

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

04/15/2021

CLERK OF THE COURT  
Form V000

SPECIAL WATER MASTER  
SUSAN HARRIS

L. Stogsdill  
Deputy

In re: WH Claridge W1-11-3394

In re the General Adjudication of  
All Water Rights to Use Water in the  
Gila River System and Source  
W-1, W-2, W-3, W-4 (Consolidated)

FILED: 4/27/2021

In re: Continued Scheduling Conference

**MINUTE ENTRY**

Courtroom CCB - 301

2:00 p.m. This is the time set for an Order to Show Cause Return Hearing before Special Water Master Susan Harris.

The following attorneys telephonically appear: Kimberly R. Parks on behalf of ADWR, Rhett Billingsley on behalf of ASARCO; John Burnside on behalf of BHP Copper; Gregory Larson on behalf of the Larson Education Trust; Joe Sparks and Laurel A. Herrmann on behalf of the San Carlos Apache Tribe; Michael K. Foy on behalf of Salt River Project ("SRP") and Sue Montgomery on behalf of the Yavapai Apache Tribe and observing on behalf of the Pascua Yaqui Tribe.

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

The Court notes that the amended Watershed File Reports ("WFR") reflects no use of water on property owned by Larson Education Trust. Mr. Larson states he intends to use water moving forward and plans on leasing the land to others for productive use. He estimates he would need 32 acre feet per year for irrigation and water use. He would

rely on ADEQ's estimate for remediation, which would be up to 20 acre feet to repair/maintain the caps.

Mr. Sparks advises the Court that he is not sure what the best course of action is relative to this case. Claimants need to show their claim is perfected, and there is a lot of speculation as to how much water would be needed for environmental remediation. He wonders if water, if there is a perfected right, could be diverted for a brief period of time to stabilize the remediation site.

Discussion is held regarding a proposed objection period for the amended WFR. Mr. Sparks believes that 90 days for discussion among the claimant and the objectors would be good use of the time. In addition, a voluntary exchange of information can take place during that time. If no resolution is reached, then dates can be set to file objections and conduct discovery. Mr. Billingsley, Mr. Burnside, Mr. Foy and Ms. Montgomery agree with Mr. Sparks' suggestion.

Mr. Larson does not have an objection to the suggested 90-day time frame.

Accordingly,

**IT IS ORDERED** that Mr. Larson will file a Status Report with the Court in 90 days (**July 14, 2021**) to advise the Court if parties have settled this matter, or to advise the Court that no resolution was reached.

The Court will then set discovery deadlines and a date for filing objections to the amended WFR.

The Court notes that Mr. Stoddard has not joined call and his non-appearance reflects that he is not going to pursue his Statement of Claim. Accordingly,

**IT IS ORDERED** dismissing Statement of Claimant 39-3975.

Matter concludes: 2:11 p.m.

LATER: It is further ordered that Mr. Stoddard will be removed from the Court approved mailing list.

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