

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

02/04/2020

CLERK OF THE COURT

SPECIAL WATER MASTER  
SUSAN WARD HARRIS

T. DeRaddo  
Deputy

In re: H & E Land and Cattle Company  
Contested Case No. W1-11-3248

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

2:00 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; and John Burnside on behalf of BHP Copper.

The following attorneys appear telephonically: 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; 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; and Carla Consoli on behalf of the Arizona Nature Conservancy.

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

Discussion is held between the Court and Carla Consoli regarding the number of wells believed to exist in the sub flow zone. Ms. Consoli reports that this property is approximately 528 acres of farmland, most of which was flood irrigated by 5 wells, and there were two additional exempt wells. This property was acquired in 2001. Ms. Consoli reports that the goal of the Nature Conservancy is to reduce the amount of irrigation to a low flow water use. Only three wells are in use today.

Ms. Consoli states that she needs more time to investigate the wells on this property and requests that 90 days be extended to her in order to locate the wells on the property. Ms. Consoli believes that two wells may be in the subflow zone. Ms. Consoli further reports that the Nature Conservancy will in all likelihood reduce the amount of its claims to be less than 500 acre feet. The Nature Conservancy has reviewed the files and is continuing to investigate the legal basis for those claims. One is a claim from 1919, but the paperwork has not been found.

Ms. Consoli requests to have the additional 90 days to complete the paperwork and investigation; to work with ADWR to obtain necessary documents; produce draft abstracts to send to objectors; to try to work out issues with objectors; and, have the stipulations completed without the need for meetings set by ADWR.

IT IS ORDERED granting Ms. Consoli's request to have additional time to finish the investigation of the property as stated above.

IT IS FURTHER ORDERED Ms. Consoli will either file stipulated abstracts and a proposed form of order or a status report by not later than **May 5, 2020**.

2:06 p.m. Matter concludes.