

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

04/23/2002

CLERK OF THE COURT  
FORM V000

HONORABLE EDDWARD BALLINGER, JR.

R. Luiszer  
Deputy

W-1, W-2, W-3, W-4(Consolidated)  
W1-206

FILED: May 17, 2002

In Re the General Adjudication  
of All Rights to Use Water in  
The Gila River System and Source

In Re the Preclusive Effect of the  
*Globe Equity No. 59 Decree* on  
Specified Parties

MINUTE ENTRY

10:05 a.m. This is the time set for hearing on pending Motions. Present are the following: John Weldon and Mark McGinnis representing Salt River Project, Anthony Fines representing Gila Valley Irrigation District, David A. Brown representing Franklin Irrigation District, Lauren J. Caster representing ASARCO, Inc., Rod Lewis and John Hestand representing Gila River Indian Community, Marilyn D. Cage representing City of Goodyear, Cynthia Haglin representing City of Chandler, William Anger representing Cities of Chandler, Glendale, Mesa and Scottsdale, Joe P. Sparks representing San Carlos Apache Tribe, Tonto Apache Tribe, and Yavapai-Apache Nation, Michael Warzynski representing the Arizona State Agencies, Lee Storey and Steve Wene representing City of Safford, Rio Rico Properties and Paloma, Irval Mortensen representing City of Safford, Janet Ronald from Arizona Department of Water Resources, Patrick Barry from the U.S. Department of Justice, Riney Salmon and Ronnie Hawks representing San Carlos Irrigation and Drainage District, M. James Callahan representing City of Phoenix, Sally Worthington representing Maricopa County, William Richards, Mike Brophy and

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Mark Boswell representing Phelps Dodge Corp., Bradley J. Johnston representing the Church of Jesus Christ of Latter-day Saints, and Special Master, George A. Schade, Jr. and his assistant, Kathy Dolge, are present.

Court Reporter, Jean Villmer, is present.

GRIC's Motion to Remove Phelps Dodge Corporation as a Named Party To and From Participation or Consideration in GRIC's Motion for Partial Summary Judgment (Docket No. 099) is discussed.

Stipulation between Buckeye Irrigation Company/Buckeye Water Conservation and Drainage District and San Carlos Apache Tribe (Docket No. 154) is discussed.

The Court informs counsel that all pleadings need to be filed in accordance with the Arizona Rules of Civil Procedure.

John Hestand, GRIC, addresses the Court on the City of Safford's Motion to Strike GRIC's Motion for Partial Summary Judgment (Docket No. 090) as it applies to parties other than the specified parties in Contested Case No. W1-206.

Pat Barry, US Department of Justice, addresses the Court concerning his belief the Court should direct other parties who might be affected by the *Globe Equity Decree* to file motions addressing preclusive issues.

John Hestand agrees with Mr. Barry's comments.

Seven motions for summary judgment are before the Court in this contested case (Docket Nos. 70, 72, 74, 76, 79, 82, and 84).

Joe Sparks, San Carlos Apache Tribe, Tonto Apache Tribe, and Yavapai-Apache Nation, addresses the Court on the motions.

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Patrick Barry, John Hestand, Anthony Fines, Steve Wene and Riney Salmon address the Court on the motions.

12:12 p.m. Court stands at recess.

1:37 p.m. Court reconvenes with all present.

Court Reporter, Jean Villmer, is present.

Lauren Caster, Bill Richards and Joe Sparks address the Court on the motions.

Status of settlement negotiations in the Lower and Upper Valleys is discussed.

Rod Lewis and Patrick Barry address the Court.

2:15 p.m. Hearing concludes.

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A copy of this minute entry is mailed to all parties on the Court-approved W-1, W-2, W-3, W-4 and W1-206 mailing list dated October 30, 2001.