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

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

W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)
(Consolidated)

Contested Case No. W1-11-3310

**ARIZONA DEPARTMENT OF WATER
RESOURCES' MEETING REPORT**

(Special Master Susan Ward-Harris)

CONTESTED CASE NAME: *In re Larsen*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: The Arizona Department of Water Resources ("ADWR") provides the Meeting Report as requested by the Court in the Order dated May 14, 2018.

NUMBER OF PAGES: Five

DATE OF FILING: June 29, 2018

1 Pursuant to the Order in this matter dated May 14, 2018, ADWR hereby files its
2 Meeting Report pursuant to Rule 8.02[1][c], addressing the results of the meeting between
3 ADWR personnel and the claimant and objectors for the above contested case. A copy of
4 ADWR's Meeting Report is being posted to ADWR's web site.

5
6 **MEETING DETAILS**

7 The meeting took place at the ADWR offices located at 1110 W. Washington
8 Street, Phoenix, Arizona 85007 on June 26, 2018 at 10:00am. Present at the meeting were
9 Donna Calderon, David Keadle, and Kimberly Parks representing ADWR, Steve Wene
10 representing Catherine Gorman and Philip Hedrick and Jeff Heilman representing the Salt
11 River Project ("SRP"). Appearing telephonically were Laurel Herrmann on behalf of the
12 San Carlos Apache Tribe ("SCAT") and the Tonto Apache Tribe ("TAT"), John Burnside
13 on behalf of BHP Copper (formally Magma Copper), Brad Pew on behalf of ASARCO,
14 and Catherine Gorman and Philip Hedrick. Thomas Murphy representing the Gila River
15 Indian Community ("GRIC") and Jay Tomkus, representing the Yavapai-Apache Nation
16 ("YAN") were unable to participate in the meeting; however, they each sent
17 correspondence detailing their clients' respective positions.

18 The landowner, represented by Mr. Richard McQuillen, did not appear or
19 participate in the meeting. ADWR called Mr. McQuillen and left voicemail messages on
20 multiple occasions to notify him of the meeting and also sent a letter with the meeting
21 details to the address listed on the court-approved mailing list. The United States was also
22 not in attendance.

23 As the landowner was not represented in the meeting, the parties were unable to
24 discuss resolution of objections for WFR 115-04-ADA-003 (Larsen, Mary K.); however,
25 the parties were able to discuss potential resolution of objections to WFR 115-04-ADA-
26

1 001 (O’Neil, James and Mary E.), and PWR 115-04-ADA-001-DM (Hedrick, Philip and
2 Gorman, Catherine).

3 **MEETING OUTCOMES**

4 The parties are very close to reaching an agreement on the objections to the
5 watershed file report. At this time, the SCAT and TAT have requested additional
6 information from Ms. Gorman and Mr. Hedrick, including 1) a metes and bounds
7 description of the property boundaries depicted on a map and 2) the original patent
8 documents. Although the United States did not participate in the meeting, Mr. Wene
9 stated that the United States has requested information describing the distance from his
10 clients’ parcel to the SCAT and TAT allotments. Mr. Wene also stated that he plans to
11 amend his clients’ SOC for stock watering. The parties believe that this additional
12 information will allow for resolution of the outstanding objections. Additionally, some
13 parties indicated that they would be open to dismissing their objections if agreement is
14 reached on the majority of the outstanding objections.

15 Mr. Wene discussed the difficulties and cost of having a metes and bounds
16 property survey drawn and suggested that ADWR could complete the task for his clients
17 in order to further the resolution of objections. ADWR stated its position that ADWR
18 typically does not conduct land surveys for private parties unless ordered to do so by the
19 Court. ADWR explained that the current map was drawn based on the investigation
20 conducted at the time of the San Pedro HSR I and expressed concern that re-drawing the
21 map based on lines agreed to by the parties would modify the findings in the HSR I.

22 Mr. Wene has requested the original patent documents from the National Archives
23 and expects to receive them soon. Mr. Wene stated that he does not have a map of the
24 SCAT and TAT allotments in order to determine the distance between the allotments and
25 his clients’ parcel. Ms. Herrmann also indicated that she is unaware of such an allotment
26

1 map. ADWR will determine whether we have any allotment location information in our
2 records.

3 **RECOMMENDATION**

4 The parties that participated in the meeting have indicated that upon receipt of
5 sufficient information from Mr. Wene, it is likely that an agreement on the outstanding
6 objections to WFR 115-04-ADA-001 (O'Neil, James and Mary E.), and PWR 115-04-
7 ADA-001-DM (Hedrick, Philip and Gorman, Catherine) can be reached. Therefore,
8 ADWR recommends that the Court allow Mr. Wene sufficient time to provide the
9 information requested.

10 ADWR cannot make a recommendation regarding the objections to WFR-115-04-
11 ADA-003 (Larsen, Mary K.) without the participation of the landowner.

12 **DATED** this 29th day of June, 2018.

13
14 ARIZONA DEPARTMENT OF WATER
15 RESOURCES



16 _____
17 Kimberly R. Parks, Deputy Counsel
18 Janet L. Miller, Deputy Counsel

19 **ORIGINAL** of the foregoing
20 sent by first-class mail on
21 June 29, 2018, to:

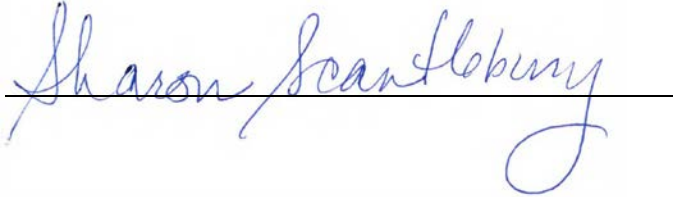
22 Clerk of the Maricopa Superior Court
23 Attn: Water Case
24 601 W. Jackson Street
25 Phoenix, Arizona 85003

26 **COPIES** of the foregoing
sent by first-class mail on
June 29, 2018, to:

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Special Master Susan Ward-Harris
Maricopa County Superior Court
Central Court Building
201 West Jefferson Street, Suite 3A
Phoenix, AZ 85003-2205

COPIES of the foregoing sent by
first-class mail on June 29, 2018 to
all parties on the court-approved mailing list
for Contested Case No. W1-11-3310.

A handwritten signature in blue ink, reading "Sharon Scanlon", is written over a horizontal line. The signature is cursive and extends slightly below the line.