

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF APACHE

IN CHAMBERS ( X ) IN OPEN COURT ( )

SPECIAL MASTER GEORGE A. SCHADE, JR.

Presiding

IN RE THE GENERAL ADJUDICATION  
OF ALL RIGHTS TO USE WATER IN THE  
LITTLE COLORADO RIVER SYSTEM  
AND SOURCE

DATE: February 7, 2003

CIVIL NO. 6417-033-0060

NOTICE REGARDING  
COURT-APPROVED  
MAILING LIST

CONTESTED CASE NAME: *In re Phelps Dodge Corporation (Show Low Lake)*.

DESCRIPTIVE SUMMARY: The Special Master issues a notice listing the parties who will be included on the Court-approved mailing list for this contested case and directing that any other parties who wish to be included in the mailing list must inform the Special Master on or before **Friday, February 28, 2003**.

NUMBER OF PAGES: 5; Attachment A - 4 pages; Total - 9 pages.

DATE OF FILING: Original mailed to the Clerk of the Court on February 7, 2003.

**NOTICE**

The water right claims of Phelps Dodge Corporation to Show Low Lake will be determined in this contested case, which will be severed from the special consolidated case *In re Reporting of Diversion Information and Other Objections*, No. 6417-033-9005. Before issuing any orders in this contested case, the Special Master wishes to establish the Court-approved mailing list for this matter.

**I. Parties that Will Be Included in the Court-Approved Mailing List**

Based on the responses received by January 17, 2003, and the appearances at the conference held on February 4, 2003, the Special Master will include the following parties in the Court-approved mailing list for this case. Parties on this list need not notify the Special Master of their desire to remain on the list, but may request to be removed:

U.S. Forest Service  
Apache Sitgreaves National Forest

Chester F. Adams

William H. Anger, Esq.  
*Representing* Cities of Chandler, Glendale, Mesa, and Scottsdale

Stephen G. Bartell, Esq.  
U.S. Department of Justice

David A. Brown, Esq. and Michael J. Brown, Esq.  
*Representing* various clients (see service list, Attachment A)

Charles L. Cahoy, Esq.  
*Representing* City of Mesa

Cynthia M. Chandley, Esq. and William A. Richards, Esq.  
*Representing* Phelps Dodge Corporation

Graham M. Clark, Jr., Esq. and Thomas Shedden, Jr., Esq.  
*Representing* State of Arizona Agency Claimants

Lawrence J. Corte  
Phelps Dodge Corporation

Cynthia J. Haglin, Esq.  
*Representing* City of Chandler

Scott B. McElroy, Esq.  
*Representing* Navajo Nation

Stanley M. Pollack, Esq.  
Navajo Nation Department of Justice

Janet L. Ronald, Esq.  
Arizona Department of Water Resources

Harry R. Sachse, Esq.  
*Representing* Hopi Tribe

John B. Weldon, Esq. and Mark A. McGinnis, Esq.  
*Representing* Salt River Project

Steven L. Wene, Esq. and Lee A. Storey, Esq.  
*Representing* City of Flagstaff

Jeanne S. Whiteing, Esq.  
*Representing* San Juan Southern Paiute Tribe

Vanessa Boyd Willard, Esq.  
U.S. Department of Justice

II. Parties that Must Notify the Special Master if They Wish to be Included in the Court-Approved Mailing List

Some parties are litigants or *amici curiae* in other individual cases that are part of the special consolidated case *In re Reporting of Diversion Information and Other Objections*. The following parties will not be included in the Court-approved mailing list for *In re Phelps Dodge Corporation (Show Low Lake)* unless the Special Master is notified on or before **Friday, February 28, 2003**, that these parties want to be included in the mailing list. Parties must notify the Special Master by letter or by facsimile at (602) 542-9602, but a copy of the letter does not need to be sent to any other party.

Joseph Baird, Nadine Baird, and Robert K. Baird

Charlotte Benson, Esq.  
*Representing* City of Tempe

David Cartier and Patricia A. Cartier

Lauren J. Caster, Esq.  
*Representing* various clients (see service list, Attachment A)

Jon Cheney  
Timberland Acres Domestic Water Improvement District

Alfred S. Cox, Esq. and Alan J. Cox, Esq.  
*Representing* Silas Kisto

Louis F. Decker and David D. Decker

Duane Ellsworth, Etta May Ellsworth and Loree Ormsby

Jessie A. Farr

Lowry K. Flake and Maylene S. Flake

James M. Flenner, Esq.  
*Representing* City of Glendale

Tom Galbraith, Esq.  
*Representing* various clients (see service list, Attachment A)

John G. Gliege, Esq.  
*Representing* various clients (see service list, Attachment A)

Jerome C. Handorf and Mary V. Handorf

Ralph E. Hunsaker, Esq.  
*Representing* various clients (see service list, Attachment A)

Ivan R. Hunt and Billie D. Hunt; Horald Hunt and Georgia Hunt

Jeffrey A. Hurst  
Woodland Park Estates Homeowners Ass'n

Rodney B. Lewis, Esq. and John T. Hestand, Esq.  
*Representing* Gila River Indian Community

Robert S. Lynch, Esq.  
*Representing* Charles and Marie B. Scarlett

Ronald D. Major

Dalva L. Moellenberg, Esq.  
*Representing* Apache Nitrogen Products, Inc.

John F. Molloy, Esq.  
*Representing* R. Stuart Chancellor; Pine Villas Investors

Douglas C. Nelson, Esq.  
*Representing* various clients (see service list, Attachment A)

Jennele Morris O'Hair, Esq.  
*Representing* various clients (see service list, Attachment A)

Mitchel D. Platt, Esq.  
*Representing* various clients (see service list, Attachment A)

Terrence Reidhead

Cedar Valley, Inc.

Riney B. Salmon, Esq.

*Representing* Maricopa County Municipal Water Conservation District No. 1 and San Carlos Irrigation and Drainage District

J. L. (Roy) Sauve

Woodland Irrigation Company

Joe P. Sparks, Esq. and John H. Ryley, Esq.

*Representing* Apache Tribes

William P. Sullivan, Esq.

*Representing* various clients (see service list, Attachment A)

Katherine Ott Verburg, Esq. and William W. Quinn, Esq.

U.S. Department of the Interior, Office of Field Solicitor

Janis A. Villalpando, Esq. and Paul M. Norman, Esq.

*Representing* City of Scottsdale

Kathleen A. Watkins

Committee to Save Billy Creek

Claudia Watt

Committee to Save Billy Creek

### III. Cities of Chandler, Glendale, Mesa, and Scottsdale

Based on discussions at the conference, the Special Master wants to clarify how the Cities of Chandler, Glendale, Mesa, and Scottsdale wish to be included in the mailing list, whether by their City Attorney or jointly by private counsel. The Cities of Chandler, Glendale, Mesa, and Scottsdale are directed to notify the Special Master on or before **Friday, February 28, 2003**, whether each City Attorney or their private legal counsel should be included in the mailing list for this contested case.

Parties and other claimants may request to be included in the mailing list, if they wish to participate in future proceedings in this case.

DATED: February 7, 2003.

/s/ George A. Schade, Jr.

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GEORGE A. SCHADE, JR.

*Special Master*

The original of the foregoing mailed this 7th day of February 2003, to the Clerk of the Apache County Superior Court for filing, and copies mailed to all persons named on the service list (Attachment A).

/s/ KDolge  
Kathy Dolge