

# FENNEMORE CRAIG, P.C.

2394 East Camelback Road, Suite 600  
Phoenix, Arizona 85016-3429  
(602) 916-5000

**Sean T. Hood**  
Direct Phone: (602) 916-5475  
Direct Fax: (602) 916-5675  
[shood@fcslaw.com](mailto:shood@fcslaw.com)

Admitted in Arizona, Colorado, and Nevada

**Law Offices**  
Denver (303) 291-3200  
Las Vegas (702) 692-8000  
Nogales (520) 281-3480  
Phoenix (602) 916-5000  
Reno (775) 788-2200  
Tucson (520) 879-6800

January 14, 2014

## VIA E-MAIL

Mr. George Mehnert, Director  
Arizona Navigable Stream Adjudication Commission  
1700 W. Washington, Room B-54  
Phoenix, Arizona 85007

Re: *In re Determination of Navigability of the Gila River*  
(Case No. 03-007-NAV)

Dear Mr. Mehnert:

I am writing to provide notice that Freeport-McMoRan Corporation anticipates calling Rich Burtell to provide expert testimony during the hearing on the navigability of the Gila River. We anticipate that Mr. Burtell will submit a declaration in advance of the hearing.

A copy of Mr. Burtell's *Curriculum Vitae* is enclosed.

Please call if you have any questions.

Sincerely,

FENNEMORE CRAIG, P.C.

/s/ Sean T. Hood

Sean T. Hood

Enclosure

cc: Shilpa Hunter-Patel (via e-mail w/ enclosure)  
L. William Staudenmaier (via e-mail w/ enclosure)

COPY of this letter (w/ enclosure) sent via U.S. Mail to each party on the mailing list (see <http://www.ansac.az.gov/parties.asp>) for *In re Determination of Navigability of the Gila River*

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## **RICHARD THOMAS BURTELL**

4016 East Jojoba Road  
Phoenix, Arizona 85044  
602-327-7486  
plateauresources@gmail.com

### **EDUCATION**

- M.S. Hydrology, University of Arizona (1989)
- B.S. Geology, University of Pittsburgh (1986)

### **CERTIFICATION/TRAINING**

- Registered Geologist, Arizona (No. 33746)
- Mine Geochemistry , Hydrology and Water Treatment Workshops (EPA, 2013)
- Section 404 Permitting and Groundwater Plume Analysis Workshops (AHS, 2012)
- Stream Restoration Course (WMG, 2011)

### **SUMMARY**

Mr. Burtell is an environmental scientist with 25 years of project and management experience. Areas of expertise include water rights and demand analyses; evaluation of ground and surface water resources; remote sensing; land ownership assessments; environmental compliance; investigation of mine, fuel and waste storage facilities; contaminant hydrology; and, collection and analysis of environmental data. Management duties have included supervision of staff and consultants, project planning and coordination, report preparation, and litigation support.

### **EMPLOYMENT**

- Plateau Resources LLC  
Principal and Owner  
Phoenix, AZ (2011-Present)
- Arizona Department of Water Resources  
Manager, Adjudications and Tech Support  
Phoenix, Arizona (1999-2011)
- Golden Environmental Management  
Senior Project Manager  
Tempe, Arizona (1998-1999)
- Montgomery Watson  
Supervising Hydrologist/ Geochemist  
Arizona and Colorado (1992-1998)
- Golder Associates Inc.  
Project Hydrologist/Geochemist  
Denver, Colorado (1990-1992)
- U.S. Geological Survey  
Staff Hydrologist/Geochemist  
Orlando, Florida (1989-1990)
- Phelps Dodge Inc.  
Hydrogeologist – Summer Intern  
Morenci, Arizona (1987)

## EXPERIENCE

### Project

- Evaluation of ground and surface water resources including aquifer testing, model development and review and GW/SW interactions
- Water rights analysis and legal review
- Stormwater, Section 404 , and mine exploration permits
- Preparation of Environmental Impact Statements and Aquifer Protection Permits
- Water demand determinations for agricultural, municipal, industrial, and riparian uses
- Phase I/II Environmental Site Assessments
- Remote sensing and surface mapping
- Contaminant hydrology and transport/ geochemical modeling
- Characterization of fuel and solid/ hazardous waste facilities
- Collection and analysis of hydrologic, geologic and water quality data

### Management

- Supervision of enviro. staff (up to 15 geologists, hydrologists, GIS analysts and administrative assistants) and consultants
- Project planning and scheduling
- Proposal and report preparation including document publication
- Coordination with interdisciplinary teams, stakeholders and regulators
- Litigation support (expert testimony, technical advisor to court, and settlement negotiations)
- Third party and peer review
- Budget development and control

## COMMITTEES

- Water Resources Development Commission (served on Water Supply and Demand Committee)
- Western Navajo-Hopi Water Supply (Kyl) Study
- Upper San Pedro Partnership (served on Technical Advisory Committee)

## AWARDS/HONORS

- Arizona Department of Water Resources
  - Supervisor of the year
  - Section of the year
  - Team and individual special achievement
- University of Arizona
  - Meritorious performance as teaching assistant
- University of Pittsburgh
  - Representative of graduating class
  - Tarr Award, Sigma Gamma Epsilon
  - Summa cum laude

## PROFESSIONAL ORGANIZATIONS

- Arizona Hydrological Society
- Arizona Geological Society
- Arizona Water Well Association
- Arizona Riparian Council
- SME (Maricopa Section)

### RECENT PUBLICATIONS/REPORTS

- *Estimated Water Demand and Conservation Potential of Domestic Wells in the Sierra Vista Subwatershed, Arizona* (2012)
- *Water Supply Options and Potential at the Fancher Mill Site* (2011)
- *Assessing Water Supply Vulnerability in a Water Scarce State: The Arizona Water Sustainability Evaluation* (prepared with Kelly Lacroix and Linda Stitzer and presented at the XIV World Water Congress, 2011)
- *Multi-Sector General Stormwater Permit Applications for the Ajo, Carlota, Fancher and Zonia Mines, Arizona* (2011)
- *Response to Comments and Objections Filed on ADWR's June 2009 Subflow Zone Delineation Report for the San Pedro River Watershed* (2011)
- *Land Ownership Within the San Pedro Riparian National Conservation Area* (2010)
- *Mapping of Holocene River Alluvium along the Verde River, Central Arizona* (prepared in cooperation with the Arizona Geological Survey, 2010)
- *Arizona Water Atlas, Volumes 1 through 8* (2006-2010)
- *Catalog of Non-Exempt Registered Wells, Zuni Indian Water Rights Settlement* (2009)
- *Subflow Zone Delineation Report for the San Pedro River Watershed* (2009)
- *Preliminary Hydrographic Survey Report for the Hopi Indian Reservation* (2008)
- *Identification of Irrigated Lands in the Gila River Maintenance Area* (2008)
- *Review of the Settlement of Public Water Reserve No. 107 Claims in the San Pedro River Watershed* (2007)
- *Technical Assessment of the Tohono O'odham Nation, Gila River Indian Community, and Zuni Indian Tribe Water Rights Settlements* (2006)

### RECENT AND CURRENT PROJECTS

- Aquifer Protection Permit for a marble quarry near Dragoon, AZ (Alpha Calcit Arizona Ltd.)
- Aquifer testing, well siting, and ground-water quality assessment for the proposed Fancher gold mill near Salome, AZ (Luxcor Gold)
- Exploration permit for the Idaho Placer Claim near Prescott Valley, AZ (various investors)
- Geochemical characterization of impacted waters and stormwater and 404 permitting for the Zonia copper mine near Prescott, AZ (Redstone Resources Corporation)
- Hydrogeologic and well permitting support for reclamation of the St. Anthony uranium mine, NM (Pueblo of Laguna)
- Litigation of Bonita Creek water rights issues near Payson, AZ (various plaintiffs)
- Navigability assessment for major intrastate streams, AZ (Freeport McMoRan)
- Review of federal reserved right claims for Aravaipa Canyon Wilderness Area (Freeport McMoRan)
- Water supply evaluation of the Arctic Ice and Water company (various investors)
- Water use evaluation and analysis of conservation potential for domestic wells in the Sierra Vista Subwatershed, AZ (City of Sierra Vista and Western Resource Advocates)
- Water use evaluation for the town of Camp Verde, AZ (Western Resource Advocates)