

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

September 26, 2024

CLERK OF THE COURT

SPECIAL WATER MASTER  
SHERRI ZENDRI

M. Pritchard

Deputy

In re: ASLD – Three Sisters Land and Cattle  
Company  
Contested Case No. W1-11-0015

**FILED: 10/01/2024**

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**

10:45 a.m. This is the time set for a Status Conference before Special Water Master, Sherri Zendri.

The following attorneys and parties appear telephonically:

- Kevin Crestin and Eric Wilkins on behalf of the Arizona State Land Department (ASLD)
  - Merrill Godfrey on behalf of the Gila River Indian Community
  - Laurel Herrmann on behalf of the San Carlos Apache Tribe
  - Jay Lee on behalf of the Tonto Apache Tribe
  - Susan Montgomery on behalf of the Yavapai Apache Nation and observing for the Pascua Yaqui Tribe
  - Katya Lancero observing on behalf of the Navajo Nation
  - Kathryn Ust observing on behalf of the Salt River Project (SRP)
  - Brian Heiserman observing on behalf of Babacomari Ranch
  - Kimberly Parks on behalf of Arizona Department of Water Resources (ADWR)
- A record of the proceedings is made digitally in lieu of a court reporter.

The Court states that ADWR had some comments. The Court inquires if ASLD has responses to ADWR's comments?

Ms. Crestin states that he agrees with the comment regarding SOC 39-7658. He is also in agreement with the updated location. Mr. Crestin states that he does not fully understand the legal basis comment as the correct use is listed and the location matches as identified in the HSR.

The Court asks for clarification from Ms. Parks.

Ms. Parks states that she does not think there is issue but would refer to the Court's opinion.

The Court did not think there is any issue, except possibly the date.

Ms. Parks states ADWR notes that the 36 filing is not uniquely specific to stock watering use and only stock watering use, and therefore would have preferred the use to be described more clearly or in a different way. However, if the Court accepts the filing, ADWR will accept this.

The Court will review the 36 filing again. It may need to be amended to be more specific.

Mr. Crestin states that he is in agreement to use the later priority date of June 20, 1910. Additionally, Mr. Crestin does not object to the flow rate being listed on the abstract as N/A, but he believes that flow rate is not required to be added to the abstracts. Flow rate was not previously listed for developed springs, so it, may cause confusion that it is now being included.

The Court takes note of the comment. The Court prefers flow rate to be included so that it is clear that it was not overlooked, even if it is not applicable. Although there is good argument why it should not be listed. The Court will let the property owner make that determination according to their own preference.

Mr. Crestin states that he is in agreement with listing the flow rate, his only concern is that it was not listed in previous cases and could become an issue in later cases.

The Court inquires if there are any further concerns?

Ms. Herrmann states that she would like a more detailed legal description. The map is also zoomed in too much. She inquires if the source is named Buckshot Springs or Clifford Wash?

Mr. Crestin states that there have been different names used for the wash, including Unnamed Wash, but he is not opposed to using the name of Clifford Wash as ADWR used.

The Court inquires what name is used in the 36 filing?

Mr. Crestin states that the 36 filing uses the name of Buckshot Springs.

The Court states that the name used in the 36 filing, Buckshot Springs, is preferable. The Court inquires if ADWR sees any issue with this?

Ms. Parks has no issue.

Mr. Crestin affirms that the name of Buckshot Springs shall be used moving forward.

The Court inquires if two weeks is sufficient time for ADWR to make the amendments discussed today?

Ms. Parks affirms.

The Court inquires if there are any further concerns?

Ms. Montgomery states that she would like time to have this amended abstract approved by her client. She inquires if the amended abstract will be distributed before the Court approves it?

The Court states that ADWR will need to file a revised abstract. The Court inquires if one week thereafter would be sufficient time for review?

Ms. Montgomery affirms.

The Court inquires if there are any other comments or objections?

There are no further comments or concerns from any parties.  
10:58 a.m. Matter concludes.

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

**LATER:**

A review of the statement of claim 36-4786 confirms the Court is satisfied with the description of use.

**IT IS ORDERED** that ADWR shall file the updated abstract no later than **October 11, 2024**, that includes the following:

- Remove flow rate
- Expand the legal description to include “section,” “township,” and “range;” and reference to the Gila and Salt River Baseline and Meridian
- The source of water is “Buckshot Springs”
- Zoom out on the map so that there is more context with respect to the location of the point of diversion.

The updated abstract will be approved by the Court no earlier than **October 21, 2024**.