

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

07/20/2020

CLERK OF THE COURT
Form V000

SPECIAL WATER MASTER
SUSAN WARD HARRIS

S. Ortega
Deputy

W-1, W-2, W-3, W-4 (Consolidated)
Contested Case No. W1-11-2789

FILED: 07/30/2020

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

Re: Status Conference *In re H. Clifford and Carolyn Dobson*

MINUTE ENTRY

Courtroom CCB - 301

2:00 p.m. This is the time set for a telephonic Status Conference before Special Water Master Susan Ward Harris.

The following attorneys telephonically appear: Carla A. Consoli on behalf of AZ Chapter of the Nature Conservancy; David A. Brown on behalf of Ted and Leslie Hall, H.C. Dobson Jr. Ranch Property, LLC, and Rocky and Evenette Greenfield; David Gehlert on behalf of U.S. Department of Justice Bureau of Reclamation; Joe P. Sparks and Laurel A. Herrmann on behalf of San Carlos Apache Tribe; Mark A. McGinnis and Michael K. Foy on behalf of the Salt River Project ("SRP"); Bradley Pew on behalf of ASARCO; John D. Burnside on behalf of BHP Copper; Lucas Christian on behalf of Tonto Apache Tribe; Kimberly R. Parks on behalf of the Arizona Department of Water Resources ("ADWR"); and Mia A. Montoya Hammersley on behalf of Yavapai-Apache Nation and observing on behalf of the Pascua Yaqui Tribe.

The following parties appear telephonically: Robert Mark Dell'Oliver on his own behalf; and Karen Kay Husted on behalf of Three Bar K, LLC.

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

IT IS ORDERED adding David Gehlert to the court-appointed mailing list for Contested Case No. W1-11-2789.

Ms. Consoli advises the Court on the history of the ownership of the land and the status of claims, assignments of statement of claimant, and severance and transfer (S&T) applications.

Mr. Brown states that his client, H. C. Dobson, Jr. Ranch Property, LLC, owns land with claims for stock watering specifically in southern parcel 208-10-001B in Section 10.

The Court addresses the property to the north, which is part of Watershed File Report 113-14-AA-001, is a very large piece of property. The Court will be initiating the case although it does not intend to consolidate it with this case.

Ms. Consoli agrees the Court should keep the cases separate.

Mr. McGinnis states that SRP intends to go forward with the irrigation claims in this matter and proceed with the S&Ts when finished.

Mr. Dell'Oliver states that he wants to make a claim for domestic water rights, not an irrigation claim. He does not believe a Statement of Claimant has been filed with ADWR.

Ms. Husted intends to make a claim for irrigation and will check her records to see if she has filed a Statement of Claimant with ADWR.

Ms. Consoli states that the irrigation claims for the property have been assigned to the landowners to whom the property has been sold or assigned to be used as part of the instream right sever and transfer applications, referenced by Mr. McGinnis. She also stated that when the Nature Conservancy sold the property to the Dewals, the Nature Conservancy assigned claims for domestic and irrigation water rights to all of Parcel 1. Based on conversations with ADWR, when parcel 1 was split the place of use for the domestic use was on the Dell'Oliver parcel and the place of use for irrigation was on the 3 Bar K, LLC.

The Court encourages Mr. Dell'Oliver and Ms. Husted to talk with Ms. Consoli at The Nature Conservancy to get information about the status of claims for water use on their respective lands before filing any statements of claimants on their own.

Mr. Gehlert intends to work with The Nature Conservancy and SRP regarding this matter.

Mr. Brown states his intention to work with The Nature Conservancy regarding his clients' claims and finds it may be more efficient to file new filings than to rely on the assigned filings. Mr. Brown proposes a timeline of 180 days to get the work done.

Ms. Consoli states her position as to the timeline and would appreciate any objections be sent to her as soon as possible.

Mr. McGinnis believes 60-90 days to complete the abstracts is sufficient.

Mr. Gehlert states that he is optimistic a 60-90 day schedule will work.

Ms. Parks states that the assignment and amendment process will proceed quickly once everything is filed.

IT IS FURTHER ORDERED that the parties shall file stipulated abstracts by **November 17, 2020** or, if an agreement cannot be reached to resolve the objections, Nature Conservancy shall file a status report. A telephonic status conference will be set at that time.

2:30 p.m. Matter concludes.

LATER:

Copies of the initiating order in this case were mailed to the last known addresses for the following people and the orders have been returned as undeliverable with no forwarding address provided. Accordingly,

IT IS ORDERED that the following individuals shall be removed from the Court approved mailing list for this case:

Douglas K. Cook
Statutory agent for J.C. Dobson Jr. Ranch Properties LLC
40 N Center #203
Mesa, AZ 85201

H. Clifford Dobson Jr. &
Carolyn Dobson
Route 1, Box 1546
Willcox, AZ 85643

Roberto F. & Jane Amari Living
Trust
12325 E 8th Street
Tucson, AZ 85748

Roberto F. Amari and Jane
Amari
P. O. Box 2108
Benson, AZ 85602

William and Ruth Dewal
P. O. Box 1636
Benson, AZ 85602

A copy of this order is mailed to all persons listed on the Court approved mailing list for Contested Case Number W1-11-2789.