

1 Kimberly R. Parks (Bar No. 032828)  
2 Arizona Department of Water Resources  
3 Legal Division  
4 P.O. Box 36020  
5 Phoenix, Arizona 85067  
6 Telephone: 602-771-8472  
7 Fax: 602-771-8687  
8 [krparks@azwater.gov](mailto:krparks@azwater.gov)

9  
10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
11 **IN AND FOR THE COUNTY OF MARICOPA**  
12

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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. W1-103

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

Special Master Susan Ward Harris

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

**DESCRIPTIVE SUMMARY:** The Arizona Department of Water Resources (“ADWR” or “The Department”) provides its Meeting Report as requested by the Court in the Minute Entry Order dated February 19, 2020.

**NUMBER OF PAGES:** Five

**DATE OF FILING:** July 6, 2020

1 As discussed during the December 11, 2019 status conference and in the Minute  
 2 Entry Order filed February 19, 2020, ADWR scheduled a meeting between the parties and  
 3 experts in this case to discuss progress on the Subflow Depletion Test for March 24, 2020.  
 4 Due to the global spread of COVID-19, ADWR rescheduled the March 24, 2020 meeting  
 5 as a virtual meeting. ADWR hereby files its Meeting Report addressing the results of the  
 6 meeting between ADWR, experts retained by the parties, and counsel for the parties  
 7 appearing in this case. A copy of ADWR's Meeting Report is being posted to ADWR's  
 8 web site at: <https://new.azwater.gov/adjudications>.

9  
 10 **MEETING DETAILS**

11 The virtual meeting took place on June 23, 2020 at 9:00 am. The following  
 12 individuals participated in the meeting:  
 13

<b>Name</b>	<b>Entity or Party Represented</b>
Jeff Trembly	ADWR
Frank Corkhill	ADWR
Glen Buettner	ADWR
Lisa Dubas	ADWR
Jeff Inwood	ADWR
Keith Nelson	ADWR
Olga Hart	ADWR
Alene McCracken	ADWR
Kelly Hermanson	ADWR
Mike Hilstrom	ADWR
Sharon Scantlebury	ADWR
Kimberly Parks	ADWR
Tom Murphy	Gila River Indian Community
Dr. Peter Mock	Gila River Indian Community
John Burnside	BHP Copper/Arizona Public Service
Bill Staudenmaier	BHP Copper/Arizona Public Service
Mark Cross	BHP Copper/Arizona Public Service
Kevin Crestin	Arizona State Land Department
David Brown	Michael J. and Susan S. Cavender; Bayless and Berkalew Company; St. David Irrigation District; Gila Valley Irrigation District; Franklin Irrigation District; and the City of Cottonwood

1	Tom Whitmer	City of Cottonwood
	Mark McGinnis	Salt River Project
2	Jon Ford	Salt River Project
	Sharon Morris	Salt River Project
3	Grant Smedley	Salt River Project
	Greg Kornrumpf	Salt River Project
4	Patrick Sigl	Salt River Project
	Dave Colvin	Salt River Project
5	Jenny Winkler	City of Chandler
	Sean Hood	Freeport Minerals
6	Dr. Amy Hudson	Freeport Minerals
	Bill Sullivan	Pueblo Del Sol/ City of Sierra Vista
7	Yosef Negose	United States
	Sonia Overholser	Bureau of Indian Affairs
8	Chuck Cahoy	City of Phoenix
	Bill Anger	Cities of Avondale, Chandler, Glendale, Mesa, and Scottsdale
9	Alexandra Arboleda	Cities of Tempe, Flagstaff, and Tombstone
	Laurel Herrmann	San Carlos Apache Tribe
10	Mia Hammersley	Yavapai-Apache Nation, Pascua Yaqui Tribe
	Elias Ancharski	Arizona Water Company
11	Edwin Oyarzo	Department of the Air Force
	David Murray	Bureau of Land Management
12	Mark D'Aversa	Bureau of Land Management
	Paula Cutillo	National Parks Service
13	Salek Shafiqullah	National Parks Service
	Ryan Fitzpatrick	Army
14	Mark Holycross	Army
	Sara Ransom	Observing
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		

**MEETING OUTCOMES**

The purpose of this meeting was for ADWR and the experts retained by the parties in this case to discuss progress on the Department’s proposed Subflow Depletion Test. The meeting began with a brief presentation by ADWR on the preliminary model geology represented in three model layers, ADWR’s model approach, and responses to ADWR’s December 2019 request for data. At the time of the meeting, ADWR had only received data from The Salt River Project (“SRP”); however, after the meeting, ADWR received some additional data from the Bureau of Land Management.

1 Jon Ford also gave a brief presentation on SRP's Demonstration Project (submitted  
2 November 2019) and reaffirmed that ADWR's approach is appropriate.

3 The parties also discussed a proposed schedule for discovery and hearing on the  
4 appropriate location that should be used in the model to designate the bottom of the  
5 subflow zone. Counsel for SRP proposed the following schedule: 1) Initial expert reports  
6 due mid-September 2020; 2) Rebuttal expert reports due in late October or early  
7 November 2020; 3) Expert depositions in late November or December 2020; and 4)  
8 Evidentiary hearing in February 2021, depending on the Special Master's schedule.  
9 Counsel for Freeport Minerals, Arizona Public Service, and BHP Copper agreed with  
10 SRP's proposed schedule for the evidentiary hearing in February, but proposed a slight  
11 modification to allow additional time for expert reports, as follows: 1) Initial expert  
12 reports due mid-October 2020; 2) Rebuttal expert reports due in late November 2020 (45  
13 days after initial reports); 3) Expert depositions in December 2020/January 2021; and 4)  
14 Evidentiary hearing in February 2021, depending on the Special Master's schedule.  
15 Counsel for Pueblo De Sol and Sierra Vista supported the schedule proposed by Counsel  
16 for Freeport Minerals. Counsel for the San Carlos Apache Tribe stated their position that  
17 it is unnecessary to determine the bottom of the subflow zone at this time, but supported  
18 the schedule proposed by Counsel for Freeport Minerals if the Court requires discovery  
19 and hearing on the issue.

20  
21 **NEXT STEPS**

22 ADWR hydrologists will continue developing the numerical model that will  
23 incorporate the geology as presented at the June 23, 2020 meeting. ADWR will continue  
24 to host periodic meetings with the parties and experts retained by the parties in this case to  
25 discuss ADWR's progress and to allow an opportunity for the parties to offer comments.  
26

1 ADWR anticipates conducting the next meeting with the parties and experts in the early  
2 fall, at which time ADWR will present additional information related to the model  
3 structure, packages, and a preliminary model run.

4 The original of ADWR's report is being filed with the Clerk and a copy is being  
5 posted to ADWR's web site at: <https://new.azwater.gov/adjudications>.

6 **DATED** this 6<sup>th</sup> day of July, 2020.

7  
8 ARIZONA DEPARTMENT OF WATER  
RESOURCES

9   
10 \_\_\_\_\_  
Kimberly R. Parks, Deputy Counsel


11 **ORIGINAL** of the foregoing sent by  
12 first-class mail on July 6, 2020, to:

13 Clerk of the Maricopa Superior Court  
14 Attn: Water Case  
15 601 W. Jackson Street  
Phoenix, Arizona 85003

16 **COPIES** of the foregoing sent by  
17 first-class mail on July 6, 2020, to:

18 Special Master Susan Ward-Harris  
19 Maricopa County Superior Court  
20 Central Court Building  
21 201 West Jefferson Street, Suite 3A  
Phoenix, AZ 85003-2205

22 **COPIES** of the foregoing sent by first-class  
23 mail on July 6, 2020 to all parties on the  
24 court-approved mailing list for Contested Case  
No. W1-103.

25   
26 \_\_\_\_\_