

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

11/04/2021

SPECIAL WATER MASTER SUSAN WARD HARRIS

In re: The General Adjudication of All Rights To Use Water in the Gila River System
and Source

Contested Case No. W1-11-2789

Contested Case Name In Re H. Clifford and Carolyn Dobson

In Re: Status Conference

CLERK OF THE COURT

L. Brown

Deputy

FILED: 11/15/2021

MINUTE ENTRY

Central Court Building- Courtroom 301

2:30 p.m. This is the time set for a Status Conference re In Re H. Clifford and
Carolyn Dobson before Special Master Susan Ward Harris.

The following attorneys and parties appear via Court Connect/ Microsoft Teams
and via telephone:

- Mark McGinnis and Michael Foy on behalf of Salt River Project (“SRP”)
- Carla Consoli on behalf of the Arizona Chapter The Nature Conservancy
- Kimberly Parks, on behalf of Arizona Department of Water Resources
 (“ADWR”)
- Lauren Mulhern observing on behalf of the Tonto Apache Tribe
- Joseph Sparks on behalf of San Carlos Apache Tribe

- David Brown and Garrett Perkins on behalf of Ted and Leslie Hall, Ted Jarvey, Rocky and Evenette Greenfield and H.C. Dobson Jr. Ranch Property, LLC and Three Bar K
- Brad Pew on behalf of ASARCO
- Robin Interpreter on behalf of the Yavapai Apache Nation
- Tom Murphy on behalf of Gila River Indian Community
- John Burnside on behalf of BHP Copper

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

Mr. Brown states he has not been able to obtain the documents from the National Archives necessary to establish the priority dates and would request a stay in this case.

The Court address Mr. Brown. This is a fairly complicated case regarding ownership and transfer of rights. Do you know if everything has been done except for priority dates information?

Mr. Brown states I don't because we have been waiting for Ms. Consoli to give us some documentation, so I will let her speak.

Ms. Consoli states with regard to the transfer of water rights, the Nature Conservancy has completed its work transferring the water rights into the names of the entities to which the Nature Conservancy sold the parcels. It is the Conservancy's understanding that some of those parcels were sold subsequent to the Conservancy selling them. The Conservancy is not involved in transferring any of those claims or water rights to subsequent landowners as that would not be something the Conservancy has any business doing. With regard to that, yes everything has been completed. The one thing that has not been completed is a pending severance and transfer application for the remaining water claims that would then end up constituting the in-stream flow right. To our knowledge ADWR has not completed that process.

Ms. Parks states that she does not have any not have any updates on that process at this time.

The Court address Mr. Brown. The Nature Conservancy has done its part, have you seen copies of those documents.

Mr. Brown states I believe so, but like she said the subsequent transfer on some of those parcels is the complicated factor. That does not apply to Hall and Jarvey and only applies to the Greenfields and we are still trying to get through that process.

Ms. Consoli states that would also apply to Three Bar K and Dell'Oliver and Longley that was previously known as parcel 1 and the Nature Conservancy sold parcel 1 to the Dewels and that land owner split that parcel into 2 and then sold to Three Bar K and Dell'Oliver and Longley.

The Court address Mr. Brown. As far as you are concerned you need to do some transfer work and is there anything else that needs to be done in addition to getting the historical documents?

Mr. Brown states we still have the mapping to do but quite frankly we did not want to do the mapping until we had an idea what the homestead documents said.

2:37 p.m. Matter concludes.

IT IS ORDERED that this case is stayed until the National Archives begins accepting requests for documents from claimants to establish water rights.

IT IS FURTHER ORDERED that David Brown, counsel for Ted and Leslie Hall, Ted Jarvey, Rocky and Evenette Greenfield and H.C. Dobson Jr. Ranch Property, LLC and Three Bar K, shall file a notice when the National Archives accepts a document request. The notice shall include the expected delivery date provided by the National Archives.

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.

A copy of this order is mailed to all parties on the Court-approved mailing list for this contested case.