

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

August 25, 2022

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

T. DeRaddo
Deputy

In re Winifred J. Bundy
Contested Case No. W1-11-1890

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

FILED: 8/31/2022

In Re: Status Conference

MINUTE ENTRY

Courtroom CCB – 301

1:30 p.m. This is the time set for a Status Conference before Special Water Master Susan Ward Harris, to determine whether the parties have been able to reach an agreement to resolve the objections to the claimed water rights.

The following attorneys and parties appear virtually/telephonically via the Court Connect/Teams application.

- Mark McGinnis and Michael Foy on behalf of Salt River Project (“SRP”)
- Richard Palmer on behalf of the Tonto Apache Tribe
- Kimberly Parks and Kome Akpolo on behalf of the Arizona Department of Water Resources (“ADWR”)
- Laurel Herrmann and Joe Sparks on behalf of the San Carlos Apache Tribe
- John Burnside of BHP Copper
- Sue Montgomery of behalf of the Yavapai-Apache Nation and observing on behalf of Pascua Yaqui Tribe
- Rhett Billingsley observing on behalf of American Smelting and Refining Company (“ASARCO”)
- Thomas Murphy on behalf of the Gila River Indian Community

- TC Bundy on behalf of the Winnifred J. Bundy Trust
- Alex Ritchie and Steve Titla observing on behalf of the San Carlos Apache Tribe
- Rodney Held is also present

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

The Court notes that ADWR has prepared a map for Mr. Bundy.

Mr. Bundy has prepared abstracts, and has sent documents out to the objectors – abstracts and a history of the ranch. He reports that he ordered documents from the National Archives, but has not received them. Mr. Bundy did his own research on the history of the ranch. He recorded the GPS coordinates, and researched where the point of diversion is.

Mr. Foy reports that he received draft abstracts from Mr. Bundy and provided comments on those. Mr. Foy did not see the actual underlying documents associated with the abstracts. Mr. Foy reports that the description of the irrigated field(s) is not sufficient.

Mr. Palmer feels that the documents are in the early stages and there are places where Mr. Bundy needs more time to fill in information.

Mr. Sparks states that he has only received documents this morning and has not yet reviewed them.

Mr. Burnside states that he received the documents from Mr. Bundy. He agrees with other counsel in that Mr. Bundy must gather more information and supply it to all parties. He is hopeful that the parties will be able to participate in settlement efforts.

Ms. Montgomery is in agreement with other counsel.

Mr. Billingsley has not seen the documents yet.

Mr. Murphy received documents at about 8:30 p.m. last night.

The Court informs Mr. Bundy that the National Archives takes a long time to send out the requested documents, sometimes over a year.

Mr. Bundy would like feedback on the work he has done on the map. Counsel will work together to finish this task.

The Court instructs the parties to provide Mr. Bundy with comments on the map and any additional information required within 30 days.

1:44 p.m. Matter concludes.

A copy of this minute entry will be provided to all parties on the official mailing list for this case.