

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

08/22/2006

CLERK OF THE COURT
FORM V000

HONORABLE EDDWARD BALLINGER, JR.

M.L. Smith
Deputy

W-1, W-2, W-3, W-4 (Consolidated)

FILED: 10/20/06 8:00 a.m.

In Re the General Adjudication
of All Rights to Use Water in
The Gila River System and Source

In Re Status Hearing

MINUTE ENTRY

2:04 p.m. This is the time set for a status hearing concerning the Salt River Project's applications for injunctive relief against Kovacovich Investment Ltd. Partnership, Wiertzema Family Trust, and NBJ Ranch Ltd. Partnership. Present are the following: Michele Van Quathem on behalf of Arizona Public Service; M. Byron Lewis, Mark McGinnis, and Jeff Ehlers on behalf of Salt River Project; Marilyn D. Cage on behalf of City of Goodyear; Rick Mabery on behalf of Kovacovich Investment Ltd. Partnership and the Wiertzema Family Trust; M. James Callahan on behalf of the City of Phoenix; and Joe P. Sparks on behalf of San Carlos Apache Tribe, Tonto Apache Tribe, Yavapai-Apache Nation and Pascua Yaqui Tribe. David A. Brown appears telephonically on behalf of NBJ Ranch Ltd. Partnership. Special Master George A. Schade, Jr. is present.

Court Reporter, Monica Hill, is present. A recording of this proceeding is made by CD and videotape.

Mr. Lewis informs the Court that Mr. Jon Ford, the Project's technical expert, has examined several wells on the properties of the respondents. According to Mr. Ford, the majority of the wells are inside the subflow zone. Mr. Ford wishes to conduct additional tests on the wells which will take several weeks to complete. The parties are continuing to discuss possible settlements. Mr. Lewis requests that the Court set a status

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hearing in six months when the parties will have additional information concerning the wells.

Mr. Mabery concurs with the request to hold a status hearing six months from now.

Mr. Brown also concurs with Mr. Lewis' request.

IT IS ORDERED setting this matter for an evidentiary hearing on March 7, 2007 at 2:00 p.m. Counsel are requested to inform the Court if settlements are reached before that date. (Time allotted: 1 hour).

SUPERIOR COURT OF ARIZONA
NORTHEAST REGIONAL COURT CENTER
18380 NORTH 40TH STREET
COURTROOM 112
PHOENIX, ARIZONA 85032

2:13 p.m. Matter concludes.

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A copy of this minute entry is mailed to all parties on the Court-approved W-1, W-2, W-3 and W-4 mailing list dated July 7, 2006.