

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

January 15, 2020

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER
SUSAN HARRIS

L. Stogsdill

Deputy

In re: Kaibab Industries
Contested Case No. W1-11-3374

FILED: January 31, 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

Courtroom: CCB 301

1:45 p.m. This is the time set for a Status Conference.

The following attorneys and parties appear in person:

Carrie J. Brennan for Arizona State Land Department
David A. Brown for Michael and Susan Cavender
John D. Burnside for BHP Copper
Kevin P Crestin for Arizona State Land Department
Mark A. McGinnis for Salt River Project

The following attorneys and parties appear telephonically:

Anna Magoffin appears on behalf of the Magoffin Family Trust
Rhett Billingsley for ASARCO
Charles L. Cahoy for the City of Phoenix (observing)
Lucas Christian for the Tonto Apache Tribe
Robyn Interpreter for the Pascua Yaqui Tribe and Yavapai-Apache Nation
Kimberly R. Parks for the Arizona Department of Water Resources
Joe Sparks for San Carlos Apache Tribe

A record of the proceedings is made digitally.

The Court notes receipt of a document entitled “Magoffin Family Trust Water Right Abstract Draft” mail on January 10, 2020.

The Court advises Ms. Magoffin that all filing must both be filed with the Clerk of the Court and copies must be provided to all counsel and parties of record. Ms. Magoffin states that she mailed copies of the document referenced by the Court to all of the parties.

Ms. Magoffin addresses the Court.

The State Land Department confirms it has no claims to water as outlined in the Joint Report and makes no claim to water used on land within the boundaries of Watershed File Report 115-05-055.

For the reasons stated on the record,

IT IS ORDERED that the State Land Department be removed from the Court approved mailing list in this case.

The Court notes that the land involved in Watershed File Report 115-05-055 generally includes the northwest quarter of section 27, the northeast quarter of section 28 and the southwest quarter of Section 21. Ms. Magoffin advises the Court there are four stock ponds contained within these areas.

Ms. Magoffin advises the Court that she filed a Statement of Claimant on January 13, 2020. Ms. Parks advises the Court that the Statement of Claimant has not been received by ADWR yet.

The Court will check the website review the Statement of Claimant, as it appears all the claims involve stock ponds. The Court will then advise the parties of the next course of action.

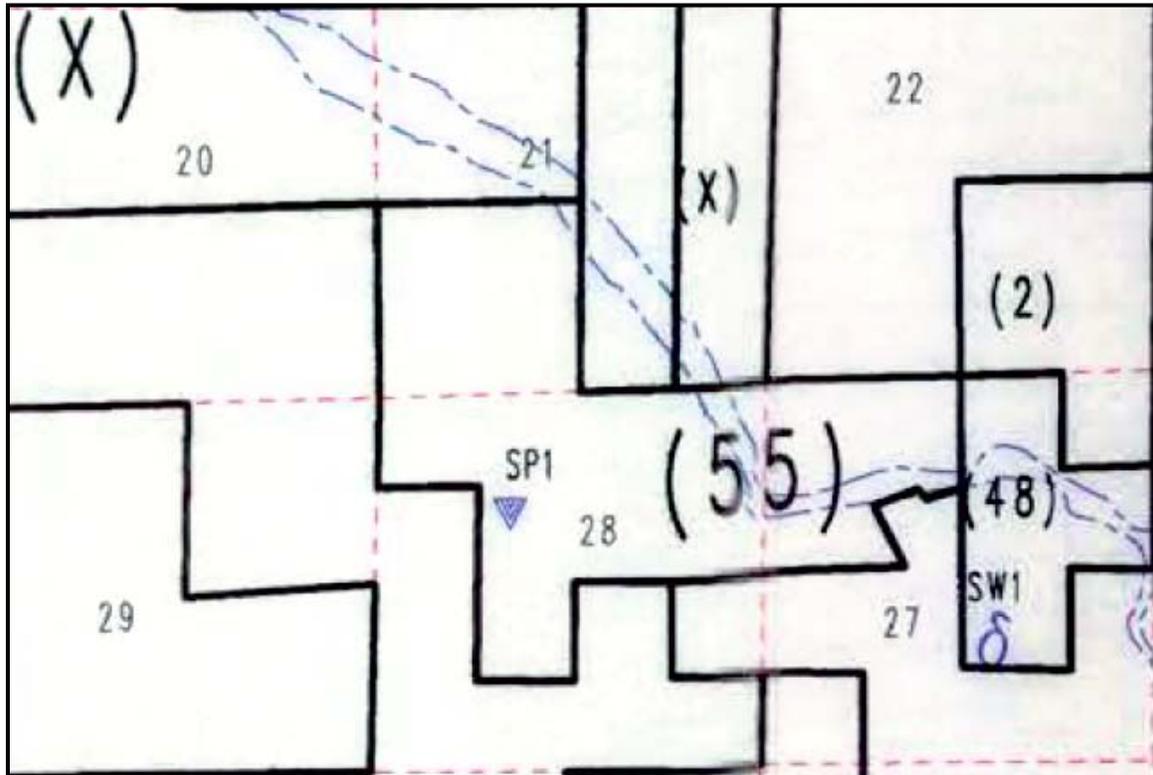
11:26 a.m. Matter concludes.

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

LATER:

The original Statement of Claimant 39-12022 claimed water for irrigation, domestic use, and stock and wildlife watering. It lists a number of wells, dirt tanks and springs. The Arizona Department of Water Resources investigated the uses claimed and included in Watershed File Report 115-05-055 the uses found within the geographical boundaries of the Watershed File Report. It found one stockpond that it determined was supplied by surface water.

This case will only adjudicate water rights for use on the land included within the physical boundaries of Watershed File Report 115-05-055. A map of the area included in Watershed File Report 115-05-055 is shown below:



On October 3, 2019, an amended Statement of Claimant 39-12022 was filed that claimed water for stock watering in the SWNESE Section 21 T7S R20E and listed well with registry number 55-604311 as the source of the water. According to Well Registry Report, the well was constructed in 1940 and it is located in NESENE Section 27 T7S R20E.

As of the date of the filing of this minute entry, the additional Statement of Claimant that Ms. Magoffin stated that she filed is not yet available as part of the public records of Arizona Department of Water Resources. A new check of the public records of Arizona Department of Water Resources will be made within 30 days at which time an order will be issued in this case. Until the Statement of Claimant is made available, no further action will be taken by the Court.

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