

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

01/24/2019

CLERK OF THE COURT  
FORM V000

SPECIAL WATER MASTER  
SUSAN HARRIS

A. Hatfield

Deputy

In re: Thomas and Leora Farnsworth  
Contested Case No. W1-11-1865

FILED: 01/30/2019

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: Telephonic Status Conference

**MINUTE ENTRY**

**Courtroom: CCB 301**

1:30 p.m. This is the time set for a telephonic status conference before Special Master Susan Ward Harris to ascertain whether the landowners intend to pursue the potential water rights set forth in Watershed File Report 112-17-BAA-002.

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

The following attorneys are present telephonically: Laurel Herrmann on behalf of San Carlos Apache Tribe and Tonto Apache Tribe; Bradley Pew on behalf of ASARCO; Mark McGinnis on behalf of the Salt River Project; John Burnside on behalf of BHP Copper; and Jay Brown on behalf of St. David Irrigation District.

The Court notes that Mr. Farnsworth, the landowner, is not present. Mr. Farnsworth filed statements of claimant for water rights that were investigated in Watershed File Report 112-17-BAA-002. In his filings, Mr. Farnsworth identified two wells on the property.

The order setting this status conference was sent to Mr. Farnsworth at the last known address on file with the Arizona Department of Water Resources. As Mr. Farnsworth has filed statements of claimant with respect to the potential water rights at issue, the Court inquired of the parties if they have any information about Mr. Farnsworth's intentions to pursue water rights and indicated that Mr. and Mrs.

Farnsworth will be given a second opportunity to appear at a status conference to pursue the claimed water rights. There being no objections, the Court will set this matter for a second status conference.

1:35 p.m. Matter concludes.

LATER:

Thomas and Leora Farnsworth are listed in Watershed File Report 112-17-BAA-002 as the landowners who claimed water rights with respect to their land. The watershed file report and the objections to it were originally organized as contested case W1-11-1865 and later consolidated into contested case W1-11-1676, which involved water diverted and distributed by the Pomerene Water Users Association. Mr. and Mrs. Farnsworth were on the Court-approved mailing list created for contested case W1-11-1676 at the address listed on their statements of claimant and the address maintained by the Cochise County Assessor's Office for the land described in Watershed File Report 112-17-BAA-002.

The Pomerene Water Users Association has terminated and, therefore, will not pursue water claims for water rights associated with diversions from the Pomerene Canal on its behalf or on behalf of its members. As a consequence, this contested case was separated from W1-11-1676 and is now continuing as the original contested case no. W1-11-1865.

Neither the landowners nor a representative of Mr. and Mrs. Farnsworth appeared at the telephonic status conference scheduled in this case. The purpose of the status conference was to determine whether the landowners intended to pursue water rights based on their statements of claimant which had been analyzed by Arizona Department of Water Resources in the watershed file report.

IT IS ORDERED that Mr. and Mrs. Farnsworth appear at a telephonic status conference at **9:15 a.m., Friday, February 22, 2019** to show any reason that statements of claimant 39-5474, 39-5475, and 39-5476 should not be dismissed and no further action taken with respect to potential water right identified in Watershed File Report 112-17-BAA-002.

Instructions for telephonic participation:

Dial: 602-506-9695 (local)

1-855-506-9695 (toll free long distance)

Dial Collaboration (conference) Code 357264#

Failure to participate at the status conference will result in dismissal of statements of claimant 39-5474, 39-5475, and 39-5476 and an order that no further action will be

taken with respect to potential water right identified in Watershed File Report 112-17-BAA-002

A copy of this minute entry is mailed to all persons listed on the Court-approved mailing list for Contested Case No. W1-11-1865.