

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

12/11/2019

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

T. DeRaddo

Deputy

In re Geldmacher,
Contested Case No. W1-11-3320

FILED: 12/30/2019

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: Status Conference

MINUTE ENTRY

Courtroom: CCB 301

3:53 p.m. This is the time set for a status conference before Special Master Susan Ward Harris.

Court reporter, Lauren Kuhnnehn is present. A record of the proceedings is also made digitally.

The following attorneys appear in-person:

- Mark McGinnis and R. Jeffrey Heilman on behalf of Salt River Project.
- Joe Sparks on behalf of the San Carlos Apache Tribe.
- John Burnside on behalf of BHP Copper
- David Brown on behalf of Carole Steele
- Kimberly Parks on behalf of Arizona Department of Water Resources (“ADWR”)

The following attorneys appear telephonically:

- Carla Consoli on behalf of the Nature Conservancy
- Bradley Pew on behalf of Asarco
- Lucas Christian on behalf of the Tonto Apache Tribe
- Jay Tomkus on behalf of the Pascua Yaqui Tribe and Yavapai-Apache Nation

The Court has received returned mail from Donald and Beverly Geldmacher which was sent to the last known address of record with ADWR.

IT IS ORDERED THAT the Geldmachers shall be removed from the Court-approved mailing list.

The Court has received returned mail from Buck Hill Falls, LLC, a landowner, which was sent to the address of record for its statutory agent of record with the Arizona Corporation Commission. Buck Hill Falls, LLC has not filed a Statement of Claimant.

IT IS ORDERED THAT Buck Hill LLC shall be removed from the Court-approved mailing list and is dismissed from this case.

The Court has received returned mail from Ranch at Holy Joe Canyon, LLC, a landowner, which was sent to the address of record for its statutory agent of record with the Arizona Corporation Commission. Ranch at Holy Joe Canyon, LLC has not filed a Statement of Claimant.

IT IS ORDERED THAT Ranch at Holy Joe Canyon, LLC shall be removed from the Court-approved mailing list and is dismissed from this case.

The Court notes that George Meyer as Trustee of the George Meyer and Maria Semple Family Trust, a landowner, was instructed to file a Statement of Claimant by November 1, 2019 if he wanted to claim a water right in this proceeding which involves water use on land located in Township 7 Range 17. A search of the public records maintained by ADWR did not produce a Statement of Claimant filed by George R, Meyer that referenced a claimed use on land in Township 7 Range 17. Mr. Meyer is not present at this status conference.

IT IS ORDERED THAT George Meyer as Trustee of the George Meyer and Maria Semple Family Trust is dismissed and shall be removed from the Court-approved mailing list.

The Court discusses the amount of water claimed (in the amended claims) relative to the amount of water that ADWR found in WFR. Discussion is held.

Mr. Brown states that he has to separate out the property included in the WFR that is owned by his clients from real estate owned by other people and entities.

Discussion is held regarding whether the Richardson's property is included in the property included in the WFR.

Mr. Christian, Mr. Tomkus, Mr. Pew have not yet responded to the abstracts, but will do so soon. Mr. Burnside states that he has responded to them.

Mr. Sparks states that he will view the abstracts and submit his approval or objections thereto in a report by not later than **January 24, 2020**.

Mr. Sparks agrees to file a report and inform the Court regarding who is using the water in the area as stated on the record.

4:05 p.m. Matter concludes.

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