

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

11/01/2019

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER
SUSAN HARRIS

A. Hatfield

Deputy

In re: Salt River Project – River Preserve I
Contested Case No. W1-11-3103

FILED: 11/14/2019

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

1:30 p.m. This is the time set for a status conference before Special Master Susan Harris to consider the claims and resolve objections to Watershed File Report No. 114-04-BAB-001 (WFR).

The following attorneys and parties appear in-person: Rhett Billingsley on behalf of ASARCO; Kevin Crestin on behalf of Arizona State Land Department (ASLD); and Mark McGinnis, Sharon Morris and Axel Buchwalter on behalf of Salt River Project (SRP).

The following attorneys and parties appear telephonically: John Burnside on behalf of BHP Copper; Laurel Herrmann on behalf of the San Carlos Apache Tribe; Julian Nava on behalf of Tonto Apache Tribe; Kimberly Parks on behalf of Arizona Department of Water Resources; and Jay Tomkus on behalf of Yavapai-Apache Nation.

Court reporter, Marylynn Lemoine, is present and a record of these proceedings is made digitally.

Mr. McGinnis advises the Court that the well identified in the WFR is located within the subflow zone and has post-1919 uses for which no application to appropriate has been filed. The well is part of the preserve and the only water use SRP ever intends to have on this property is *de minimis* stock and wildlife watering.

Mr. McGinnis states that SRP will be filing new applications to appropriate for *de minimis* stock and wildlife uses. SRP's preference is that the Court not dismiss its Statement of Claimant (SOC) and when SRP goes through the application process it will amend the SOC or file a new SOC. Discussion is held regarding whether the amended or new SOC should be considered pursuant to an amended Watershed File Report or whether it should be considered as part of San Pedro HSR II.

Mr. Crestin confirms that ASLD's SOC 39-6730 can be dismissed.

The Court clarifies that SRP will be filing a claim for stock watering and wildlife watering. There will be no claim for irrigation under this WFR.

The Court inquires if any of the parties have any objection to the dismissal of ASLD's SOC 39-6730, and retaining SOC 39-2225 so SRP can go forward with its application, and taking no further action with regard to this WFR. The parties in the courtroom and on the telephone have no objections.

IT IS ORDERED that SOC 39-6730 is dismissed.

IT IS FURTHER ORDERED that SOC 39-2225 is not dismissed and SRP may amend it to assert claims for stock watering and wildlife and all claims for irrigation use are dismissed.

IT IS FURTHER ORDERED that the case is stayed pending completion of SRP's application to appropriate.

1:39 p.m. Matter concludes.

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