

SUPERIOR COURT OF ARIZONA
IN AND FOR APACHE COUNTY

September 18, 2024

CLERK OF THE COURT
T. DeRaddo
Deputy

SPECIAL WATER MASTER
SHERRI ZENDRI

In Re: *Church of Jesus Christ - LDS*
Contested Case No: CV6417-33-5690

In re the General Adjudication of
All Water Rights to Use Water in the
Little Colorado River System and Source

FILED: 09/20/2024

In re: Initial Status Conference
HSR: Silver Creek Hydrographic Survey

MINUTE ENTRY

Courtroom CCB - 301

9:30 a.m. This is the time set for a virtual/telephonic Initial Status Conference regarding the initiation of this matter to determine rights to use water on land that the Navajo County Assessor has identified as owned by the LDS Church, Hatch Construction & Paving, Inc., Chad M. & Ashley C. Whiting, Silver Creek Irrigation District, Trenton C & Amber Reidhead, and WR & KR Living Trust. This conference is to determine if current landowners are interested in pursuing water rights claims.

The following attorneys appear virtually/telephonically via Court Connect/Teams.

- Riley Snow on behalf of the Church of Jesus Christ – (“LDS”)
- Chad M. & Ashley C. Whiting, landowners
- David Brown on behalf of Silver Creek Irrigation District and observing on behalf of the LCR Coalition
- Trenton C. and Amber Reidhead, landowners
- Katrina Wilkinson on behalf of SRP
- Maggie Woodward on behalf of the United States Department of Justice
- Brandon Delgado on behalf of The Hopi Tribe

- Candace French on behalf of The Navajo Nation
- Karen Nielsen for Arizona Department of Water Resources (“ADWR”)
- Kathryn Ust observing on behalf of Salt River Project (“SRP”)

This is the initial conference with respect to property that the LDS Church had previously owned, which has been subdivided. Today’s conference is to determine which landowners intend to pursue water rights.

Mr. Snow states that the LDS Church is interested in pursuing water rights and defending the claims for water. Mr. Snow states that they are in the process of evaluating documents for them at this time.

Chad and Ashley Whiting state that they are not interested in pursuing potential water rights.

David Brown states that Silver Creek Irrigation District is listed as a landowner, but none of the stock ponds are located on this land. Mr. Brown states that he is pursuing significant water rights and defending the claims for water, but the water right is not in this particular WFR. He will pursue the claims as the other cases present themselves. The other cases that have been in discussions for quite some time will address all of the Silver Creek Irrigation rights.

Trenton and Amber Reidhead state that they do intend to pursue their water rights.

The Court notes that there are some objections regarding the water rights that were originally claimed by the LDS church with respect to discrepancies to the priority dates, whether or not the stock ponds were appropriately registered, and whether there was a Statement of Claim registered for the basis of right.

Mr. Snow states that he is currently in the midst of reviewing the documents and is trying to track down the Statement of Claim. He states that he will be coordinating with those that are using the rights as part of the Church’s Welfare Operations, for grazing purposes. He believes the stock ponds have been in continuous use and in due course will establish the historic use and the priority dates.

Mr. Reidhead states that he is using the water rights (stock ponds) to graze his cattle. The Reidheads are directed to work with ADWR regarding pre-adjudication documents filed, and the LDS Church to get an assignment, because all potential rights are currently held by the LDS Church.

IT IS ORDERED that the parties file with ADWR all appropriate Statement of Claimant amendments and assignments, as well as basis of right documentation by **December 18, 2024.**

IT IS FURTHER ORDERED setting a Status Conference for **December 18, 2024, at 10:00 a.m.**

All parties and counsel shall appear virtually for the Status Conference. The Status Conference will be held using the Court Connect program. Instructions for Court Connect are attached to this Minute Entry. If you receive this Minute Entry by email, click on the red box "Join Court Connect Hearing" on the attached instructions to make an appearance. If you do not receive this Order by email, log into the Court Connect program on the internet by typing <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend telephonically using the telephone number and access code below.

COURT CONNECT/TEAMS Info:

Dial in: 1-917-781-4590

Access Code: 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

9:45 a.m. Matter concludes.

NOTE: All court proceedings are recorded digitally and not by a court reporter. Should you want an unofficial copy of the proceedings, 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**, or order online at ERS@superiorcourt.maricopa.gov.

Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

A copy of this minute entry will be sent to all people on the court-approved mailing list for this matter.

LATER:

IT IS ORDERED removing Chad M. and Ashley C. Whiting and the Silver Creek Irrigation District from the court approved mailing list (CAML) for this contested case. Both will receive courtesy copies of this minute entry.

Hatch Construction & Paving, Inc. and WR & KR Living Trust will remain on the CAML until the next status conference. If a party fails to attend the next status conference, they will be removed from the CAML and any potential water rights forfeit.



Court Connect Hearing Notice for In re Church of Jesus Christ - LDS

This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.

All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.

Participants: Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

Case Name: In re Church of Jesus Christ – LDS,

Contested Case No. CV6417-33-5690

Start Date/Time: December 18, 2024, at 10:00 a.m.

JOIN COURT CONNECT HEARING

Dial-in Information: +1 917-781-4590

Private Dial-in Information: for privacy purposes, you can block your phone number by dialing *67 +1 917-781-4590

Dial-in Access Code: 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)