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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. W1-11-2665

ORDER SETTING STATUS
CONFERENCE

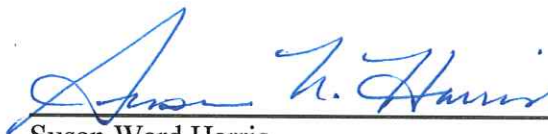
CONTESTED CASE NAME: *In re Redfield Canyon State Claims*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.
DESCRIPTIVE SUMMARY: Status Conference set for November 13, 2019 at **1:30 p.m.**
NUMBER OF PAGES: 21.
DATE OF FILING: October 16, 2019

On October 4, 2019, Arizona Department of Water Resources (ADWR”) filed its Report regarding three proposed abstracts based on Statements of Claimant 39-5583, 39-5585, and 39-8086. Based on the Report, the two relevant Watershed File Reports (WFRs”) are 113-09-016 and 113-12-005. According to the court records, the Gila River Indian Community, the San

1 Carlos Apache Tribe, the Tonto Apache Tribe, the Yavapai-Apache Indian Community, the
2 Camp Verde Reservation, and the United States Forest Service were the only objectors to the
3 WFRs. Copies of the objections are attached as Attachment A.

4 **IT IS ORDERED** setting a Status Conference to address procedures to complete the
5 process of resolving objections and adjudicating water rights based on Statements of Claimant
6 39-5583, 39-5585, and 39-8086. The Conference will be held **Wednesday, November 13,**
7 **2019,** at 1:30 p.m. in Superior Court, Central Court Building, Courtroom 301, Phoenix, Arizona
8 85003. If no stipulated agreement to proposed abstracts for 113-09-016-SW021 and 113-19-
9 016-SP001 consistent with ADWR's Report along with an order approving the abstracts is not
10 filed with the Court by November 13, 2019, counsel for the United States shall be prepared to
11 state the efforts undertaken to resolve the filed objections and identify if the United States
12 Forest Service intends to pursue any additional objections to these WFRs.
13
14

15 Instructions for telephonic appearance:
16 Dial: 602-506-9695 (local)
17 1-855-506-9695 (toll free long distance)
18 Dial Participant Pass Code 357264#

19
20 

21 Susan Ward Harris
22 Special Master

23
24 The original of the foregoing was delivered to the Clerk
25 of the Maricopa County Superior Court on October 16,
26 2019, for filing and distributing a copy to all persons
27 listed on the Court approved mailing list for this
28 Contested Case.

27 
28 Barbara Brown

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ATTACHMENT A

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

MANDATORY FORM FOR OBJECTIONS TO The Hydrographic Survey Report for The San Pedro River Watershed

No. W111002587

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to Watershed or Catalogued Well No. File Report or Zone 2 Well Report No. 11309 016 (please insert no.)

OBJECTOR INFORMATION

Objector's Name: Gila River Indian Community San Carlos Apache Tribe; Tonto Apache Tribe; Yavapai-Apache Indian Community, Camp Verde Reservation C/O Cox & Cox C/O Sparks & Siler, P.C. Objector's Address: Suite 300 Luhrs Tower, P.O. Box 4245 7503 First Street Phoenix, AZ 85030 Scottsdale, AZ 85251 Objector's Telephone: (602) 254-7207 (602) 949-1988

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39-11-05478 39-05-41142 39-07-12652 39-07-12676 39-05-50058 39-07-12169 39-U8-60083 39-L8-36340 39-L8-37360 39-U8-63614 39-07-12675 39-05-50059

STATE OF ARIZONA

VERIFICATION (must be completed by objector)

COUNTY OF MARICOPA

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 18 day of May, 1992, postage prepaid and addressed as follows:

Name: FS - CORONADO Address: 301 W. CONGRESS TUCSON AZ 85701

I declare under perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

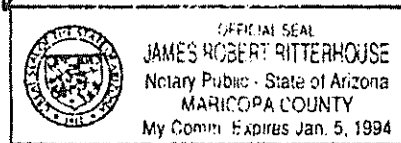
Handwritten signature of objector: Albed... Cox

Signature of Objector or Objector's Representative

SUBSCRIBED AND SWORN to before me this 11 day of May 1992

Handwritten signature of notary: James R. Rittnerhouse

Notary Public for the State of Arizona



(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well report; or to information contained in Volume 1 of the Hydrographic Survey Report.)

Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex,

United States Forest Service

ATTACHMENT

STATEMENT OF THE OBJECTION

4. I object to the description of Diversions

11. Other objections. Claim date. Vol. 5, Table 2, Page 71.

REASON FOR OBJECTION

4. The HSR (Vol. 5, Table 2, Page 71) does not show a location of point of use for pre-filing numbers

| | | | |
|------------|------------|------------|------------|
| 36-0011489 | 36-0012256 | 36-0012350 | 36-0012406 |
| 36-0012241 | 36-0012300 | 36-0012405 | 36-0018504 |

or for Filing Number 39-0011586

The HSR shows that water uses claimed in pre-filing numbers: 38-0081509.0001, 38-0081510.0001, and 38-0018628; and in Filing Numbers 39-0005583, 39-0005585, and 39-0008431 were not found by ADWR:

"FILINGS 38-81509 & 39-5583 - CLAIM STOCKWATERING USES. NO STOCKWATERING USES WERE FOUND AT THE CLAIMED LOCATION."

"FILINGS 38-81510, 38-18620,, 39-5585 & 39-8431 - CLAIM STOCKWATERING AND WILDLIFE WATER USES. NO STOCKWATERING OR WILDLIFE USES WEERE FOUND AT THE CLAIMED LOCATIONS." (830)

11. The HSR shows at the same page eight pre-filing numbers and nine Filing Numbers with an 1880 claim date:

| | | | |
|------------|------------|------------|------------|
| 36-0011489 | 36-0012350 | 39-0008046 | 39-0008165 |
| 36-0012241 | 36-0012405 | 39-0008085 | 39-0008166 |
| 36-0012256 | 36-0012406 | 39-0008086 | 39-0008167 |
| 36-0012300 | 36-0018504 | 39-0008164 | 39-0008168 |
| | | | 39-0004184 |

The United States did not reserve a water use priority date earlier than the date when Coronado National Forest was reserved. The president proclaimed the Coronado National Forest on July 2, 1908. The historic record does not substantiate the 1880 claim date (900).

2. HSR does not show Water Rights Registration for each Zone 1 Potential Water Right. (420)
2. HSR does not show a quantity of water in AFA for pre-filing(s) (430)
2. HSR does not show a location of POU for pre-filing(s) (430)
2. HSR does not show a Well Registration filing (420)
2. The HSR shows that quantities of water in AFA from filing(s) and/or pre-filing(s) are inconsistent. (478)(430)
2. The HSR shows that locations of POUs from filing(s) and/or Pre-filing(s) are inconsistent. (478)(430)
2. The HSR shows that locations of PODS from filing(s) and/or pre-filing(s) are inconsistent. (478)(430)
2. The HSR shows that claim dates from filing(s) and/or pre-filing(s) are inconsistent. (478)(430)
2. The historical record does not support the early claim date(s) (900)
4. Use of the water claimed depletes water for senior federal and Indian water rights (1150)
9. HSR does not show claimed water use rate. (1000)
10. Claimed uses were not found by DWR. (830)

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

W1 11 002587

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

No. W1,W2,W3 & W4

MANDATORY FORM FOR OBJECTIONS TO
The Hydrographic Survey Report for
The San Pedro River Watershed

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to Watershed
File Report or Zone 2 Well Report No

113.09.016
(please insert no.)

or Catalogued Well No.

(please insert no.)

OBJECTOR INFORMATION

Objector's Name: United States of America, USDA Forest Service

Objector's Address: Coronado National Forest, 300 W. Congress, Tucson AZ 85701

Objector's Telephone No.: (602) 670-6483

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

113.09.016

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR)

Or Objector's Statement of Claimant No (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39 - _____

STATE OF _____

VERIFICATION (must be completed by objector)

COUNTY OF _____

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 18th day of May, 1992 postage prepaid and addressed as follows:

Name Nature Conservancy
Address 300 E. University Blvd, suite 230
Tucson, AZ 85705

I declare under penalty of perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

Signature of Objector or Objector's Representative
Gary B. Randall

SUBSCRIBED AND SWORN to before me this 8th day of May, 1992

Verlene J. Antone

Notary Public for the State of _____
OFFICIAL SEAL
VERLENE J. ANTONE
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Comm. Expires Aug. 18, 1993

Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex, 3345 W. Durango Street, Phoenix, AZ 85009, on or before May 18, 1992.

STATEMENT OF OBJECTIONS

ALLOTTEE - Nature Conservancy

Category No. 1 - Land Ownership - 320

The following claims are challenged on the basis that the claimant is not the landowner. If the court determines that the entitlements must be held by the landowner, the United States respectfully requests the court to substitute the United States, USDA Forest Service as the owner of the entitlements so as to not forfeit the priority date and to not work a hardship on the lessee or permittee claimants.

36-0018504
36-0034404
36-0034405
36-0034406
36-0034407
36-0034408
36-0034409
36-0034410
36-0034411
36-0034412
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39-0008032
39-0008046
39-0011586

STATEMENT OF OBJECTIONS

Category No. 3 - DWR'S Analysis of Filings and Decrees - 410

38-0018628 -DWR indicates no use found. This use does exist.
39-0008431 -DWR indicates no use found. This use does exist.

Category No. 8 - PWR (Potential Water Right) Summary - 220

39-0008431 -DWR indicates no PWR. This use does exist and needs PWR status.

Category No. 10 - Explanation

39-0008431 - DWR indicates no use found. Our field representative indicates this use does exist.

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

MANDATORY FORM FOR OBJECTIONS TO The Hydrographic Survey Report for The San Pedro River Watershed

No. W111002660

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to Watershed File Report or Zone 2 Well Report No. 11312 005 (please insert no.) or Catalogued Well No. (please insert no.)

OBJECTOR INFORMATION

Objector's Name: Gila River Indian Community San Carlos Apache Tribe; Tonlo Apache Tribe; Yavapai-Apache Indian Community, Camp Verde Reservation C/O Cox & Cox C/O Sparks & Siler, P.C. Objector's Address: Suite 300 Luhrs Tower, P.O. Box 4245 7503 First Street Phoenix, AZ 85030 Scottsdale, AZ 85251 Objector's Telephone: (602) 254-7207 (602) 949-1988

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39-11-05478 39-05-41142 39-07-12652 39-07-12676 39-05-50058 39-07-12169 39-U8-60083 39-L8-36340 39-L8-37360 39-U8-63614 39-07-12675 39-05-50059

STATE OF ARIZONA

VERIFICATION (must be completed by objector)

COUNTY OF MARICOPA

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 18 day of May, 1992, postage prepaid and addressed as follows:

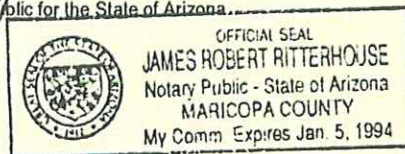
Name: FS - CORONADO Address: 301 W. CONGRESS TUCSON AZ 85701

I declare under perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

Signature of Objector or Objector's Representative (Handwritten signature: Alfred L. Cox)

SUBSCRIBED AND SWORN to before me this 11 day of May 1992.

Notary Public for the State of Arizona



(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well report; or to information contained in Volume 1 of the Hydrographic Survey Report.)

Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex,

2. HSR does not show Water Rights Registration for each Zone 1 Potential Water Right. (420)
2. HSR does not show location of POU for Statement of Claimant (478)
2. HSR does not show a location of POU for pre-filing(s) (430)
2. The HSR shows that quantities of water in AFA from filing(s) and/or pre-filing(s) are inconsistent. (478)(430)
2. The HSR shows that claim dates from filing(s) and/or pre-filing(s) are inconsistent. (478)(430)
2. The historical record does not support the early claim date(s) (900)
4. Use of the water claimed depletes water for senior federal and Indian water rights (1150)
9. HSR does not show claimed water use rate. (1000)
10. Claimed uses were not found by DWR. (830)

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

MANDATORY FORM FOR OBJECTIONS TO The Hydrographic Survey Report for The San Pedro River Watershed

No. W111002660

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to Watershed File Report or Zone 2 Well Report No. 11312 005

or Catalogued Well No.

OBJECTOR INFORMATION

Objector's Name: Gila River Indian Community San Carlos Apache Tribe; Tonto Apache Tribe; Yavapai-Apache Indian Community, Camp Verde Reservation C/O Cox & Cox C/O Sparks & Siler, P.C. Objector's Address: Suite 300 Luhrs Tower, P.O. Box 4245 7503 First Street Phoenix, AZ 85030 Scottsdale, AZ 85251 Objector's Telephone: (602) 254-7207 (602) 949-1988

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39-11-05478 39-05-41142 39-07-12652 39-07-12676 39-05-50058 39-07-12169 39-U8-60083 39-L8-36340 39-L8-37360 39-U8-63614 39-07-12675 39-05-50059

STATE OF ARIZONA

VERIFICATION (must be completed by objector)

COUNTY OF MARICOPA

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 18 day of May, 1992, postage prepaid and addressed as follows:

Name: FS - CORONADO Address: 301 W. CONGRESS TUCSON AZ 85701

I declare under perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

Alfred L. Cox [Signature]

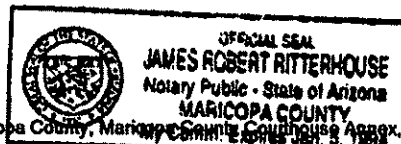
Signature of Objector or Objector's Representative

SUBSCRIBED AND SWORN to before me this 14 day of May 1992.

[Signature] Notary Public for the State of Arizona

(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well report; or to information contained in Volume 1 of the Hydrographic Survey Report.)

Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex,



W. F. R. No. 113-12-005

United States Forest Service

ATTACHMENT

STATEMENT OF THE OBJECTION

11. Other objections. Claim date. Vol. 5, Table 2, Page 75.

REASON FOR OBJECTION

11. The HSR shows (Vol. 5, Table 2, Page 75) three pre-filing numbers with an 1880 claim date:

36-0012299 36-0012349 36-0012433

The HSR does not show a location of the point of use for the above-listed pre Filing Numbers (478)

The HSR shows at the same page three Filing Numbers with an 1890 claim date:

39-0008078 39-0008081 39-0008176

The HSR shows at the same page Filing Number 39-0011589 with a 1900 claim date.

The HSR does not show a location of the point of use for this filing (478).

The United States did not reserve a water use priority date earlier than the date when Coronado National Forest was reserved. The president proclaimed the Coronado National Forest on July 2, 1908. The historic record does not substantiate the 1880, 1890, or 1900 claim dates (900).

The use of the water claimed depletes water for senior Indian water rights (1150).

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

W1 11 002660

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

No. W1,W2,W3 & W4

MANDATORY FORM FOR OBJECTIONS TO
The Hydrographic Survey Report for
The San Pedro River Watershed

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This objection is directed to Watershed
File Report or Zone 2 Well Report No

113-12-005
(please insert no.)

or Catalogued Well No.

(please insert no.)

OBJECTOR INFORMATION

Objector's Name: United States of America, USDA Forest Service

Objector's Address: Coronado National Forest, 300 W. Congress, Tucson AZ 85701

Objector's Telephone No: (602) 670-6483

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

113-12-005

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39 - _____

STATE OF _____

COUNTY OF _____

VERIFICATION (must be completed by objector)

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 18th day of May, 1992, postage prepaid and addressed as follows:

Name Nature Conservancy
Address 300 E. University Blvd, Suite 230
Tucson, AZ 85705

I declare under penalty of perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true

Gary B. Randall
Signature of Objector or Objector's Representative

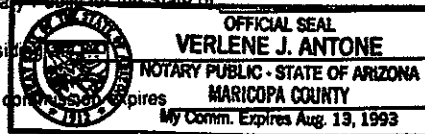
SUBSCRIBED AND SWORN to before me this 8th day of May, 1992

Verlene J. Antone

Notary Public for the State of _____

Resides _____

My commission expires _____



Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex, 3345 W. Durango Street, Phoenix, AZ 85009, on or before May 18, 1992.

STATEMENT OF OBJECTIONS

ALLOTTEE - NATURE CONSERVANCY

Category No. 1 - Land Ownership - 320

The following claims are challenged on the basis that the claimant is not the landowner. If the court determines that the entitlements must be held by the landowner, the United States respectfully requests the court to substitute the United States, USDA Forest Service as the owner of the entitlements so as to not forfeit the priority date and to not work a hardship on the lessee or permittee claimants.

39-0011589