

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

07/24/2020

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

L. Stogsdill
Deputy

In re: Joel William Rubin
Contested Case No. W1-11-3324

FILED: 8/24/2020

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

Central Court Building – Courtroom 301

1:30 p.m. This is the time set for a Supplemental Scheduling Conference before Special Water Master Susan Ward Harris.

The following attorneys appear telephonically: John Burnside on behalf of BHP Copper, Laurel A. Hermann and Joe P. Sparks on behalf of the San Carlos Apache Tribe, Lucas Christian on behalf of the Tonto Apache Tribe, Mark McGinnis on behalf of the Salt River Project, Kimberly R. Parks on behalf of ADWR and Bradley Pew on behalf of ASARCO, LLC. Sandra Knox appears on her own behalf. No other parties are present.

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

The Court states that it appears from the last court proceeding that the primary issue concerns the claimants' legal right to water. Ms. Knox states that she has filed the "55" forms with the Arizona Department of Water Resources. The Court outlines the requirements and documentation needed for Ms. Knox to establish her surface water rights.

The Court also explains that if Ms. Knox can provide documentation showing a legal right to appropriable water she should provide those documents to the objectors and discuss with the objectors whether the objectors will withdraw their objections to the potential water rights in the report prepared by Arizona Department of Water Resources. In the absence of agreement among the parties about water rights, the case will proceed to trial. The Court provides the following deadlines to Ms. Knox:

Disclosure statements due:	October 5, 2020
Discovery deadline:	December 18, 2020
Dispositive motions due:	January 11, 2021
Trial date:	April 5, 2021 at 9:30 a.m.

LET THE RECORD REFLECT that Ms. Knox may request another telephonic status conference be scheduled after she has received and reviewed the documents from Ms. Hermann.

Mr. Sparks will review his files for any information about a patent for the land in question.

Mr. McGinnis stated that there was irrigation shown on a 1921 State Water Commissioner survey.

Ms. Parks advises the Court that, based on her recollection, the subject wells are within the sub flow zone.

Ms. Hermann advises the Court and Ms. Knox that she may have some documentation that will be helpful to Ms. Knox, but will not show a date as early as the "10-filing" and will provide the same to Ms. Knox.

Ms. Knox states that she is building a guesthouse on the property and would like to have two acre-feet of water for the property.

Ms. Herrmann stated that she will send any documentation she may be able to locate directly to Ms. Knox.

Ms. Knox confirms her address as 88225 E. Ara Vipa Road, Winkelman, AZ, 85192 and her email is azeworks@aol.com.

1:49 p.m. Matter concludes.

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