

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

July 1, 2025

CLERK OF THE COURT

SPECIAL WATER MASTER
SHERRI ZENDRI

A. Parmar
Deputy

FILED: July 8, 2025

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

Contested Case No. CV6417-33-6735
In Re: Jack G. and V. Scott Peterson

and

Contested Case No. CV6417-33-6893
In Re: Kenneth L. and Joy Abrams

MINUTE ENTRY

NOTE: There is a “LATER” at the end of this Minute Entry changing the date of the next scheduled Status Conference to **October 7, 2025 at 10:00 a.m.**

Central Court Building – Courtroom 301

10:03 a.m. This is the time set for Status Conference to receive an update from the Claimants and discuss how to proceed before Special Water Master Sherri Zendri.

The following attorneys and parties appear virtually through Court Connect:

- Landowner, David Abrams, is present on his own behalf
- Jennifer Wendel of the Arizona Adjudications Project is present on behalf of the Petersons
- Eric M. Wilkins on behalf of the Arizona State Land Department (“ASLD”)
- Katrina Wilkinson on behalf of Salt River Project (“SRP”)

- Mark Widerschein on behalf of the United States Department of Justice, Environment and Natural Resources Division
- David Brown on behalf of the Little Colorado River Coalition (“LCRC”)
- Karen J. Nielsen on behalf of Arizona Department of Water Resources (“ADWR”)

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

LET THE RECORD REFLECT that this hearing is held in conjunction with contested case no. CV6417-33-6893.

The Special Master notes that it received an update last night and asks Counsel Wendel for a status report.

Counsel Wendel addresses the Special Master on their progress. She states that they have drafted new applications for permits (for the Petersons) and are working on access agreements for the other properties. They are continuing to work with the Abrams and believe they will be submitting application for wildlife, fishing and recreation. She informs the Special Master of their troubles with irrigation quantity calculations as ADWR told her that technical work is considered legal advice. She seeks guidance from the Special Master and notes that ADWR has assisted with calculations in the past.

Mr. Abrams has nothing to add to Counsel’s update.

Counsel Nielsen addresses the Special Master regarding the technical calculations. Counsel Nielsen clarifies that she was not privy to the conversation Counsel Wendel had with the other deputy attorney at the department. She further states that the quantification is considered the burden of the applicant not the surface water section, but the adjudications division does have their own process of assessing the quantities. She further notes that an amended WFR may be appropriate in this matter.

The Special Master inquires as to objector, SRP’s position on the irrigation quantification in this matter.

Counsel Wilkinson addresses the Special Master. She states that they do not object to the use of the Penman-Monteith method for the consumptive use calculation as outlined by Counsel Wendel. She agrees that it makes sense to have a consistent method across the adjudications (that is tailored to the specifics of each system).

Counsel Brown addresses the Court. He believes the basis is the maximum historical beneficial use and there are some situations where the use of the Penman-Monteith method is not necessary to calculate the use. He believes it is premature to use a new case like this to determine something globally.

Counsel Wilkins generally agrees with Counsel Brown’s comments and has nothing further to provide.

Discussion is held regarding how to proceed. Counsel Nielsen believes it is within ADWR's scope as the Court's technical expert to provide an opinion regarding the appropriateness of using the Penman-Monteith method.

IT IS ORDERED that ADWR shall provide its recommendation on or before **September 15, 2025**, as to whether the Penman-Monteith methodology is appropriate to use in this contested case and *potentially* for the entire Little Colorado River basin. If additional information is necessary for ADWR to make a recommendation regarding the entire Little Colorado River basin, the agency will identify what additional information is needed.

IT IS FURTHER ORDERED setting a Status Conference to discuss any comments to ADWR's recommendations on Thursday, October 2, 2025 at 10:00 a.m. before Special Water Master Sherri Zendri. **(Please see "Later" section regarding a scheduling issue and change in date).**

The Status Conference shall be held using the Court Connect program. Instructions for Court Connect are attached to this Order. If you receive this Order 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 included in the instructions for Court Connect.

10:35 a.m. Matter concludes.

A copy of this minute entry is provided to all parties on the Court approved mailing list.

LATER:

Due to conflicts with the Court's schedule,

IT IS FURTHER ORDERED vacating the Status Conference set for October 2, 2025 and resetting the Status Conference to discuss any comments to ADWR's recommendations to **Tuesday, October 7, 2025, at 10:00 a.m.** before Special Water Master Sherri Zendri.

The Status Conference shall be held using the Court Connect program. Instructions for Court Connect are attached to this Order. If you receive this Order 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 included in the instructions for Court Connect.



Court Connect Hearing Notice for In re Jack G. and V. Scott Peterson & In re Kenneth L. and Joy Abrams

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 video conference 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 Jack G. & V. Scott Peterson and In re Kenneth L & Joy Abrams

Contested Case No. CV6417-33-6735 and 6417-33-6893

Start Date/Time: Tuesday, October 7, 2025, 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#

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