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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, W-2, W-3, W-4
(Consolidated)

Contested Case No. W1-11-3338

ORDER TO INITIATE CONTESTED CASE

AND

ORDER FOR ADWR REVIEW OF ABSTRACTS
FOR *DE MINIMIS* WATER RIGHTS

AND

ORDER FOR JOINT REPORT FROM ARIZONA
STATE LAND DEPARTMENT AND LESSEE

CONTESTED CASE NAME: *In re SLD – Magoffin II*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: Contested case W1-11-3338 initiated and 10 abstracts prepared for ADWR review to be filed by **April 24, 2020** and joint report to be filed by Claimants by **May 22, 2020**.

NUMBER OF PAGES: 27

DATE OF FILING: March 11, 2020

1 This Order initiates a contested case to consider the claims for water rights and resolve
2 objections to Watershed File Report 115-05-015 (“WFR”) published in the Final San Pedro
3 River Watershed Hydrographic Survey Report (1991). The WFR identified potential water
4 rights for stockponds and stock watering use on land located in section 30 and 31 T7S R20E.

5 A copy of the WFR is attached as Attachment A. A copy of the map prepared for the
6 WFR is attached as Attachment B and the area at issue is labelled with a “(15)”.

7
8 **Landowner and Claimants**

9 The Arizona State Land Department (ASLD) is named in the WFR as the owner of the
10 property described in the WFR. Maps prepared by ASLD identify the State of Arizona as the owner
11 of the land included within the boundaries of the WFR. A copy of a map available from the public
12 records maintained by ASLD is attached as Attachment C. The public records of ASLD identify
13 the trustees of the Magoffin Family Trust as the lessee of the land.¹

14
15 Statements of Claimant for rights to water for use on the land have been filed by ASLD and
16 Robert Kramme. Statement of Claimant 39-12022 has been assigned to the trustees of the Magoffin
17 Family Trust. The Arizona Department of Water Resources has reviewed the pre-filings assigned
18 to the Magoffin Family Trust and has identified those filings that apply to land in which the
19 Magoffin Family Trust has an interest. The trustee of the Magoffin Family Trust has also filed a
20 list of pre-filings that have been assigned to the Trust. The relevant filings are as follows:
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28 ¹ This case is one of nine contested cases that will adjudicate water rights to land leased or owned by the trustees of the Magoffin Trust. A table identifying the contested cases and associated watershed file reports is attached as Attachment D.

| Surface Water Filings | ADWR Mapped to Land Owned by Magoffins-filed 1/14/2020 | ADWR found that may apply to ASLD land - filed 1/14/2020 | Magoffin Filing - 1/10/2020 |
|-----------------------|--|--|-----------------------------|
| 38-27564 | x | x | 115-05-015 |
| 38-27567 | x | x | 115-05-015 |
| 38-27568 | x | x | 115-05-015 |
| 38-27569 | x | x | 115-05-015 |
| 3R-2389 | x | x | 115-05-015 |
| 3R-2390 | x | x | 115-05-015 |
| 3R-2391 | x | x | 115-05-015 |

In addition to claims to surface water as the source of water, three of the surface water filings claim water from wells, registration nos. 55-604311 and 55-604314, as the sources of water.

Adjudication of Claims

Under current law, a claimant who has asserted claims for irrigation use and Small Water Use Claims shall have the Small Water Uses Claims determined in conjunction with the claims for water for irrigation use. A.R.S. §45-257(A)(1). The term “Small Water Use Claims” includes claims for stock watering and stockponds with a capacity of not more than 15 acre feet. A.R.S. §45-251(9). The Magoffin Family Trust is currently involved in a case asserting claims for irrigation use in *In re Karen C. LeCount*, contested case no. W1-11-3395. Accordingly, it is appropriate to determine Small Water Use Claims asserted with respect to land the Trust is currently leasing.

Abstracts for *De Minimis* Claims

In 1994, the Special Master issued a Memorandum Decision, Findings of Fact, and Conclusions of Law for Group 1 Cases involving Stock watering, Stockponds, and Domestic Uses,

1 dated November 14, 1994, amended February 23, 1995, approved and modified September 27, 2002
2 (“Decision”). The Decision established the procedures for adjudicating *de minimis* water rights for
3 claims in the San Pedro watershed. This procedure applies to the water rights for stockponds and
4 stock watering.

5 Pursuant to the procedures contained in the Decision, 10 proposed water right abstracts have
6 been prepared for the *de minimis* water rights analyzed by the WFR based on the information in the
7 WFR. The abstracts are attached as Attachment E. The abstracts will be reviewed by Arizona
8 Department of Water Resources and it will file a report that includes its comments on the
9 information in the abstracts, maps of the location of the water usage, and confirmation that any
10 wells listed as the source of water in the abstracts are located in the subflow zone. After receiving
11 ADWR’s report, the abstracts will be revised if necessary. The Decision requires that: “the litigants
12 will be provided an opportunity to suggest the correction of mistakes in the proposed abstracts.”
13 Decision, p. 47. Consistently with this direction, the revised abstracts will be distributed to all of
14 the parties, including the trustees of the Magoffin Trust, who will be given 60 days to file suggested
15 corrections to the revised abstracts. Suggested corrections will be filed with the Court and copies
16 mailed to all parties on the Court-approved mailing list.
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20 **Ownership of Potential Water Rights**

21 Permits and certificates for rights to water used on state land are governed by A.R.S §37-
22 321.01. The statute requires that permits and certificates for the right to use water on state land for
23 stock watering uses or stockponds shall be issued in the name of the State of Arizona except in
24 three situations. Accordingly, if the current Lessee intends to assert rights to water for use on the
25 land, the Lessee and the Arizona State Land Department shall meet to discuss ownership of the
26 water rights for stock watering and stockponds on the land included within the boundaries of the
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1 WFR. They shall submit a joint report to the Court regarding their position as to the ownership of
2 the potential water rights.

3
4 **IT IS ORDERED:**

5
6 1. Contested Case. This contested case shall be known as *In re SLD-Magoffin II* and it
7 will address the Statements of Claimant listed above and the objections to Watershed File Report
8 115-05-015 published in the Final San Pedro River Watershed Hydrographic Survey Report (1991).
9 Copies of objections can be found under the case name and number on the following website:
10 <http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp>

11
12 2. Litigants. The litigants in this contested case are the Claimants, all persons who filed
13 objections to the Watershed File Report who are listed on Attachment F, and claimants who are
14 allowed to intervene by order.

15
16 3. Court-Approved Mailing List.

17 A. The initial Court-approved mailing list for this case shall include all persons
18 listed on Attachment F to this order. The list may be modified only by filing a motion
19 with the Special Master to amend the Court-approved mailing list. Litigants are
20 responsible for using the current Court-approved mailing list.

21 B. A copy of any pleading filed with the Clerk of the Maricopa County Superior
22 Court in this case shall be served upon each person listed on the Court-approved
23 mailing list.

24 C. Claimants wishing to be added or removed from the mailing list shall file a
25 motion with the Special Master. Parties allowed to intervene will be automatically
26 added to the mailing list.
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4. Courtesy Email List.

The Special Master's office will email courtesy copies of orders and minute entries entered in this case to persons listed on Attachment F. Requests for inclusions on the email list should be sent to Barbara Brown at brownb099@superiorcourt.maricopa.gov.

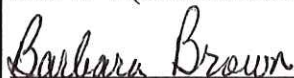
5. By **April 24, 2020**, ADWR shall file a report with its comments on the draft abstracts attached as Attachment E, provide maps of the location of the potential water rights, and verify whether any well listed as a source of water is located within the subflow zone.

6. By **May 22, 2020**, the Lessees who intend to assert water rights and Arizona State Land Department shall file a joint report regarding ownership of the proposed water rights identified in the draft abstracts attached as Attachment E.



SUSAN WARD HARRIS
Special Master

On March 11, 2020, the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to all persons listed on the Court-approved mailing list for this contested case, a copy of which is attached hereto as Attachment F, and to all persons listed on the Court-approved mailing list for W-1, W-2, W-3, and W-4 (Consolidated).



Barbara Brown

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ATTACHMENT A

| | | | |
|------------|------------------------------|-------------------|-----------------|
| LAND OWNER | WATERSHED FILE REPORT NUMBER | LESSEE/ALLOTTEE | LEASE-PERMIT ID |
| SLD | 115-05-015 | KAIBAB INDUSTRIES | 05-47667-2 |

APPLICABLE FILINGS AND DECREES

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

| FILING NUMBER | FILING STATUS | USES | QUANTITY IN AFA | USE LOCATION SECTION | TWNP | RNGE | CLAIM DATE | DIVERSION SECTION | LOCATION TWNP | RNGE |
|-----------------|---------------|---------------|-----------------|----------------------|------|------|------------|-------------------|---------------|------|
| 3R-0002389.0001 | CERTIF. | STOCK | .39 | NENW31 | 070S | 200E | 1964 | NENW31 | 070S | 200E |
| 3R-0002390.0001 | CERTIF. | STOCK | .28 | SWSW29 | 070S | 200E | 1965 | SWSW29 | 070S | 200E |
| 3R-0002391.0001 | CERTIF. | STOCK | .56 | NESW30 | 070S | 200E | 1965 | NESW30 | 070S | 200E |
| 36-0100045 | | STOCK | 2.52 | NESW30 | 070S | 200E | 1884 | NESW30 | 070S | 200E |
| | | REC/FISH/WLDF | .28 | | | | | | | |
| 36-0100046 | | STOCK | .13 | NWSW31 | 070S | 200E | | NWSW31 | 070S | 200E |
| | | REC/FISH/WLDF | .01 | | | | | | | |
| 36-0100047 | | STOCK | 1.16 | NWSW31 | 070S | 200E | | NWSW31 | 070S | 200E |
| | | REC/FISH/WLDF | .13 | | | | | | | |
| 36-0100048 | | STOCK | .08 | SWSE31 | 070S | 200E | 1884 | SWSE31 | 070S | 200E |
| | | REC/FISH/WLDF | .01 | | | | | | | |
| 36-0100049 | | STOCK | 2.43 | SESE31 | 070S | 200E | 1884 | SESE31 | 070S | 200E |
| | | REC/FISH/WLDF | .27 | | | | | | | |
| 36-0100050 | | STOCK | .67 | SENE31 | 070S | 200E | 1884 | SENE31 | 070S | 200E |
| | | REC/FISH/WLDF | .07 | | | | | | | |
| 38-0022870.0001 | | STOCK | | NWSW31 | 070S | 200E | 1942 | NWSW31 | 070S | 200E |
| | | REC/FISH/WLDF | | | | | | | | |
| 38-0022891.0001 | | STOCK | | NWSE31 | 070S | 200E | 1963 | NWSE31 | 070S | 200E |
| | | REC/FISH/WLDF | | | | | | | | |
| 38-0027564.0001 | | STOCK | | SENE31 | 070S | 200E | 1960 | SENE31 | 070S | 200E |
| 38-0027567.0001 | | STOCK | | SESE31 | 070S | 200E | 1960 | SESE31 | 070S | 200E |
| 38-0027568.0001 | | STOCK | .01 | NESW30 | 070S | 200E | 1962 | NESW30 | 070S | 200E |
| 38-0027569.0001 | | STOCK | .01 | NESW31 | 070S | 200E | 1965 | NESW31 | 070S | 200E |
| 38-0094517 | | STOCK | .74 | NWSW31 | 070S | 200E | 1884 | NWSW31 | 070S | 200E |
| | | REC/FISH/WLDF | | | | | | | | |
| 38-0094518 | | STOCK | | SWSE31 | 070S | 200E | 1884 | SWSE31 | 070S | 200E |
| | | REC/FISH/WLDF | | | | | | | | |
| 38-0094758 | | STOCK | | NESW30 | 070S | 200E | 1884 | NESW30 | 070S | 200E |
| | | REC/FISH/WLDF | | | | | | | | |
| 38-0094759 | | STOCK | 2.70 | SWSE31 | 070S | 200E | 1884 | SWSE31 | 070S | 200E |
| | | REC/FISH/WLDF | | | | | | | | |
| 39-0011213 | AMENDED | STOCK | .13 | NWSW31 | 070S | 200E | 1942 | NWSW31 | 070S | 200E |
| | | REC/FISH/WLDF | .02 | | | | | | | |
| 39-0011214 | AMENDED | STOCK | .13 | SESE31 | 070S | 200E | 1963 | SESE31 | 070S | 200E |
| | | REC/FISH/WLDF | .02 | | | | | | | |
| 39-0011215 | AMENDED | STOCK | .13 | NWSW31 | 070S | 200E | 1942 | NWSW31 | 070S | 200E |
| | | REC/FISH/WLDF | .02 | | | | | | | |
| 39-0011216 | AMENDED | STOCK | .16 | NESE31 | 070S | 200E | 1956 | NESE31 | 070S | 200E |
| | | REC/FISH/WLDF | .02 | | | | | | | |
| 39-0012022 | | IRRIGATION | | 17 | 070S | 200E | 1910 | 17 | 070S | 200E |
| | | DOMESTIC | | 27 | 070S | 200E | | 21 | 070S | 200E |
| | | STOCK | | 28 | 070S | 200E | | 27 | 070S | 200E |
| | | REC/FISH/WLDF | | | | | | | | |
| 39-0013902 | | STOCK | 2.80 | SENE31 | 070S | 200E | < 1963 | SENE31 | 070S | 200E |
| 39-0013903 | | STOCK | .09 | SESW31 | 070S | 200E | < 1960 | SESW31 | 070S | 200E |

DWR ANALYSIS OF FILINGS AND DECREES

| FILING NUMBER | USES CLAIMED OR REFERENCED | USES FOUND BY DWR | APPLIES TO DIVERSIONS | APPLIES TO PWR NUMBERS |
|-----------------|----------------------------|-------------------|-----------------------|------------------------|
| 3R-0002389.0001 | STOCK | STOCK | | SPO03 |
| 3R-0002390.0001 | STOCK | NONE | | |
| 3R-0002391.0001 | STOCK | STOCK | | SPO01 |
| 36-0100045 | STOCK | STOCK | | SWO01 |
| | WILDLIFE | INCIDENTAL | | |
| 36-0100046 | STOCK | STOCK | | SWO03 |
| | WILDLIFE | INCIDENTAL | | |
| 36-0100047 | STOCK | STOCK | | SWO03 |
| | WILDLIFE | INCIDENTAL | | |
| 36-0100048 | STOCK | STOCK | | SWO04 |
| | WILDLIFE | INCIDENTAL | | |
| 36-0100049 | STOCK | STOCK | | SWO04 |
| | WILDLIFE | INCIDENTAL | | |
| 36-0100050 | STOCK | STOCK | | SWO02 |

| FILING NUMBER | USES CLAIMED OR REFERENCED | USES FOUND BY DWR | APPLIES TO DIVERSIONS | APPLIES TO PWR NUMBERS |
|-----------------|----------------------------|-------------------|-----------------------|------------------------|
| 36-0100050 | WILDLIFE | INCIDENTAL | | |
| 38-0022870.0001 | STOCK | STOCK | | SPO03 |
| | WILDLIFE | INCIDENTAL | | |
| 38-0022891.0001 | STOCK | STOCK | | SPO02 |
| | WILDLIFE | INCIDENTAL | | |
| 38-0027564.0001 | STOCK | NONE | | |
| 38-0027567.0001 | STOCK | STOCK | | SPO04 |
| 38-0027568.0001 | STOCK | STOCK | | SPO01 |
| 38-0027569.0001 | STOCK | STOCK | | SPO03 |
| 38-0094517 | STOCK | STOCK | | SPO06 |
| | WILDLIFE | INCIDENTAL | | |
| 38-0094518 | STOCK | STOCK | | SPO05 |
| | WILDLIFE | INCIDENTAL | | |
| 38-0094758 | STOCK | STOCK | | SPO01 |
| | WILDLIFE | INCIDENTAL | | |
| 38-0094759 | STOCK | STOCK | | SPO04 |
| | WILDLIFE | INCIDENTAL | | |
| 39-0011213 | STOCK | STOCK | | SPO03, SW003 |
| | WILDLIFE | INCIDENTAL | | |
| 39-0011214 | STOCK | STOCK | | SPO04, SW004 |
| | WILDLIFE | INCIDENTAL | | |
| 39-0011215 | STOCK | STOCK | | SPO06, SW003 |
| | WILDLIFE | INCIDENTAL | | |
| 39-0011216 | STOCK | STOCK | | SPO02, SW002 |
| | WILDLIFE | INCIDENTAL | | |
| 39-0012022 | IRRIGATION | NONE | | SPO01 |
| | DOMESTIC | NONE | | |
| | STOCK | STOCK | | |
| | WILDLIFE | INCIDENTAL | | |
| 39-0013902 | STOCK | STOCK | | SPO01, SW001 |
| | WILDLIFE | INCIDENTAL | | |
| 39-0013903 | STOCK | STOCK | | SPO05, SW004 |
| | WILDLIFE | INCIDENTAL | | |

U S E S

| PWR # | SECTION | TWNP | RNGE | SUPPLIED BY DIVERSIONS | WATER SOURCES | PHOTO DATE | SOURCE CHANGE | FACILITY NAME |
|-------|----------|------|------|------------------------|---------------|------------|---------------|---------------|
| SW001 | SESENE31 | 070S | 200E | | SURFACE WATER | | NO | INSTREAM USE |
| SW002 | NWSWSE31 | 070S | 200E | | SURFACE WATER | | NO | INSTREAM USE |
| SW003 | SWSWSW31 | 070S | 200E | | SURFACE WATER | | NO | INSTREAM USE |
| SW004 | SWSESW31 | 070S | 200E | | SURFACE WATER | | NO | INSTREAM USE |

R E S E R V O I R S

| PWR # | SECTION | TWNP | RNGE | SUPPLIED BY DIVERSIONS | WATER SOURCES | PHOTO DATE | RESERVOIR NAME | STORAGE PURPOSE |
|-------|----------|------|------|------------------------|---------------|------------|----------------------|------------------------|
| SPO01 | SENE31 | 070S | 200E | | SURFACE WATER | 1972 | LONG HOLLOW TANK #1 | STOCKWATERING WILDLIFE |
| SPO02 | SESWNE31 | 070S | 200E | | SURFACE WATER | 1972 | GAME WATER TANK | STOCKWATERING WILDLIFE |
| SPO03 | NENWSW31 | 070S | 200E | | SURFACE WATER | 1972 | LONG HOLLOW TANK #2 | STOCKWATERING WILDLIFE |
| SPO04 | SWSESE31 | 070S | 200E | | SURFACE WATER | 1972 | FIRST TRAIL #1 LOWER | STOCKWATERING WILDLIFE |
| SPO05 | SESWSE31 | 070S | 200E | | SURFACE WATER | 1984 | FIRST TRAIL #1 UPPER | STOCKWATERING WILDLIFE |
| SPO06 | SENWSW31 | 070S | 200E | | SURFACE WATER | 1984 | LONG HOLLOW #2A TANK | STOCKWATERING WILDLIFE |

P W R S U M M A R Y

| PWR # | APPLICABLE ADJ FILINGS | APPLICABLE PRE FILINGS | *APPARENT FIRST USE DATE* | WATER SOURCES AND CLASSIFICATIONS |
|-------|--------------------------|--|---------------------------|-----------------------------------|
| SPO01 | 39-0012022 39-0013902 | 38-0002391.0001 38-0027568.0001 38-0094758 | 1962 FILING 38-27568.0001 | SURFACE WATER: ARAVAIPA CREEK |
| SPO02 | 39-0011216 | 38-0022891.0001 | 1960 FILING 38-22891.0001 | SURFACE WATER: ARAVAIPA CREEK |
| SPO03 | 39-0011213 | 38-0002389.0001 | 1964 FILING 38-2389.0001 | SURFACE WATER: ARAVAIPA CREEK |

| PWR # | APPLICABLE ADJ FILINGS | APPLICABLE PRE FILINGS | *APPARENT FIRST USE DATE* DATE BASIS FOR DATE | WATER SOURCES AND CLASSIFICATIONS |
|-------|--------------------------|-------------------------------------|--|-----------------------------------|
| SPO03 | | 38-0022870.0001 38-0027569.0001 | | |
| SPO04 | 39-0011214 | 38-0027567.0001 38-0094759 | 1960 FILING 38-27567.0001 | SURFACE WATER: ARAVAIPA CREEK |
| SPO05 | 39-0013903 | 38-0094518 | 1960 FILING 38-94518 | SURFACE WATER: ARAVAIPA CREEK |
| SPO06 | 39-0011215 | 38-0094517 | 1942 FILING 38-94517 | SURFACE WATER: ARAVAIPA CREEK |
| SW001 | 39-0013902 | 36-0100045 | 1884 FILING 36-100045 | SURFACE WATER: ARAVAIPA CREEK |
| SW002 | 39-0011216 | 36-0100050 | 1884 FILING 36-100050 | SURFACE WATER: ARAVAIPA CREEK |
| SW003 | 39-0011213 | 36-0100046 39-0011215 36-0100047 | 1884 FILING 36-100047 | SURFACE WATER: ARAVAIPA CREEK |
| SW004 | 39-0011214 39-0013903 | 36-0100048 36-0100049 | 1884 36-100048 & 100049 | SURFACE WATER: ARAVAIPA CREEK |
| NONE | NONE | 3R-0002390.0001 38-0027564.0001 | | |

QUANTITIES OF USE

| PWR # | QUANTIFICATION TYPE | ACRES | CROP TYPE | EFF | WATER DUTY | ESTIMATED VOLUME | REMARKS |
|-------|---------------------|--------|-----------|-----|------------|------------------|--------------------------------------|
| SPO01 | MAX. AREA/CAP | LT 2.0 | | | | LTE 15.0 AF | |
| SPO02 | MAX. AREA/CAP | LT 2.0 | | | | LTE 15.0 AF | |
| SPO03 | MAX. AREA/CAP | LT 2.0 | | | | LTE 15.0 AF | |
| SPO04 | MAX. AREA/CAP | LT 2.0 | | | | LTE 15.0 AF | |
| SPO05 | MAX. AREA/CAP | LT 2.0 | | | | LTE 15.0 AF | |
| SPO06 | MAX. AREA/CAP | LT 2.0 | | | | LTE 15.0 AF | |
| SW001 | | | | | | | |
| SW002 | | | | | | | SEE VOLUME 1 - GENERAL ASSESSMENT |
| SW003 | | | | | | | SEE VOLUME 1 - GENERAL ASSESSMENT |
| SW004 | | | | | | | SEE VOLUME 1 - GENERAL ASSESSMENT |

EXPLANATION

FILINGS AND DECREES

FILINGS 3R-2390 & 38-27564 - CLAIM STOCKWATERING USES. NO STOCKWATERING USES WERE FOUND AT THE CLAIMED LOCATIONS.
 FILING 39-12022 - CLAIMS IRRIGATION, DOMESTIC, STOCKWATERING, AND WILDLIFE WATER USES. NO IRRIGATION OR DOMESTIC USES WERE FOUND AT THE CLAIMED LOCATION.

USES AND RESERVOIRS

- SP1 - LONG HOLLOW TANK #1.
- SP2 - GAME WATER TANK.
- SP3 - LONG HOLLOW TANK #2.
- SP4 - FIRST TRAIL #1 LOWER TANK.
- SP5 - FIRST TRAIL #2 UPPER TANK.
- SP5 - LONG HOLLOW #2A TANK.
- SW1 - INSTREAM STOCKWATERING AND WILDLIFE USES FROM LEFT BRANCH LONG HOLLOW.
- SW2 - INSTREAM STOCKWATERING AND WILDLIFE USES FROM GAME DRAW.
- SW3 - INSTREAM STOCKWATERING AND WILDLIFE USES FROM LEFT FORK LONG HOLLOW.
- SW4 - INSTREAM STOCKWATERING AND WILDLIFE USES FROM FIRST TRAIL CANYON.

QUANTITIES OF USE

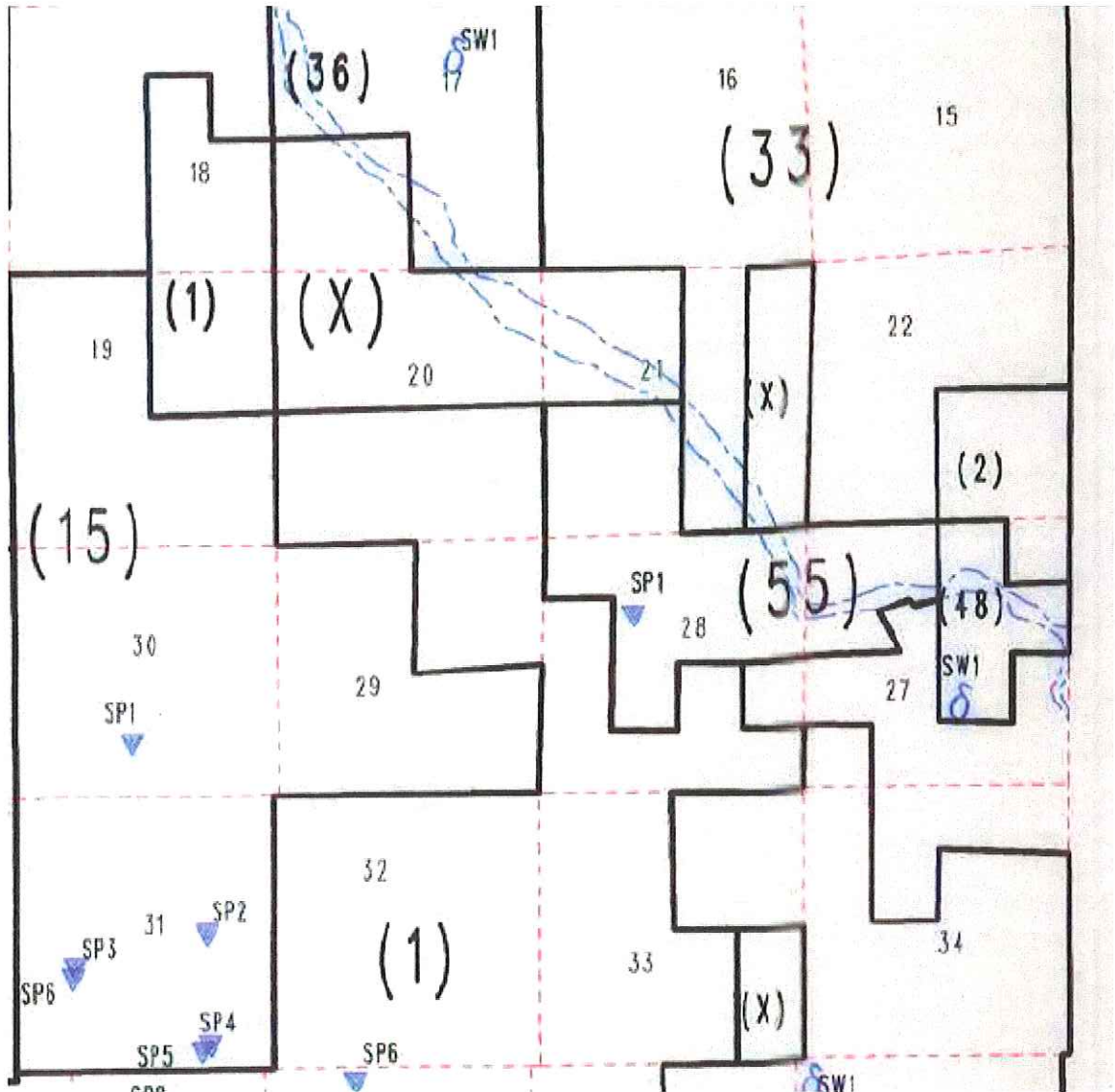
FILING 3R-2391 - STATES A CERTIFICATED STOCKPOND CAPACITY OF 0.35 ACRE-FEET.
 SP1 - FILING 3R-2390 STATES A CERTIFICATED STOCKPOND CAPACITY OF 0.12 ACRE-FEET.
 SP3 - FILING 3R-2389 STATES A CERTIFICATED STOCKPOND CAPACITY OF 0.20 ACRE-FEET.

DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS

COMMENTS WERE RECEIVED FROM THE LAND OWNER ON THE DISPOSITION OF STATEMENTS OF CLAIMANT IN THIS WATERSHED FILE REPORT.

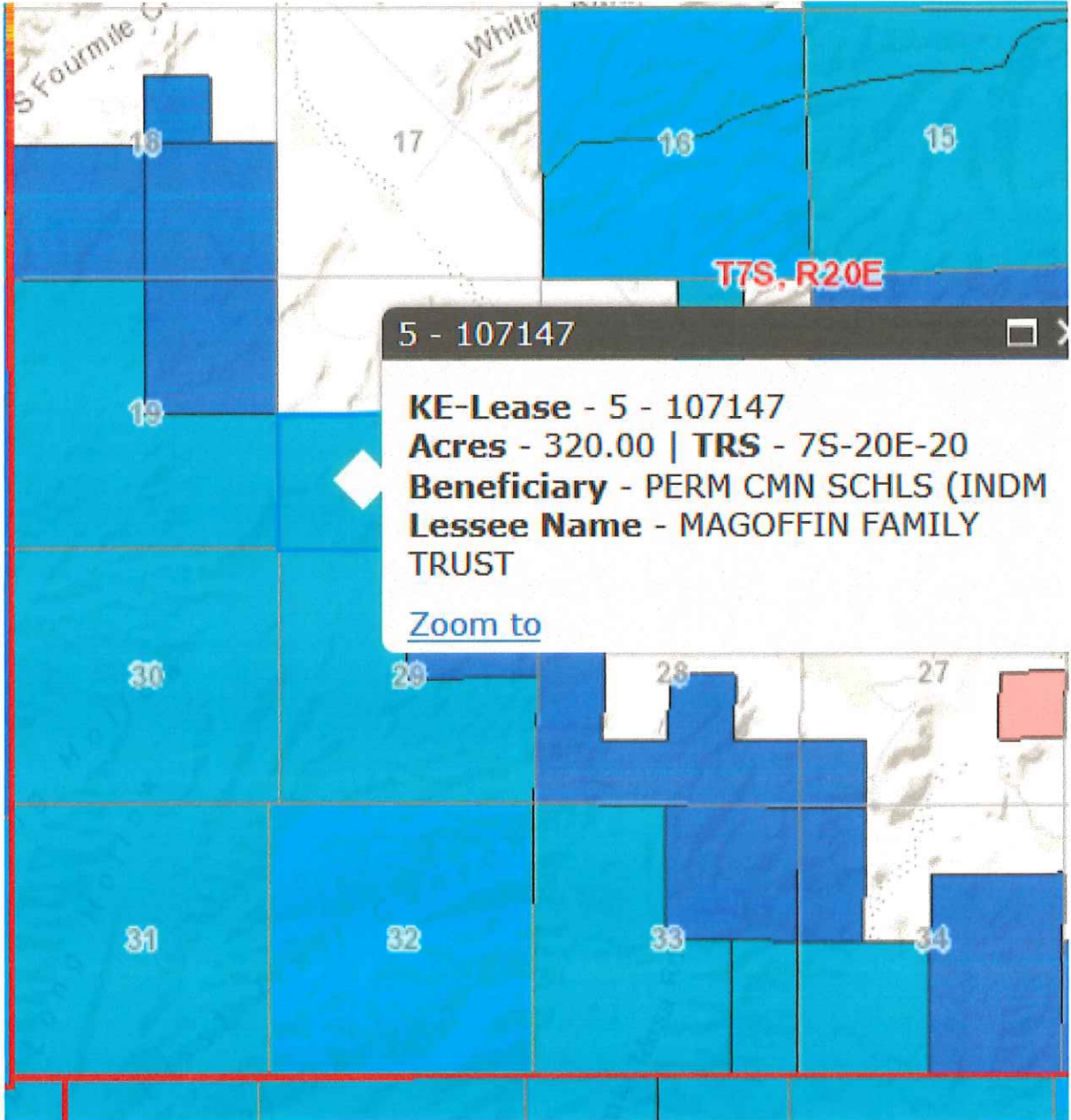
ATTACHMENT B

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ATTACHMENT C

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ATTACHMENT D

| Surface Water Filings | ADWR Mapped to Land Owned by Magoffins- filed 1/14/2020 | ADWR found that may apply to ASLD land - filed 1/14/2020 | Magoffin Filing - 1/10/2020 | Watershed File Report | Contested Case | Statement of Claimant |
|-----------------------|---|--|-----------------------------|-----------------------|----------------|-----------------------|
| 33-43442 | | x | x | 115-05-001 | W1-11-3325 | 39-12022, 39-17821 |
| 36-43446 | | x | x | 115-05-001 | W1-11-3325 | 39-17821 |
| 38-27563 | | x | x | 115-05-001 | W1-11-3325 | 39-12022, 39-17821 |
| 38-27565 | | x | x | 115-05-001 | W1-11-3325 | 39-17821 |
| 38-27566 | | x | x | 115-05-001 | W1-11-3325 | 39-17821 |
| 38-27572 | | x | x | 115-05-001 | W1-11-3325 | 39-6485 |
| 3R-2392 | | x | x | 115-05-001 | W1-11-3325 | 39-17821 |
| 3R-2393 | | x | x | 115-05-001 | W1-11-3325 | 39-17821 |
| 36-105696 | | x | x | 115-05-001 | W1-11-3325 | 39-17861 |
| 38-27564 | | x | x | 115-05-015 | W1-11-3338 | 39-12022 |
| 38-27567 | | x | x | 115-05-015 | W1-11-3338 | 39-11214 |
| 38-27568 | | x | x | 115-05-015 | W1-11-3338 | 39-12022 |
| 38-27569 | | x | x | 115-05-015 | W1-11-3338 | no SOC |
| 3R-2389 | | x | x | 115-05-015 | W1-11-3338 | 39-11213 |
| 3R-2390 | | x | x | 115-05-015 | W1-11-3338 | no SOC |
| 3R-2391 | | x | x | 115-05-015 | W1-11-3338 | 39-12022 |
| 38-72582 | x | | x | 115-05-036 | W1-11-3359 | 39-18084 |
| 38-96717 | x | | x | 115-05-036 | W1-11-3359 | 39-6478 |
| 33-78566 | x | | x | 115-05-040 | W1-11-3362 | 39-6486 |
| 33-87761 | x | | x | 115-05-040 | W1-11-3362 | 39-6487 |
| none | | | | 115-05-048 | W1-11-3367 | 39-6478 |
| 36-105936 | x | | x | 115-05-048 | W1-11-3367 | 39-12022 |
| 38-96721 | x | | x | 115-05-048 | W1-11-3367 | 39-12022 |
| none | | | | 115-05-055 | W1-11-3374 | 39-6478, 39-12022 |
| none | | | | 115-05-055 | W1-11-3374 | 39-15850 |
| none | | | | 115-05-DA-001 | W1-11-3395 | 39-6486 |
| none | | | | 115-05-DA-003 | W1-11-3397 | 39-18080 |
| 36-72574 | | x | x | 115-06-001 | W1-11-3403 | 39-6991 |
| 36-72566 | | x | x | 115-06-005 | W1-11-3407 | 39-2141 |
| 36-72567 | | x | x | 115-06-005 | W1-11-3407 | 39-2154 |
| 36-72573 | | x | x | 115-06-005 | W1-11-3407 | 39-2157 |
| 36-72575 | | x | x | 115-06-005 | W1-11-3407 | 39-6986 |
| 36-72576 | | x | x | 115-06-005 | W1-11-3407 | 39-6987 |
| 36-72577 | | x | x | 115-06-005 | W1-11-3407 | 39-6988 |
| 36-72578 | | x | x | 115-06-005 | W1-11-3407 | 39-6988 |
| 38-72586 | | x | x | 115-06-005 | W1-11-3407 | 39-2147 |
| 38-72587 | | x | x | 115-06-005 | W1-11-3407 | 39-2144 |

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ATTACHMENT E

**Proposed Abstract of Water Right
San Pedro Watershed**

| Attribute | Proposed Abstract of Water Right | ADWR Comments |
|-----------------------------------|--|---------------|
| 1. Proposed Water Right No.: | 115-05-015-SW001 | |
| 2. Owner of Water Right: | | |
| 3. Landowner: | State of Arizona – Arizona State Land Department | |
| 4. Statement of Claimant No.(s): | 39-13902 | |
| 5. Statement of Claimant Name(s): | Arizona State Land Department | |
| 6. Lessee: | Magoffin Family Trust | |
| 7. Basis of Right: | 36-0100045 | |
| 8. Beneficial Use: | Stock watering and wildlife | |
| 9. Priority Date: | 12/31/1884 | |
| 10. Quantity: | Reasonable Use | |
| 11. Place of Use: | SESENE 31 070S R20E | |
| 12. Point of Diversion: | SESENE 31 070S R20E | |
| 13. Source of Water: | Left Branch Long Hollow | |

**Proposed Abstract of Water Right
San Pedro Watershed**

| Attribute | Proposed Abstract of Water Right | ADWR Comments |
|-----------------------------------|--|---------------|
| 1. Proposed Water Right No.: | 115-05-015-SW002 | |
| 2. Owner of Water Right: | | |
| 3. Landowner: | State of Arizona – Arizona State Land Department | |
| 4. Statement of Claimant No.(s): | 39-11216 | |
| 5. Statement of Claimant Name(s): | Arizona State Land Department | |
| 6. Lessee or Permittee: | Magoffin Family Trust | |
| 7. Basis of Right: | 36-0100050 | |
| 8. Beneficial Use: | Stock watering and wildlife | |
| 9. Priority Date: | 12/31/1884 | |
| 10. Quantity: | Reasonable Use | |
| 11. Place of Use: | NWSWSE 31 070S R20E | |
| 12. Point of Diversion: | NWSWSE 31 070S R20E | |
| 13. Source of Water: | Game Draw | |

**Proposed Abstract of Water Right
San Pedro Watershed**

| Attribute | Proposed Abstract of Water Right | ADWR Comments |
|-----------------------------------|--|---------------|
| 1. Proposed Water Right No.: | 115-05-015-SW003 | |
| 2. Owner of Water Right: | | |
| 3. Landowner: | State of Arizona – Arizona State Land Department | |
| 4. Statement of Claimant No.(s): | 39-11213 39-11215 | |
| 5. Statement of Claimant Name(s): | Arizona State Land Department | |
| 6. Lessee or Permittee: | Magoffin Family Trust | |
| 7. Basis of Right: | 36-0100046 36-0100047 | |
| 8. Beneficial Use: | Stock watering and wildlife | |
| 9. Priority Date: | 12/31/1884 | |
| 10. Quantity: | Reasonable Use | |
| 11. Place of Use: | SWSWSW 31 070S R20E | |
| 12. Point of Diversion: | SWSWSW 31 070S R20E | |
| 13. Source of Water: | Left Fork Long Hollow | |

**Proposed Abstract of Water Right
San Pedro Watershed**

| Attribute | Proposed Abstract of Water Right | ADWR Comments |
|-----------------------------------|--|---------------|
| 1. Proposed Water Right No.: | 115-05-015-SW004 | |
| 2. Owner of Water Right: | | |
| 3. Landowner: | State of Arizona – Arizona State Land Department | |
| 4. Statement of Claimant No.(s): | 39-11214 39-13903 | |
| 5. Statement of Claimant Name(s): | Arizona State Land Department | |
| 6. Lessee or Permittee: | Magoffin Family Trust | |
| 7. Basis of Right: | 36-0100048 36-0100049 | |
| 8. Beneficial Use: | Stock watering and wildlife | |
| 9. Priority Date: | 12/31/1884 | |
| 10. Quantity: | Reasonable Use | |
| 11. Place of Use: | SWSESW 31 070S R20E | |
| 12. Point of Diversion: | SWSESW 31 070S R20E | |
| 13. Source of Water: | First Trail Canyon | |

**Proposed Abstract of Water Right
San Pedro Watershed**

| Attribute | Proposed Abstract of Water Right | ADWR Comments |
|-----------------------------------|--|---------------|
| 1. Proposed Water Right No.: | 115-05-015-SP001 | |
| 2. Owner of Water Right: | | |
| 3. Landowner: | State of Arizona – Arizona State Land Department | |
| 4. Statement of Claimant No.(s): | 39-12022 39-13902 | |
| 5. Statement of Claimant Name(s): | Arizona State Land Department Magoffin Family Trust | |
| 6. Lessee or Permittee: | Magoffin Family Trust | |
| 7. Basis of Right: | 3R-002391 38-0027568 38-0094758 | |
| 8. Beneficial Use: | Stock watering from a stockpond | |
| 9. Priority Date: | 12/31/1962 | |
| 10. Quantity: | Not to exceed (\leq) 4 acre feet annually with continuous fill | |
| 11. Place of Use: | SENE SW 30 070S R20E | |
| 12. Point of Diversion: | SENE SW 30 070S R20E | |
| 13. Source of Water: | Aravaipa Creek | |
| 14. Name of Facility: | Long Hollow Tank #1 | |

**Proposed Abstract of Water Right
San Pedro Watershed**

| Attribute | Proposed Abstract of Water Right | ADWR Comments |
|--|--|---------------|
| 1. Proposed Water Right No.: | 115-05-015-SP002 | |
| 2. Owner of Water Right: | | |
| 3. Landowner: | Arizona State Land Department | |
| 4. Statement of Claimant No.(s): | 39-11216 | |
| 5. Statement of Claimant Name(s): | Arizona State Land Department Magoffin Family Trust | |
| 6. Lessee or Permittee: | Magoffin Family Trust | |
| 7. Basis of Right: | 38-0022891 | |
| 8. Beneficial Use: | Stock watering from a stockpond | |
| 9. Priority Date: | 12/31/1960 | |
| 10. Quantity: | Not to exceed (\leq) 4 acre feet annually with continuous fill | |
| 11. Place of Use: | SESWNE 31 070S R20E | |
| 12. Point of Diversion: | SESWNE 31 070S R20E | |
| 13. Source of Water: | Aravaipa Creek | |
| 14. Name of Facility: | Game Water Tank | |

**Proposed Abstract of Water Right
San Pedro Watershed**

| Attribute | Proposed Abstract of Water Right | ADWR Comments |
|---|--|---------------|
| 15. Proposed Water Right No.: | 115-05-015-SP003 | |
| 16. Owner of Water Right: | | |
| 17. Landowner: | State of Arizona – Arizona State Land Department | |
| 18. Statement of Claimant No.(s): | 39-11213 | |
| 19. Statement of Claimant Name(s): | Arizona State Land Department Magoffin Family Trust | |
| 20. Lessee or Permittee: | Magoffin Family Trust | |
| 21. Basis of Right: | 3R-002389 38-0022870 38-0027569 | |
| 22. Beneficial Use: | Stock watering from a stockpond | |
| 23. Priority Date: | 12/31/1964 | |
| 24. Quantity: | Not to exceed (\leq) 4 acre feet annually with continuous fill | |
| 25. Place of Use: | NENWSW 31 070S R20E | |
| 26. Point of Diversion: | NENWSW 31 070S R20E | |
| 27. Source of Water: | Aravaipa Creek | |
| 28. Name of Facility: | Long Hollow Tank #2 | |

**Proposed Abstract of Water Right
San Pedro Watershed**

| Attribute | Proposed Abstract of Water Right | ADWR Comments |
|-----------------------------------|--|---------------|
| 1. Proposed Water Right No.: | 115-05-015-SP004 | |
| 2. Owner of Water Right: | | |
| 3. Landowner: | State of Arizona – Arizona State Land Department | |
| 4. Statement of Claimant No.(s): | 39-0011214 | |
| 5. Statement of Claimant Name(s): | Arizona State Land Department | |
| 6. Lessee or Permittee: | Magoffin Family Trust | |
| 7. Basis of Right: | 38-0027567 38-0094759 | |
| 8. Beneficial Use: | Stock watering from a stockpond | |
| 9. Priority Date: | 12/31/1960 | |
| 10. Quantity: | Not to exceed (\leq) 4 acre feet annually with continuous fill | |
| 11. Place of Use: | SWSESE 31 070S R20E | |
| 12. Point of Diversion: | SWSESE 31 070S R20E | |
| 13. Source of Water: | Aravaipa Creek | |
| 14. Name of Facility: | First Trail #1 Lower tank | |

**Proposed Abstract of Water Right
San Pedro Watershed**

| Attribute | Proposed Abstract of Water Right | ADWR Comments |
|-----------------------------------|--|---------------|
| 1. Proposed Water Right No.: | 115-05-015-SP005 | |
| 2. Owner of Water Right: | | |
| 3. Landowner: | State of Arizona – Arizona State Land Department | |
| 4. Statement of Claimant No.(s): | 39-13903 | |
| 5. Statement of Claimant Name(s): | Arizona State Land Department | |
| 6. Lessee or Permittee: | Magoffin Family Trust | |
| 7. Basis of Right: | 38-0094518 | |
| 8. Beneficial Use: | Stock watering from a stockpond | |
| 9. Priority Date: | 12/31/1960 | |
| 10. Quantity: | Not to exceed (\leq) 4 acre feet annually with continuous fill | |
| 11. Place of Use: | SESWSE 31 070S R20E | |
| 12. Point of Diversion: | SESWSE 31 070S R20E | |
| 13. Source of Water: | Aravaipa Creek | |
| 14. Facility | First Trail #2 Upper Tank | |

**Proposed Abstract of Water Right
San Pedro Watershed**

| Attribute | Proposed Abstract of Water Right | ADWR Comments |
|-----------------------------------|--|---------------|
| 1. Proposed Water Right No.: | 115-05-015-SP006 | |
| 2. Owner of Water Right: | | |
| 3. Landowner: | State of Arizona – Arizona State Land Department | |
| 4. Statement of Claimant No.(s): | 39-0011215 | |
| 5. Statement of Claimant Name(s): | Arizona State Land Department | |
| 6. Lessee or Permittee: | Magoffin Family Trust | |
| 7. Basis of Right: | 38-0094517 | |
| 8. Beneficial Use: | Stock watering from a stockpond | |
| 9. Priority Date: | 12/31/1942 | |
| 10. Quantity: | Not to exceed (\leq) 4 acre feet annually with continuous fill | |
| 11. Place of Use: | SENWSW 31 070S R20E | |
| 12. Point of Diversion: | SENWSW 31 070S R20E | |
| 13. Source of Water: | Aravaipa Creek | |
| 14. Name of Facility: | Long Hollow #2A Tank | |

ATTACHMENT F

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