

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

June 5, 2024

CLERK OF THE COURT

SPECIAL WATER MASTER  
SHERRI ZENDRI

S. Ortega  
Deputy

FILED: June 13, 2024

In Re: Chester C. Antonick  
Contested Case No. W1-11-1508

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**

Central Court Building – Courtroom 301

10:01 a.m. This is the time set for a Status Conference before Special Water Master Sherri Zendri.

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

The following parties/counsel appear virtually and/or telephonically:

- Eileen M. Brien
- Kristen B. Bidegain
- Michael J. Mason
- Kimberly Parks for Arizona Department of Water Resources (ADWR)
- Mark A. McGinnis for Salt River Project (SRP)
- Joe Sparks and Laurel Herrmann for San Carlos Apache Tribe
- Alexander Ritchie, Attorney General, observing for San Carlos Apache Tribe
- Jana Sutton, observing for San Carlos Apache Tribe
- Alexa Penalosa for United States Department of Justice

- Charmayne Staloff for United States in its capacity as Trustee for Indian Tribe
- Sunshine Manuel for Gila River Indian Community
- Kent Millward for Tonto Apache Tribe
- Sue Montgomery for Yavapai Apache Nation (observing on behalf of Pascua Yaquai Tribe)
- John D. Burnside for BHP Copper

Eileen M. Brien informs the Court that Shirley Brien is deceased. Eileen M. Brien states that she is a beneficiary of Shirley Brien, and the property has been transferred to her by beneficiary deed. Ms. Brien requests that Joseph D. Regnier be added to the property at 2152, Parcel 026D, as he is a joint property owner on the deed.

**LET THE RECORD REFLECT** that Shirley Brien will be removed from Parcel 026D as she is deceased. Eileen Brien is the current owner of Parcel 026D.

**LET THE RECORD FURTHER REFLECT** that Joseph D. Regnier will be added Parcel 026D.

The Court notes that parties who did not show up for both the initial status conference and today's status conference will be removed from the mailing list. Parties who appeared at the last status conference but not today's status conference will have an opportunity to explain to the Court why they did not appear today.

Discussion is held regarding progress of this matter. Ms. Brien states that her well is registered and that she has a shared well agreement with the Bidegains and the Parkers. The well registration number is 55-519665.

Mr. Mason informs the Court that they have a separate well on their parcel, and the well registration number is 55-505289.

Updates to the Statements of Claimant are discussed. All property owners state that they have submitted amended Statements of Claimant.

Discussion is held regarding the process for the basis of claim of water rights.

ADWR agrees that it will be helpful to set up a meeting with the landowners and objectors within the next 60 days to further understand the process and what it looks like moving forward.

Mr. McGinnis makes a recommendation regarding the watershed file report and assessor's maps. The Court would like to see both wells remapped to show the irrigable acreage with the new property subdivisions and both wells. ADWR agrees.

Mr. Sparks suggests using the addresses on the most recent county tax property records regarding due process as to the non-appearing parties, if that process isn't already

being utilized. The Court affirms that it does use the county tax records for the properties and the property owners. The property owners that have a Statement of Claimant also have a responsibility to update the address with ADWR whenever this is a property change.

The Court requests meeting updates from ADWR. The Court will then schedule follow-up conferences appropriately.

**LATER:**

**IT IS ORDERED** that since the following property owners have failed to attend two status conferences, April 3, 2024, and June 5, 2024, they will be removed from the Court Approved Mailing list after the issuance of this Minute Entry for failure to provide an interest in pursuing a potential water right:

Corporate Creations Network / Cemex Construction Materials South LLC  
Bruce & Erin Kelly  
Brian E & Jean M Kelly  
Amber Marie Parker  
Brian E & Jean M Kelly  
Daniel & Cheri Hemenway

The following property owners indicated an interest in pursuing potential water rights during the initial status conference of April 3, 2024, however they failed to attend the June 5, 2024, conference. If these property owners are still interested in pursuing potential water rights, they must make every effort to attend court proceedings. These parties will be removed from the Court Approved Mailing list should they fail to attend future conferences without providing prior notice to the Court for their absence:

Wayne & Heather Cantrell  
Doreen Edwards  
Kevin T & Michelle M Rasch  
Colt RR LLC – Michelle Rasch

**IT IS FURTHER ORDERED** that ADWR shall schedule a meeting with the landowners interested in pursuing potential water rights and any objectors no later than August 9, 2024. ADWR shall file a report with the Court documenting the meeting no later than ten (10) calendar days from the date of the meeting.

**IT IS FURTHER ORDERED** that ADWR shall prepare a map for use by the parties at the above scheduled meeting that shows precise locations of well numbers 55-519665 and 55-05289 on the parcel investigated for Watershed File Report No. 112-14-DDC-001 and any potential irrigable acreage within the property subdivisions.

**IT IS FURTHER ORDERED** that ADWR shall work with the landowners to make sure that all well registrations are updated to the current owner.