

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

April 7, 2022

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN HARRIS

T. DeRaddo
Deputy

In Re: Max J. and Donna L. Kartchner II
Contested Case No. W1-11-1680

FILED: 4/21/2022

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)

HSR involved: San Pedro River Watershed
Hydrographic Survey Report

MINUTE ENTRY

Central Court Building – Courtroom 301

1:40 p.m. This is the time set for a virtual/telephonic Status Conference. All parties and counsel appear virtually or telephonically. Appearances are as follows:

- Kimberly Parks for Arizona Department of Water Resources
- Charles W. Yokum and Carrie Maddox, landowners
- Robert C. Sachs and Janice Greutzke, landowners
- Thomas Murphy for the Gila River Indian Community
- Laurel Herrmann and Joseph Sparks for the San Carlos Apache Tribe
- Richard Palmer for the Tonto Apache Tribe
- Sue Montgomery for the Yavapai Apache Nation and observing for the Pasqua Yaqui Tribe
- Mike Foy observing for Salt River Project

Landowners, Kartchner Farms and Ranches, Inc., Richard H. Park, the Arizona Highway Department, and St. David Water Association are not represented

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

Mr. Yokum reports that he has not yet filed a Statement of Claimant for water rights on his property. Mr. Yokum states that he intends to irrigate his land, use it for livestock watering, and water for a wildlife sanctuary. Mr. Yokum states that he also owns two adjacent properties next to this property for which he intends to use water from a well.

The Court explains the water rights process, defines appropriable water, and importance of the location of wells in the process.

The Court explains to the self-represented litigants the process of filing Statement of Claimant for water rights.

ADWR investigated a claim for water use on this property and found no water use.

Discussion is held with Mr. Sachs and Ms. Greutzky. Mr. Sachs states that he and Ms. Greutzky have three wells.

For the reasons stated on the record in order to have valid water rights,

IT IS ORDERED that Mr. Yokum and Ms. Maddox are directed to work with ADWR and file a Statement of Claimant if they intend to secure water rights.

IT IS FURTHER ORDERED that Mr. Sachs and Ms. Greutzky shall work with ADWR and file a Statement of Claimant if they intend to secure water rights.

The Court will review the official records filed with ADWR and determine if the wells are inside or outside of the sub-flow zone. The Court may stay this case after official tests are conducted on the wells on the respective properties. The Court will set another virtual Status Conference once the pertinent information is gathered as stated on the record.

IT IS FURTHER ORDERED that Mike Foy of SRP be added to the mailing list for this case.

2:08 p.m. Matter concludes.

LATER:

Arizona Department of Water Resources has a record of a well recorded by Charles W. Yokum and Carrie Maddox with a registration no. 55-641069. It also has a record for a well registered to Robert C. Sachs and Janice Greutzke-Sachs under registration no. 55-505413. Both wells are located outside the subflow zone according to the map prepared by ADWR.

IT IS FURTHER ORDERED setting a status conference on **June 16, 2022 at 1:40 p.m.** At the status conference the landowners shall advise whether they have filed Statements of Claimant and intend to pursue water rights. If no Statements of Claimant have been filed, then this case will be dismissed.

The Status Conference shall be held using the Court Connect program. Instructions for Court Connect are attached as Attachment A. If you receive this Order by email, click on the red box "Join Court Connect Hearing" on the attached instructions to make an appearance. If you do not receive this Order by email, log into the Court Connect program on the internet by typing <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend telephonically using the telephone number and access code included in the instructions for Court Connect. You may also attend telephonically using the following numbers:

Dial: 602-506-9695 (local)
1-855-506-9695 (toll free long distance)
Dial Collaboration (conference) Code 357264#

Copies of Orders and Minute Entries in this case have been sent to the last known address of Kartchner Farms & Ranches, Inc. These documents have been returned with the notation that they cannot be forwarded.

IT IS FURTHER ORDERED removing Kartchner Farms & Ranches, Inc. from the Court-approved mailing list.

NOTE: All court proceedings are recorded digitally and not by a court reporter. The parties or counsel may request a CD of the proceedings. For copies of hearings or trial proceedings recorded previously, please call Electronic Records Services at 602-506-7100.

University of Arizona Law Clinic

The Natural Resource Use and Management Clinic ("Clinic") at the University of Arizona James E. Rogers College of Law is establishing a program to represent claimants in the General Stream Adjudication who need legal representation and meet certain criteria. Legal services, from case initiation through a settlement negotiation, will be provided by law students studying environmental and water law and will be overseen by a water law attorney. Legal services do not extend to representation at trial. The Clinic's website and contact information can be found using the following link: <https://law.arizona.edu/clinics/natural-resource-use-management-clinic>.

Attachment A



Court Connect Hearing Notice for In re Max J. & Donna L. Kartchner II

This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.

All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.

Participants: Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

Case Name: In re Max J & Donna L. Kartchner II, Contested Case No. W1-11-1680

Start Date/Time: June 16, 2022 at 1:40 p.m.

JOIN COURT CONNECT HEARING

Dial-in Information: +1 917-781-4590

Private Dial-in Information: for privacy purposes, you can block your phone number by dialing *67 +1 917-781-4590

Dial-in Access Code: 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)

