provides the Court with copies of the proposed abstracts at the Court's request.

Discussion is held regarding the chain of title. Mr. LeBlanc explains that the issue with this WFR is that the places of use span four parcels. He was able to find chain of title for only one of those parcels, therefore, Pima County is unable to provide Mr. Sparks a complete chain of title at this moment.

He further stated that Pima County will not be pursuing water rights for irrigation use described by 113-12-BD-002-IR004 and 113-12-BD-002-IR090.

The Court will proceed with the *de minimis* claims that are outstanding and it will grant Pima County's request for a stay in regards to the irrigation claims pending the outcome in contested case *In re Luebbermann*.

Mr. Foy, Ms. Brennan, Mr. Pew and Mr. Burnside have no objections.

IT IS ORDERED staying further proceedings on the claims for irrigation use but not the *de minimis* use until the resolution of the case *In re Luebbermann*. A status conference will be set after the decision is issued in *In re Luebbermann* to set discovery deadlines.

Further discussion is held regarding WFR 113-12-023. Mr. LeBlanc indicates that he is still working on the assignment for SP001. Additionally, Statement of Claimant 39-2777 describes the tank in the wrong section and township and it appears that it was filed by someone who did not own the land at the time.

IT IS FURTHER ORDERED that Pima County file a new statement of claimant or assignment of Statements of Claimant for WFR 113-12-023-SP001 by **February 28, 2019**.

12:02 p.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court approved mailing list for Contested Case No. W1-11-2694.