1 2 3 4 5 6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA 7 IN AND FOR THE COUNTY OF MARICOPA 8 9 IN RE THE GENERAL ADJUDICATION 10 OF ALL RIGHTS TO USE WATER IN THE GILA RIVER SYSTEM AND 11 CIVIL NO. W1-11-3384 SOURCE 12 ORDER INITIATING CONTESTED 13 **CASE** 14 15 CONTESTED CASE NAME: In re Arizona Chapter of the Nature Conservancy -Aravaipa 16 Creek I. 17 HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report. 18 DESCRIPTIVE SUMMARY: The Special Master initiates a contested case to address 19 objections to watershed file report 115-05-AC-005 and sets a Scheduling Conference. 20 NUMBER OF PAGES: 11 21 DATE OF FILING: February 28, 2017. 22. 23 This Order initiates a contested case to address objections to watershed file report 24 115-05-AC-005 that sets forth proposed water rights to surface water with apparent first use 25 dates of 1867 and 1880. 26

27

28

#### IT IS ORDERED:

- 1. <u>Contested Case Designation and Docket Number</u>. This contested case will address the objections that were filed to the watershed file report 115-05-AC-005), a copy of which is attached as Attachment A, published in the Final San Pedro River Watershed Hydrographic Survey Report (1991), provided, however, the contested case shall be confined to proposed water rights for which surface water is the water source.
- 2. <u>Contested Case Designation and Docket Number</u>. The objections filed to the watershed file report 115-05-AC-005 will be resolved as part of *In re Arizona Chapter of Nature Conservancy Aravaipa Creek I.*, Contested Case No. W1-11-3384.
- 3. <u>Litigants</u>. The litigants in this contested case are the claimant, namely the Arizona Chapter of the Nature Conservancy, all persons who filed objections to watershed file report 115-05-AC-005 listed on Attachment B, and claimants who are allowed to intervene by order.

#### 4. <u>Court-Approved Mailing List.</u>

- A. The initial Court-approved mailing list for this case shall include all persons listed on Attachment B of this order. The list may be modified only by filing a motion with the Special Master to amend the Court-approved mailing list, which the Special Master grants. Litigants are responsible for using the current Court-approved mailing list.
- B. A copy of any pleading filed with the Clerk of the Maricopa County Superior Court in this case shall be served upon each person listed on the Court-approved mailing list.
- C. Claimants wishing to be added or removed from the mailing list shall file a motion with the Special Master. Parties allowed to intervene will be automatically added to the mailing list.

1	5. <u>Scheduling Conference</u> . Pursuant to §8.03[1], Rules for Proceedings before
2	the Special Master, a scheduling conference shall be held to address the adjudication of this
3	case including, but not limited to a determination whether this case should be consolidated
4	with W1-11-3304, W1-11-3377, W1-11-3383, and W1-11-3388, a schedule to identify
5	issues, file disclosure statements, conduct discovery, submit prehearing motions, and set a
6	trial date. Any reports or motions the litigants desire to file in advance of the Scheduling
7	Conference shall be filed by May 4, 2017. The Scheduling Conference shall be held on
8	Thursday, May 18, 2017, at 9:30 a.m. before:
9	Special Master Susan Ward Harris
10	Superior Court of Arizona
11	201 West Jefferson Street Courtroom 301
12	Phoenix, AZ 85003-2202
13	Instructions for telephonic appearance:
14	Dial: 602-506-9695 (local)
15	1-855-506-9695 (toll free long distance)
16	Dial Participant Pass Code 357264#
17	1
18	// 1-1/
19	Jan h. Harris
20	SUSAN WARD HARRIS Special Master
21	
22	On February 28, 2017, the original of the foregoing
23	was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to all
24	persons listed on the Court-approved mailing list for this contested case and to all persons listed on the
25	Court-approved mailing list for W-1, W-2, W-3, and

W-4 (Consolidated).

# ATTACHMENT A

LAND OWNER

LAND OWNER WATERSHED FILE REPORT NUMBER ------

AZ. CHAP. NATURE CONSERV. 115-05-AC-005

### APPLICABLE FILINGS AND DECREES

#### CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

		CLEARLY STATED	INFORMATION	FROM FI	INGS	AND DEC	CREES				
FILING NUMBER	FILING STATUS		QUANTITY IN AFA	SECTION	WT V	ION IP RNGE	CLAIM DATE		ON LC	CATIO	N
10-0503231.1100							~		-		424
36-0037250.0001		STOCK	. 15	NENES	34 060	S 190E	1900		5 060	S 1901	E
36-0037251.0001		IRRIGATION		NENE2	8 060	S 190E	1880	NENE2	8 060	S 1901	E
36-0037252.0001		IRRIGATION	80.00		35 060	S 190E	1880	SWNE3	5 060	S 1901	E
		THILTON	800.00		7 060	S 190E	1890	NENE3	4 060	S 190	Ē
36-0037253.0001		IRRIGATION	90.00	2	8 060	S 190E					
36-0037254.0001		IRRIGATION	400.00	) SW2	7 060	S 190E	1880	SWSE2	7 060	S 190E	=
36-0037255.0001		IRRIGATION					1880	NWSE2	7 060	S 190E	Ξ
36-0037258		DOMESTIC	320.00			_	1880	NWNE2	8 060	S 190E	=
36-0037259.0001		DOMESTIC	. 55 . 55	NWINW3	5 060	S 190E	1880	EWNWN	5 060	S 190E	=
36-0037260.0001		DOMESTIC	. 55		7 060	S 190E	1880		7 060	S 190E	-
36-0037261.0001		DOMESTIC		SESWZ	7 060	S 190E	1880	SESW2	7 060	S 190E	Ξ
36-0037262.0001		DOMESTIC	. 55 . 55	SEINEZ	8 060	S 190E	1880		3 060	S 190E	:
36-0037264.0001		DOMESTIC	. 55	SESW2	1 060	S 190E	1880		060	S 190E	:
36-0047357		IRRIGATION	10.00	MENINO	0 060	S 190E S 190E	1880		060	5 190E	:
		DOMESTIC	10.00	MEINWZ	8 060	5 190E	1908	NWSW27	060	S 190E	:
00.00.		STOCK									
36-0047416		IRRIGATION	90.50	NESWO	1 000	S 190E	4000				
		DOMESTIC			1 000	S 190E	1908	NWNE 28	0609	3 190E	
20 0040000		STOCK			1 000.	2 IACE					
36-0048809		IRRIGATION	85.00	NESWO	1 060	5 190E	4000				
00 0001111		STOCK			1 000.	1905	1908	NWNE28	0609	190E	
36-0061144		IRRIGATION	90.50	MESWO	1 0600	5 190E	1000				
00.000		STOCK		CECHO	1 0603	190E	1908	NWNE28	0605	190E	
36-0065216.0001		IRRIGATION	1.00	SESW2	1 0603	190E	4000				
00 00000		STOCK		21242	1 0003	1905	1867	NWNE28	0605	190E	
36-0068212		IRRIGATION	10.00	SESWO	1 0609	190E	1010				
36-0068497		IRRIGATION	240.00		7 0605	190E	1910	SESW21	0603	, 190E	
		DOMESTIC		0.101121	0000	1305	1867	SESW27	0605	190E	
30 0000000		STOCK									
39-0000333	QUE.RECD	IRRIGATION	80.00	SW2	0601	190E	1010	AIFAULINESS			
30-0000004		STOCK	06	0.12	00011	IJOL	1910	NENWNE28	060N	190E	
39-0000334		IRRIGATION	5.00	NESESW21	0605	190F	1908	AULINIEGO			
39-0000335		STOCK	.04		0000	1002	1900	NWNE28	0605	190E	
39-0000335		IRRIGATION	40.00	NESW21	0605	190F	1908	MANTOO	0000		
39-0000336	0115 555	STOCK	.09				1308	NWNE28	0605	190E	
00 0000338	QUE.RECD	IRRIGATION DOMESTIC	18.00	NENENW28	0605	190F	1908	NWNESW27	0000	1000	
		DOMESTIC	. 45				1000	MAINE SW21	0002	190E	
39-0001173	OUE BEOD	STOCK	.04								
3331173	QUE.RECD	IRRIGATION		SESESW21	0605	190E	1908	SESESW21	0605	1005	
39-0002645	OUE DECD	DOMESTIC						020201121	0003	ISUE	
	QUL. RECD	IRRIGATION STOCK	11.00	SESW21	0605	190E	1867	NWNE28	0605	1905	
39-0003958		IRRIGATION	1.00						0000	1002	
		DOMESTIC	240.00	SWNW27	0605	190E	1867	SESW27	0605	1905	
		STOCK							0000	TOOL	
39-0005489											
39-0005507	AMENDED	DOMESTIC	.46	NENE34	0605	190E	1940	NENENE34	0605	1905	
	AMENDED	IRRIGATION STOCK		SWSE21	0605	190E	1879	NENE28	0605	190E	
			204.89	NENE28	0605	190E			0000	1001	
39-0005508	AMENDED	REC/FISH/WLDLF STOCK	104.00								
	AMENDED		548.00	SWSE27	0605	190E	1879	SESE27	0605	190F	
39-0005509	AMENDED	REC/FISH/WLDLF STOCK	250.00						0000	1002	
	MINERADED		250.00	NENE28	0605	190E	1879	NWSW27	0605	190F	
39-0005511	AMENDED	REC/FISH/WLDLF STOCK	150.00						0000	1001	
	711111111111111111111111111111111111111	REC/FISH/WLDLF	93.00	N2SW27	0608	190E	1879	SWSE27	0605	190F	
39-0005512		STOCK	27.00							.001	
		REC/FISH/WLDLF	. 10	NENE28	0605	190E	1880	NENE28	0605	190F	
39-0005513		DOMESTIC	. 05								
39-0005514		DOMESTIC	. 55	SENE28	0605	190E		SENE28	060S	190E	
39-0005516		DOMESTIC	. 55	SESW27	060S	190E		SESW27	0605	190E	
39-0005518		DOMESTIC	. 55	NWNW35	0605	190E		NWNW35	060S	190E	
		REC/FISH/WLDLF	feer per	SESW21	060S	190E	1880	SESW21	0605	190E	
39-0005521		STOCK	. 55	A 11.10 =	00==						
		REC/FISH/WLDLF	53.00	NW35	0605	190E	1879	NWNW35	0608	190E	
39-0005522		DOMESTIC	27.00	5W26	0605	190E					
		and the same of th	.55	SWSF27	CHOS	1075	1076	CHICEAR	^~~~		

#### CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

	FILING		QUANTITY	USE LO	CATIO	N	CLAIM	DIVERSION	V LOCA	MOITA
FILING NUMBER	STATUS	USES	IN AFA	SECTION	TWNP	RNGE	DATE	SECTION	TWNP	RNGE
39-0005523		REC/FISH/WLDLF	. 55	SENW20	0605	190E		SENW20	0605	190F

#### DWR ANALYSIS OF FILINGS AND DECREES

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
10-0503231.1100	IRRIGATION DOMESTIC	IRRIGATION DOMESTIC		DMO03, IRO94
36-0037250.0001	STOCK	STOCKWELL		
36-0037251.0001	IRRIGATION	NONE	W11	A SECTION OF THE SECT
36-0037252.0001	IRRIGATION	NONE		
36-0037253.0001	IRRIGATION	DISCONTINUED	DO3	IRO91
36-0037254.0001	IRRIGATION	DISCONTINUED		IR090
36-0037255.0001	IRRIGATION	DISCONTINUED		IR090
36-0037258	DOMESTIC	NOT APPLICABLE	WO2	
36-0037259.0001	DOMESTIC	DOMESTIC		DMO03
36-0037260.0001	DOMESTIC	DOMESTIC		DMO03
36-0037261.0001	DOMESTIC	DOMESTIC		DM002
36-0037262.0001	DOMESTIC	DOMESTIC		DMOO1
36-0037264.0001	DOMESTIC	DOMESTIC	200	DMOO1
36-0047357	IRRIGATION	DISCONTINUED	DO2	IRO91
	DOMESTIC	NONE		
36-0047416	STOCK	INCIDENTAL	DO4	TD000
36-0047416	IRRIGATION	DISCONTINUED	DO1	IRO90
	DOMESTIC STOCK	NONE		
36-0048809	IRRIGATION	INCIDENTAL	DO4	
36-0048803	STOCK	NOT APPLICABLE NOT APPLICABLE	DO1	
36-0061144	IRRIGATION	DISCONTINUED	004	TD000
36-0061144	STOCK	INCIDENTAL	DO1	IRO9O
36-0065216.0001	IRRIGATION		004	10000
38-0063218.0001	STOCK	DISCONTINUED	DO1	IRO9O
36-0068212	IRRIGATION	INCIDENTAL DISCONTINUED	DO1	TD000
36-0068497	IRRIGATION	DISCONTINUED	DO7	IR090
36 0006437	DOMESTIC	NONE	007	IR093
	STOCK	INCIDENTAL		
39-0000333	IRRIGATION	NOT APPLICABLE	DO1 .	
	STOCK	NOT APPLICABLE	001	
39-0000334	IRRIGATION	NOT APPLICABLE	DO1	
00 000000	STOCK	NOT APPLICABLE	DO 1	
39-0000335	IRRIGATION	NOT APPLICABLE	DO1	
00 000000	STOCK	NOT APPLICABLE	501	
39-0000336	IRRIGATION	DISCONTINUED	DO2	IRO91
20 000000	DOMESTIC	NONE	502	18091
	STOCK	INCIDENTAL		
39-0001173	IRRIGATION	DISCONTINUED	DO1	IR090
	DOMESTIC	NONE		211000
39-0002645	IRRIGATION	DISCONTINUED	DO1	IRO9O
	STOCK	INCIDENTAL		
39-0003958	IRRIGATION	DISCONTINUED	D07	IR093
	DOMESTIC	NONE		
	STOCK	INCIDENTAL		
39-0005489	DOMESTIC	NONE		
39-0005507	STOCK	INCIDENTAL	DO1	
33 300000.	WILDLIFE	INCIDENTAL	501	
39-0005508	STOCK	STOCK		SW001
	WILDLIFE	INCIDENTAL		5,000 (
39-0005509	STOCK	INCIDENTAL	DO2	
	WILDLIFE	INCIDENTAL		
39-0005511	STOCK	INCIDENTAL	DO3	
	WILDLIFE	INCIDENTAL	(5) II	
39-0005512	STOCK	STOCKWELL		
	WILDLIFE	STOCKWELL		
39-0005513	DOMESTIC	DOMESTIC		DM002
39-0005514	DOMESTIC	DOMESTIC		DMO03
39-0005516	DOMESTIC	NONE	WQ2	
39-0005518	DOMESTIC	DOMESTIC		DMOO1
*******	WILDLIFE	INCIDENTAL		
39-0005521	STOCK	NONE		

## FILE 115-05-AC-005 (CONTINUED) DWR ANALYSIS OF FILINGS AND DECREES (CONTINUED)

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
and this and till the fear and and any any one and one may one				
39-0005522 39-0005523	DOMESTIC WILDLIFE	DOMESTIC WILDLIFE		DMOO3 SWOO1

#### DIVERSIONS

	LOCAT	TION			
DIV #	SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
			-		
DO1	SENWNE28	0605	190E	SALAZAR-TAPIA DITCH	SURFACE WATER: ARAVAIPA CREEK SHARED
D02	SWNWSW27	0605	190E	UNNAMED	SURFACE WATER: ARAVAIPA CREEK SHARED
DO3	SWSWSE27	0605	190E	UNNAMED	SURFACE WATER: ARAVAIPA CREEK
D07	NWSESW27	0605	190E	CLARIDGE DITCH	SURFACE WATER: ARAVAIPA CREEK SHARED
WO2	NENWNW35	0605	190E	EASTERN WELL #1	GROUNDWATER : ZONE 2 SHARED
W11	SWNWNE35	060\$	190E	UNNAMED	GROUNDWATER : ZONE 2 UNUSED

#### USES

PWR #		ATION TWNP		SUPPLIED BY DIVERSIONS	WATER SOURCES			SOURCE CHANGE	FACILITY	NAME
DMOO1 DMOO2 DMOO3	SWSWSE21 SESENE28 NWNENE34	060S 060S	190E 190E		GROUNDWATER : GROUNDWATER : GROUNDWATER :	ZONE 1		NO NO NO	and the fire the case who was some on	T 60 60 M 100 40 AV
IRO9O	SWSESE27 SWSESW27 NWNE28	0608	190E	001	CUDEACE WATER		4000			
	SWSE21	0605	190E		SURFACE WATER		1935	NO		
IRO91	NWNE28 SENE28 SWSE28	0605	190E	DO2	SURFACE WATER		1935	NO		
IRO92	NWSW27 SESW27 SWSW27	0605	190E	DO3	SURFACE WATER		1935	NO		
IR093	NENE28 SENE28	0605	190E	D07	SURFACE WATER		1935	NO		
IR094	NENE34 NWNW35			WO2	GROUNDWATER :	ZONE 2	1935	NO .		
SW001	SESWNE35	0605	190E		SURFACE WATER			NO	INSTREAM	USE

#### SHARED USES AND DIVERSIONS

- \*\* WATER FROM DO1 IS SHARED WITH THESE ADDITIONAL FILES:
- 115-05-AB-1, 115-05-AB-2, 115-05-AB-3, 115-05-AB-4
  \*\* WATER FROM DO2 IS SHARED WITH THESE ADDITIONAL FILES:
  115-05-AC-10
- \*\* WATER FROM DO7 IS SHARED WITH THESE ADDITIONAL FILES: 115-05-AC-4
- \*\* WATER FROM WO2 IS SHARED WITH THESE ADDITIONAL FILES: 115-05-AC-6

#### PWR SUMMARY

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE* DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
DM001	39-0005518	36-0037262.0001 36-0037264.0001		GROUNDWATER : CATALOGUED
DM002	39-0005513	36-0037261.0001		GROUNDWATER : ZONE 1 OF THE ARAVAIPA GREEK
DMOO3	39-0005514 39-0005522	10-0503231.1100 36-0037259.0001 36-0037260.0001		GROUNDWATER : ZONE 1 OF THE ARAVAIPA CREEK
IRO9O	39-0000333 39-0000334 39-0000335	36-0037254.0001 36-0037255.0001 36-0047416	1867 FILING 36-65216.0001	SURFACE WATER: ARAVAIPA CREEK

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE* DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
IRO9O	39-0001173 39-0002645 39-0005507	36-0047416 36-0048809 36-0061144 36-0065216.0001 36-0068212		
IRO91	39-000336 39-0005509		1880 FILING 36-37253.0001	SURFACE WATER: ARAVAIPA CREEK
IRO92 IRO93 IRO94	39-0005511 39-0003958 39-0005516	36-0037253.0001 36-0068497	1880 FILING 36-37253.0001 1867 FILING 36-68497 1880 FILING 36-37258	SURFACE WATER: ARAVAIPA CREEK SURFACE WATER: ARAVAIPA CREEK GROUNDWATER : ZONE 2
SW001	39-0005508 39-0005523	NONE		SURFACE WATER: ARAVAIPA CREEK
NONE	39-0005512	36-0037250.0001 36-0037251.0001 36-0037252.0001		

#### QUANTITIES 0 F USF

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
DM002						SEE VOLUME 1 - GENERAL ASSESSMENT SEE VOLUME 1 -
DMOO3						GENERAL ASSESSMENT SEE VOLUME 1 -
IR090 IR091 IR092 IR093 IR094 SW001	REGIONAL REGIONAL REGIONAL REGIONAL REGIONAL	1.6 24.4 28.4 15.6 11.5	NO CROP NO CROP NO CROP NO CROP			GENERAL ASSESSMENT DISCONTINUED IRRG. DISCONTINUED IRRG. DISCONTINUED IRRG. DISCONTINUED IRRG. DISCONTINUED IRRG. DISCONTINUED IRRG. SEE VOLUME 1 - GENERAL ASSESSMENT

#### EXPLANATION

#### FILINGS AND DECREES

FILINGS 36-37251 & 36-37252 - CLAIM IRRIGATION WATER USES. NO IRRIGATION WAS FOUND AT THE CLAIMED LOCATIONS.

FILINGS 36-37258, 36-48809, 39-333, 39-334 & 39-335 - CLAIM WATER USES WHICH DO NOT APPLY TO THIS W.F.R.

FILINGS 36-47416, 36-68497, 39-336 & 39-3958 - CLAIM IRRIGATION, DOMESTIC, AND STOCKWATERING USES. NO DOMESTIC USE WAS FOUND AT THE CLAIMED LOCATION.

FILING 39-117 - CLAIMS IRRIGATION AND DOMESTIC WATER USES. NO DOMESTIC USE WAS FOUND AT THE CLAIMED LOCATION.

FILINGS 39-333, 39-336, 39-1173 & 39-2645 - UNIFORM QUESTIONNAIRES WERE RECEIVED WHICH REFLECT INFORMATION PREVIOUSLY PROVIDED IN THE ORIGINAL STATEMENTS OF CLAIMANT FILINGS 39-5489 & 39-5516 - CLAIM DOMESTIC WATER USES. NO DOMESTIC USES WERE FOUND AT THE CLAIMED LOCATIONS.

FILING 39-5521 - CLAIMS STOCKWATERING AND WILDLIFE WATER USES. NO STOCKWATERING OR WILDLIFE USES WERE FOUND AT THE CLAIMED LOCATION.

#### DIVERSIONS

D1 - DIVERSION FROM ARAVAIPA CREEK INTO THE SALAZAR-TAPIA DITCH.

D2 - DIVERSION FROM ARAVAIPA CREEK INTO THE NATURE CONSERVANCY/WEST DITCH.

D3 - DIVERSION FROM ARAVAIPA CREEK INTO AN UNNAMED DITCH. THE DIVERSION WAS DESTROYED IN THE OCTOBER 1983 FLOOD, BUT RECONSTRUCTION IS PLANNED.

D7 - DIVERSION FROM ARAVAIPA CREEK INTO THE CLARIDGE DITCH.

W2 - WELL PROVIDES WATER FOR IRRIGATION USE.

W11 - UNUSED WELL.

#### USES AND RESERVOIRS

DM1-DM3 - DOMESTIC USES.

IR90-IR94 - DISCONTINUED IRRIGATION: D.W.R. HAS DETERMINED THAT NO IRRIGATION HAS OCCURRED ON THIS PROPERTY IN THE LAST FIVE YEARS, BUT THERE HAS BEEN IRRIGATION WITHIN THE PAST TEN YEARS BASED UPON A REVIEW OF HISTORICAL AERIAL PHOTOGRAPHY AND FIELD INVESTIGATIONS. SW1 - INSTREAM STOCK AND WILDLIFE WATERING USES FROM ARAVAIPA CREEK.

#### SHARED USES AND DIVERSIONS

D1 - DIVERSION IS SHARED WITH W.F.R.'S #115-05-AB-1 THROUGH #115-05-AB-4.
D2 - DIVERSION IS SHARED WITH W.F.R. #115-05-AC-10.
D7 - DIVERSION IS SHARED WITH W.F.R. #115-05-AC-4.

W2 - WELL IS SHARED WITH W.F.R. #115-05-AC-6.

DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS
A COMMENT WAS RECEIVED FROM THE LAND OWNER WHICH INDICATED THAT FILINGS 36-37253, 36-37254, 36-37255, 36-37258, 39-5512 & 39-5518 SHOULD BE AMENDED.

1	ATTACHMENTB
2	
3	Arizona Department of Water Resources
4	Janet L. Miller
5	P. O. Box 36020 Phoenix, Arizona 85067
6	ASARCO, Incorporated
7	Lauren J. Caster and Gregory L. Adams
8	Fennemore Craig, P.C. 2394 East Camelback Road, Suite 600
9	Phoenix, Arizona 85016-3429
10	BHP Copper Inc. (fmr. Magma Copper Co.) Lucas J. Narducci, Christopher Payne
11	and Mitchell Klein
12	Snell & Wilmer, L.L.P 400 East Van Buren Street, Suite 1900
13	Phoenix, Arizona 85004-2202
4	Gila River Indian Community
15	Linus Everling and Thomas L. Murphy Office of the General Counsel
16	P. O. Box 97 Sacaton, AZ 85147
17	
18	The Nature Conservancy Stephen C. Cann
19	2424 Spruce Street, Suite 100 Boulder, Colorado 80302
20	Salt River Valley Water Users' Association's and the Salt River Project Agricultura
21	Improvement and Power District
22	John B. Weldon, Jr. and Mark A. McGinnis Salmon, Lewis & Weldon PLC
23	2850 E Camelback Rd, Ste 200 Phoenix, AZ 85016
24	
25	San Carlos Apache Tribe Tonto Apache Tribe
26	Camp Verde Reservation Joe P. Sparks, Julia M. R. Kolsrud and
27	Laurel A. Hermann
28	The Sparks Law Firm, P.C. 7503 First Street
	Scottsdale, AZ 85251-4573

**United States** R. Lee Leininger U.S. Department of Justice Natural Resources Section 999 18th Street, So Terrace, Suite 370 Denver, CO 80202 David Negri U. S. Department of Justice 800 Park Boulevard, #600 Boise, ID 83712 Yavapai-Apache Nation Susan B. Montgomery/Robyn L. Interpreter Montgomery & Interpreter, PLC 3301 E. Thunderbird Road Phoenix, AZ 85032