

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

IN CHAMBERS ( X ) IN OPEN COURT ( )

SPECIAL MASTER GEORGE A. SCHADE, JR.  
Presiding

IN RE THE GENERAL ADJUDICATION  
OF ALL RIGHTS TO USE WATER IN THE  
GILA RIVER SYSTEM AND SOURCE

DATE: December 30, 2009

CIVIL NO. W1-11-3342

ORDER GRANTING THE  
MOTIONS TO INTERVENE OF  
THE BAYLESS & BERKALEW  
COMPANY AND FREEPORT-  
MCMORAN CORPORATION

CONTESTED CASE NAME: *In re Aravaipa Canyon Wilderness Area.*

HSR INVOLVED: San Pedro River Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master grants the motions to intervene filed by the Bayless & Berkalew Company and Freeport-McMoRan Corporation.

NUMBER OF PAGES: 2.

DATE OF FILING: December 30, 2009.

On November 19, 2009, the Bayless & Berkalew Company and Freeport-McMoRan Corporation filed motions to intervene in this contested case pursuant to Arizona Rule of Civil Procedure 24. Freeport-McMoRan also cited Section 7.01[6] of the Rules for Proceedings Before the Special Master.

Both entities are claimants in the Gila River Adjudication and water users in the San Pedro River Watershed. Both assert they wish to protect their surface water and groundwater claims and interests in this adjudication. Currently, seven legal issues, which

may have broader significance than this contested case, are being briefed.

Neither motion is opposed. The Special Master does not find any reasons to deny the motions.

Accordingly, IT IS ORDERED granting the motions of the Bayless & Berkalew Company and Freeport-McMoRan Corporation to intervene in this case and participate as litigants. Both parties shall be added to the Court approved mailing list for this case. An updated mailing list dated December 30, 2009, will be posted on the Special Master's Web site.

DATED: December 30, 2009.

/s/ George A. Schade, Jr.  
GEORGE A. SCHADE, JR.  
Special Master

On December 30, 2009, the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to all persons listed on the Court approved mailing list for Contested Case No. W1-11-3342 dated August 17, 2009, and to counsel for the Bayless & Berkalew Company and Freeport-McMoRan Corporation.

/s/ Barbara K. Brown  
Barbara K. Brown