

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

July 7, 2026

CLERK OF THE COURT
A.Villela
Deputy

SPECIAL WATER MASTER
SHERRI ZENDRI

In Re: *Benny H. and Frances Clark*
Contested Case No. W1-11-2395

FILED: July 15, 2026

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: Initial Status Conference

MINUTE ENTRY

Central Court Building – Courtroom 301

10:31 a.m. This is the time set for a virtual Status Conference before Special Water Master Sherri Zendri.

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

- Kathryn M. Ust for the Salt River Project (SRP)
- Laurel Herrmann and Jana Sutton for the San Carlos Apache Tribe
- John Burnside for BHP Copper
- Susan Montgomery for the Yavapai Apache Nation and observing for the Pasqua Yaqui Tribe
- Rachel Carroll-Farias for the Tonto Apache Tribe
- Guss Guarino on behalf of the United States Department of Justice
- Garrett Perkins observing for the St. David Irrigation District

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

Discussion is held regarding the property owners not being present for the status conference. The Court advises they shall set forth deadlines and written instructions in the Minute Entry.

10:35 a.m. Matter concludes.

A copy of this minute entry is provided to all parties on the Court approved mailing list.

LATER:

Notice of this status conference was filed May 8, 2026. The Office of the Special Master received no indication from the claimants they would be unable to attend the conference at the scheduled time.

Claimant's documents state the following:

1. Water Rights Registration Act Statement of Claim #36-200136.0000
 - a. combined water use of 12,976 acre-feet
 - irrigation (4,228,000,000 gallons/year),
 - domestic (200,000 gallons/year),
 - stock water (43,800 gallons/year), and
 - wildlife (185 gallons/year),
 - b. priority date of 5/20/1862 for all uses
2. Statement of Claimant for Irrigation Use
 - a. 4,228,000,000 acre-feet
 - b. priority date of 5/20/1862 based upon 36-200136.0000
3. Statement of Claimant for Stockpond Use
 - a. 43,800 gallons/year
 - b. priority date of 5/20/1920 based upon 36-200136.0000
4. Statement of Claimant for Domestic Use
 - a. 200,000 acre-feet
 - b. priority date of 1942 based upon 36-200136.0000

In order to prove his irrigation claim, Mr. Clark must present evidence of historical irrigation on his property consistent with his claims.

A full list of objections filed to WFR No. 113-04-DCD-003 can be found under the case number W1-11-002395 on the following website:
<http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp>.

IT IS ORDERED that no later than **September 11, 2026**, claimant Robert C. Clark must file a status report with the court that includes the following:

1. An explanation for his failure to attend the July 7, 2026, status conference.
2. Clarification of units and orders of magnitude for claimed water quantities, i.e. gallons versus acre-feet and billion versus million.
3. Irrigation claim—Evidence of pre-1919 water use.
4. Stockpond and domestic claims—A stockpond claim or surface water permit application, permit, or certificate. A claim without an appropriate basis of right will be dismissed.

Should Mr. Clark fail to meet this, or any future deadlines or conferences without prior notice to the Special Master, Mr. Clark may be removed from the contested case and any potential water rights may be forfeited.