

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

August 20, 2026

CLERK OF THE COURT
N. Johnson
Deputy

SPECIAL WATER MASTER
SHERRI ZENDRI

In re: St. David Irrigation District
Contested Case No: W1-11-001675

In Re The General Adjudication of
All Rights to Use Water in the Gila
River System and Source
W1-00-001234 - Consolidated

FILED: August 25, 2026

Contested Case Nos:

- W1-11-001675 - *In re St. David Irrigation District*
- W1-11-002081 - *In re Orie Alvin Owens, Sr., et al.*
- W1-11-002089 - *In re Valley National Bank*
- W1-11-002090 - *In re William & Esther Taylor*
- W1-11-002111 - *In re Ruth B. Singer*
- W1-11-002119 - *In re San Pedro Investments*
- W1-11-002128 - *In re Robin L. and Linda M. Richey*

MINUTE ENTRY

East Court Building – Courtroom 613

10:51 a.m. This is the time set for a Status Conference to discuss the Joint Notice of Stipulation and Continued Settlement Work, filed July 9, 2026 and the Stipulation, Withdrawal of Objections, and Motion to Approve Proposed Water Right Abstracts, Include the Proposed Water Right Abstracts in the Catalog of Proposed Water Rights and Vacate Deadlines and Trial, filed July 9, 2026 before Special Water Master Sherri Zendri.

The following parties/attorneys are present:

- Brian Heiserman, Bradley Pew, David Brown, Garrett Perkins, and John Burnside on behalf of St. David Irrigation District, et al.
- Laurel Herrmann, Alexander Ritchie, Jana Sutton, and Bernardo Velasco on behalf of the San Carlos Apache Tribe
- Andrew “Guss” Guarino for the U.S. Department of Justice, Environment and Natural Resources Division
- Merrill Godfrey on behalf of the Gila River Indian Community
- Katrina Wilkinson on behalf of the Salt River Project (“SRP”)
- Karen Nielsen on behalf of Arizona Department of Water Resources (“ADWR”)
- Kevin Crestin on behalf of the Arizona State Land Department (“ASLD”)
- Sean Hood on behalf of American Smelting and Refining Company (“ASARCO”)

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

The Special Master addresses the parties regarding the proposed settlement.

Mr. Heiserman presents oral argument regarding the settlement. Mr. Heiserman states that the certain contested cases were reopened specifically for the purpose of settlement and that litigants can settle at any point in time. Mr. Heiserman addresses the Special Master regarding the risk of continued litigation.

Mr. Godfrey states that the settlement is similar to a settlement after a judgment, but before an appeal. Mr. Godfrey advises the Special Master that the parties considered the litigation risk in arriving at the settlement. Mr. Godfrey further advises the Special Master that the parties' plan is to have a non-binding term sheet to settle all cases within the St. David Irrigation District. Mr. Godfrey addresses the Special Master with respect to the parties who have been dismissed.

Mr. Guarino outlines his analysis in a settlement context, both in federal and state law, that could apply to the Special Master’s analysis in a settlement. Mr. Guarino states that the parties have a willingness to settle.

Ms. Sutton advises the Special Master that the parties have all worked in good faith.

The Special Master notes there are currently special procedures for federal reserved rights, indicating a settlement cannot be greater than what would have been received through trial. The Special Master inquires if the settlement for these contested cases presents a potential conflict with those procedures. The Special Master further inquires regarding the proposed abstracts and statement of claim as the basis of right with a 1930 priority date.

Mr. Heiserman responds to the Special Master’s inquiries. Mr. Heiserman advises the Special Master that the parties have all worked in good faith and have agreed on the rights

coming out of this case. Mr. Heiserman states that everyone involved is endorsing these rights. Mr. Heiserman advises the Special Master regarding the priority date. Mr. Godfrey further advises the Special Master regarding the priority date. Mr. Guarino advises the Special Master regarding the fair and reasonable standard that is applied in federal court.

The Special Master addresses the parties.

For the reasons stated on the record,

IT IS ORDERED approving the Stipulation.

The Court will separately issue an order approving the Stipulation, Withdrawal of Objections, and Motion to Approve Proposed Water Right Abstracts, Include the Proposed Water Right Abstracts in the Catalog of Proposed Water Rights and Vacate Deadlines and Trial (“Stipulation”), filed July 9, 2026.

The Special Master thanks the parties for their participation in today’s hearing.

11:19 a.m. Matter concludes.

A copy of this minute entry will be sent to all people on the court-approved mailing list for this matter.