

OCT 02 2013

LEGAL  
DEPT OF WATER RESOURCES

1 SNELL & WILMER  
2 L. William Staudenmaier (No. 012365)  
3 400 East Van Buren, Suite 1900  
4 Phoenix, AZ 85004-2202  
5 Telephone: (602) 382-6571  
6 Fax: (602) 382-6070  
7 [wstaudenmaier@swlaw.com](mailto:wstaudenmaier@swlaw.com)  
8 Attorneys for Freeport-McMoRan  
9 Corporation

FENNEMORE CRAIG, P.C.  
Sean T. Hood (No. 022789)  
2394 E. Camelback Road, Suite 600  
Phoenix, Arizona 85016-3429  
Telephone: (602) 916-5475  
Email: [shood@fclaw.com](mailto:shood@fclaw.com)  
Attorneys for Freeport-McMoRan  
Corporation

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
8 **IN AND FOR THE COUNTY OF MARICOPA**

9 IN RE: THE GENERAL  
10 ADJUDICATION OF ALL RIGHTS TO  
11 USE WATER IN THE GILA RIVER  
12 SYSTEM AND SOURCE

No. W-1 (Salt)  
No. W-2 (Verde)  
No. W-3 (Upper Gila)  
No. W-4 (San Pedro)

Contested Case No. W1-11-3342

13 **FREEPORT-McMoRAN**  
14 **CORPORATION'S SECOND**  
15 **SUPPLEMENTAL DISCLOSURE**  
16 **STATEMENT**

(Assigned to Special Master  
George A. Schade)

17 CONTESTED CASE NAME: *In Re Aravaipa Canyon Wilderness Area*

18 DESCRIPTIVE SUMMARY: Freeport-McMoRan Corporation files its second  
19 Supplemental Disclosure Statement.

20 NUMBER OF PAGES: 3

21 STATEMENT OF CLAIMANT NOS: 39-02297 *et al.* (numerous claims)

22 DATE OF FILING: October 1, 2013  
23  
24  
25  
26

1 Freeport-McMoRan Corporation ("Freeport") hereby submits its Second  
2 Supplemental Disclosure Statement for the current phase of this contested case regarding  
3 the United States claimed federal reserved right for the Aravaipa Canyon Wilderness Area  
4 ("Aravaipa Canyon"). Freeport reserves the right to supplement and / or amend each and  
5 every section of its disclosure statements throughout the discovery process.

6 **8. EXHIBITS**

7 Freeport makes the following disclosure pursuant to Rule 26.1(a)(8) without  
8 waiving any objections concerning any documents, including, without limitation,  
9 objections as to admissibility.

- 10 1. Documents produced by the United States in connection with the  
11 United States' Response to Freeport-McMoRan Corporation's First  
12 Set of Written Discovery Requests to the United States dated July 29,  
13 2013, Bates labeled USAV2-00002152 to USAV2-00003644.
- 14 2. Documents obtained pursuant to subpoena served upon The Nature  
15 Conservancy.
- 16 3. Documents obtained pursuant to subpoena served upon Dr. Reinthal,  
17 whom has been disclosed as an expert witness by the Salt River  
18 Project.

19 The foregoing documents are disclosed herewith but are not produced for the following  
20 reasons. Regarding Category 1, these are documents that were or should have been  
21 produced to all parties by the United States. Regarding Categories 2 and 3, these are  
22 documents that were recently obtained pursuant to subpoenas, and Freeport is in the  
23 process of reviewing and Bates labeling these documents. These categories appear to  
24 consist of hundreds of documents and several thousands of pages, so the process of Bates  
25 labeling and preparing a spreadsheet listing the documents will take time. Any party that  
26 would like to receive these documents now, prior to Bates labeling and preparation of a  
spreadsheet, may contact undersigned counsel about obtaining copies of the disks.

Freeport notes that Category 3 consists of documents that are subject to use  
pursuant to a protective order entered by Special Master Schade on September 19, 2013.

1 This disclosure is supplemental to the documents already disclosed by Freeport and  
2 other parties in this and prior phases of the contested case. Freeport expressly reserves the  
3 right to supplement and amend this disclosure throughout discovery.

4 DATED this 1<sup>st</sup> day of October, 2013.

5 SNELL & WILMER L.L.P.

6  
7 By Sean Hood for  
8 L. William Staudenmaier  
9 Attorneys for Freeport-McMoRan Corporation

10 FENNEMORE CRAIG, P.C.

11  
12 By Sean Hood  
13 Sean T. Hood  
14 Attorneys for Freeport-McMoRan Corporation

15 ORIGINAL of the foregoing filed  
16 this 1<sup>st</sup> day of October, 2013 with:

17 Clerk of Maricopa County Superior Court  
18 Attn: Water Case  
19 601 West Jackson Street  
20 Phoenix, Arizona 85003-2205

21 COPY hand-delivered this 1<sup>st</sup> day of October to:

22 Special Master George A. Schade  
23 Arizona General Stream Adjudication  
24 Maricopa County Superior Court  
25 201 West Jefferson, Suite 5B  
26 Phoenix, Arizona 85003-2205

27 COPY mailed this 1<sup>st</sup> day of October,  
28 to all persons appearing on the Court-  
29 approved mailing list in W1-11-3342 dated  
30 July 1, 2013

31 By: Kathy Power