

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

03/21/2019

CLERK OF THE COURT  
FORM V000

SPECIAL WATER MASTER  
SUSAN HARRIS

A. Hatfield

Deputy

In Re: Lackner  
Contested Case No. W1-11-3326

FILED: 04/01/2019

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: Scheduling Conference

**MINUTE ENTRY**

**Courtroom: CCB 301**

2:45 p.m. This is the time set for a scheduling conference before Special Master Susan Harris.

The following attorneys and parties appear in-person: Carrie Brennan on behalf of the Arizona State Land Department (ASLD); David Brown, Bill Lackner and Kathy Lackner on behalf of the Lackner Living Trust; Mark McGinnis on behalf of the Salt River Project (SRP); and Joe Sparks on behalf of the San Carlos Apache Tribe and the Tonto Apache Tribe.

The following attorneys appear telephonically: Charles Cahoy on behalf of the City of Phoenix; Laurel Herrmann on behalf of the San Carlos Apache Tribe and the Tonto Apache Tribe and Kimberly Parks on behalf of ADWR.

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

Discussion is held concerning the Notice of Proposed Water Right filed by the Arizona State Land Department. The Court states a procedure is needed to advise the Court when there is an error in an abstract which has been approved for entry into the water catalog so the catalog can be corrected. A reason for the claimed error must be clearly stated. The Court raises the issue of whether an amended statement of claim that

was filed in 2018 by the landowner with a later priority date should prevail over the earlier priority date in the Watershed File Report.

Ms. Brennan states that if an amended statement of claim is filed with a later priority date, no one should have any objections to the amended priority date. Further discussion is held.

Mr. McGinnis addresses SRP's objection to the abstract filed by ASLD with a 1930 priority date saying it should have been a 1934 priority date based on the amendment.

Mr. Sparks responds to the Court's questions.

The Court will issue a corrected abstract in this case.

The procedure going forward is that the parties will file a notice or request that an abstract be reviewed if they believe that there is an error and shall clearly identify the reason for the error.

Discussion is held regarding the Case Information Report filed by Mr. Brown.

Mr. Brown and Ms. Brennan agree that no one has a right to irrigation claim 115-05-DB-001-IR004.

IT IS ORDERED that the parties file settlement documents by **June 7, 2019**. If settlement documents are not filed, a hearing will be held on **November 18, 2019**.

3:01 p.m. Matter concludes.

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