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6 Corporation

RECEIVED
AUG 29 2017
LEGAL
DEPT OF WATER RESOURCES

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

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

Civil Nos. W-1, W-2, W-3 and W-4
(Consolidated)

Contested Case No. W1-103

12
13 **FREEPORT MINERALS**
CORPORATION'S FIRST
14 **SUPPLEMENTAL DISCLOSURE**
STATEMENT CONCERNING ADWR'S
15 **PROPOSED CONE OF DEPRESSION**
METHODOLOGY

16 (Assigned to the
17 Honorable Susan Ward Harris)

18 CONTESTED CASE: *In re Subflow Technical Report, San Pedro River Watershed*

19 Descriptive Summary: Freeport Minerals Corporation submits its first supplemental
20 disclosure statement concerning ADWR's proposed cone of
depression methodology.

21 Number of Pages: 5

22 Date of Filing: August 25, 2017
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1 Freeport Minerals Corporation (“Freeport”) submits this disclosure statement as a
2 supplement to Freeport’s Initial Disclosure Statement previously submitted. Freeport
3 makes these disclosures without waiving any applicable privilege, including the
4 attorney-client privilege and work product protections. Freeport reserves the right to
5 further supplement and/or amend each and every section of this disclosure and its initial
6 disclosure statement throughout the discovery process, and to rely upon any information
7 disclosed by any other party in this or any other phase of the contested case.

8 **8. EXHIBITS TO BE USED AT TRIAL**

9 Pursuant to Ariz. R. Civ. P. 26.1(a)(8), Freeport discloses the following
10 documents that may be used as exhibits at trial. Freeport makes these disclosures
11 without waiving any evidentiary objection it may assert concerning the relevance and/or
12 admissibility of any fact, document, or evidence.

- 13 1. June 14, 2002 Affidavit of Jon R. Ford, marked as Exhibit 100 in the 2015
14 trial concerning the subflow zone delineation.
- 15 2. June 25, 2003 Rebuttal Affidavit of Jon R. Ford, marked as Exhibit 101 in the
16 2015 trial concerning the subflow zone delineation.
- 17 3. December 5, 2003 Affidavit of Jon R. Ford, marked as Exhibit 102 in the
18 2015 trial concerning the subflow zone delineation.
- 19 4. January 7, 2004 Rebuttal Affidavit of Jon R. Ford, marked as Exhibit 103 in
20 the 2015 trial concerning the subflow zone delineation.
- 21 5. October 21-22, 2003 Reporter’s Transcript of Proceedings (Hearing – Cross-
22 examination of Expert Witnesses) marked as Exhibit 104 in the 2015 trial
23 concerning the subflow zone delineation.
- 24 6. June 14, 1994 Reporter’s Transcript of Proceedings – Hearing Volume XI
25 (Case Nos. W-1, W-2, W-3, W-4) marked as Exhibit 105 in the 2015 trial
26 concerning the subflow zone delineation.
- 27 7. December 1993 Methodology and Procedure for Identifying Subflow and
28 Wells that Pump Subflow Report prepared by Jon R. Ford, marked as Exhibit

- 1 106 in the 2015 trial concerning the subflow zone delineation.
- 2 8. June 17, 2002 Declaration of Peter Mock, marked as Exhibit 107 in the 2015
- 3 trial concerning the subflow zone delineation.
- 4 9. June 26, 2003 Declaration of Peter Mock, marked as Exhibit 108 in the 2015
- 5 trial concerning the subflow zone delineation.
- 6 10. December 4, 2003 Declaration of Peter Mock, marked as Exhibit 109 in the
- 7 2015 trial concerning the subflow zone delineation.
- 8 11. January 6, 2004 Rebuttal Declaration of Peter Mock, marked as Exhibit 110
- 9 in the 2015 trial concerning the subflow zone delineation.
- 10 12. Transcripts of the testimony of Jon R. Ford at hearings held by Judge
- 11 Goodfarb beginning on or about January 31, 1994 and continuing on or about
- 12 March 3 and 4, 1994 (“1994 Hearings”), at hearings held by the Court on or
- 13 about January 8, 2002 (“2002 Hearing”), at hearings held by Special Master
- 14 Schade beginning on or about October 21, 2003 (“2003 Hearings”), and at
- 15 hearings held by Judge Ballinger on or about July 13, 2005 (“2005
- 16 Hearings”), marked as Exhibit 111 in the 2015 trial concerning the subflow
- 17 zone delineation.
- 18 13. Transcripts of the testimony of Peter Mock at the 2002 Hearing, the 2003
- 19 Hearings, and at the 2005 Hearings, marked as Exhibit 113 in the 2015 trial
- 20 concerning the subflow zone delineation.
- 21 14. Reporter’s Transcript of Proceedings, January 24, 2012 Evidentiary Hearing,
- 22 marked as Exhibit 114 in the 2015 trial concerning the subflow zone
- 23 delineation.
- 24 15. Reporter’s Transcript of Proceedings, January 25, 2012 Evidentiary Hearing,
- 25 marked as Exhibit 115 in the 2015 trial concerning the subflow zone
- 26 delineation.
- 27 16. Reporter’s Transcript of Proceedings, January 26, 2012 Evidentiary Hearing,
- 28 marked as Exhibit 116 in the 2015 trial concerning the subflow zone

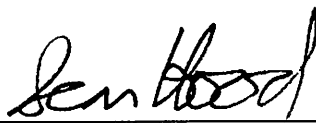
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delineation.

All of the above documents were marked trial exhibits during the 2015 trial concerning the subflow zone delineation, and it is believed that all of the documents are in the possession of the parties to this contested case. Copies will be provided upon request to undersigned counsel.

DATED this 25th day of August, 2017.

FENNEMORE CRAIG, P.C.

By 
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Attorneys for Freeport Minerals Corporation

1 ORIGINAL of the foregoing filed
2 this 25th day of August, 2017, with:

3 Clerk of Maricopa County Superior Court
4 Attn: Water Case
5 601 West Jackson Street
6 Phoenix, Arizona 85003-2205

7 COPY of the foregoing hand-delivered
8 this 25th day of August, 2017 to:

9 Honorable Mark H. Brain
10 Maricopa County Superior Court
11 Central Court Building
12 201 West Jefferson, Suite 12A
13 Phoenix Arizona 85003

14 Susan Ward Harris
15 Special Master
16 Central Court Building, Suite 3A
17 201 West Jefferson
18 Phoenix, Arizona 85003-2205

19 COPY of the foregoing mailed this
20 25th day of August, 2017 to all persons
21 appearing on the *Court Approved Mailing List*
22 *In re Subflow Technical Report, San Pedro River*
23 *Watershed W1-103* dated July 25, 2017.

24 By Kathy Power

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