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

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

15 W-1 (Salt)
16 W-2 (Verde)
17 W-3 (Upper Gila)
18 W-4 (San Pedro)
19 (Consolidated)

20 Contested Case No. W1-11-3123

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

23 Special Master Susan Ward Harris

24 **CONTESTED CASE NAME:** *In re Mary Ann Cluff*

25 **HSR INVOLVED:** San Pedro River Watershed Hydrographic Survey Report (“HSR”)

26 **DESCRIPTIVE SUMMARY:** The Arizona Department of Water Resources (“ADWR”) provides its report on the meeting between the claimants and objectors that took place on April 16, 2020.

NUMBER OF PAGES: Four

DATE OF FILING: April 21, 2020

Pursuant to the Minute Entry Order in this matter filed January 17, 2020, ADWR held a meeting between the claimants and objectors in this case on April 16, 2020.

1 Pursuant to Rule 8.02[1][c], ADWR hereby files its Meeting Report. A copy of ADWR's
2 Meeting Report is being posted to ADWR's web site at:

3 <https://new.azwater.gov/adjudications>.

4 **MEETING DETAILS**

5 The meeting was scheduled to take place at the ADWR offices located at 1110 W.
6 Washington Street, Phoenix, Arizona 85007 on April 16, 2020 at 9:00 am; however,
7 ADWR requested that parties call in to the meeting due to COVID-19 concerns.

8 Attending telephonically were Glen Buettner, Michael Hilstrom, and Kimberly
9 Parks representing ADWR, Troy Brownrigg, Norine Brownrigg, and Danielle Brownrigg,
10 John Burnside on behalf of BHP Copper, Laurel Herrmann on behalf of the San Carlos
11 Apache Tribe, Brad Pew on behalf of ASARCO, and Mark McGinnis, Rodney Held, and
12 Axel Buchwalter on behalf of the Salt River Project.

13 Jay Tomkus representing the Yavapai-Apache Nation was unable to attend the
14 meeting but let ADWR know that his clients plan to withdraw their objections in this case.
15 Representatives for the United States, the Gila River Indian Community, and the Tonto
16 Apache Tribe did not participate in the meeting.

17 **MEETING OUTCOMES**

18 There are three Statements of Claimant (SOCs) in the name of Mary Cluff: 39-
19 5919, 39-5920, and 39-5921. The Brownriggs indicated that they would like to get the
20 claims assigned into the Brownrigg name. ADWR staff will send the Brownriggs copies
21 of the SOC's and blank assignment forms.

22 The Brownriggs plan to pursue claims for domestic use and irrigation. The water
23 for these uses is provided by three wells, however there was some confusion as to where
24 the wells are located. The Brownriggs intend to email a map to all parties with more
25


1 specific location information. All of the objecting parties represented at the meeting
2 indicated that they would be willing to work to resolve the objections in this case once
3 they have more information on the claims.

4 **NEXT STEPS**

5 As of the date of the filing of this report, no parties have offered any historical
6 evidence to show that there may be a pre-1919 water use on the property. At this time, the
7 parties have requested that this case be stayed until the Court determines whether a water
8 user who began using surface water after 1919 but didn't file an application for an
9 appropriative right with ADWR or a predecessor agency has an appropriative water right.
10 These issues may be resolved in the pending cases of *In re Town of Huachuca* (W1-11-
11 0245) and *In re Whiting Ranches* (W1-11-3397, consolidated with W1-11-0245) which
12 are currently scheduled for discovery and trial.

13 **DATED** this 21st day of April, 2020.

14
15 ARIZONA DEPARTMENT OF WATER
RESOURCES

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17 _____
Kimberly R. Parks, Deputy Counsel

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19 **ORIGINAL** of the foregoing sent by
20 first-class mail on April 21, 2020, to:

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

24 **COPIES** of the foregoing sent by
25 first-class mail on April 21, 2020, to:
26

1 Special Master Susan Ward-Harris
2 Maricopa County Superior Court
3 Central Court Building
4 201 West Jefferson Street, Suite 3A
5 Phoenix, AZ 85003-2205

6 **COPIES** of the foregoing sent by
7 first-class mail on April 21, 2020 to all
8 parties on the court-approved mailing list
9 for Contested Case No. W1-11-3123.

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