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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. W1-11-3374

ORDER SETTING DATE FOR
SUGGESTED CORRECTIONS OF
PROPOSED WATER RIGHT

CONTESTED CASE NAME: *In re Kaibab Industries - Stock*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.
DESCRIPTIVE SUMMARY: The Special Master issues one abstract for a proposed water right for a stockpond analyzed by Watershed File Report No. 113-05-055 and sets a deadline to file suggested corrections.
NUMBER OF PAGES: 5
DATE OF FILING: August 13, 2020

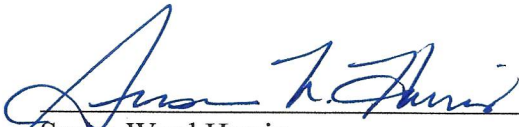
This case involves a *de minimis* claim for a water right analyzed by Watershed File Report 115-05-055 included in the final hydrographic survey report for the San Pedro Watershed (“San Pedro HSR”) filed on November 20, 1991. In 1994, the Special Master issued

1 a Memorandum Decision, Findings of Fact, and Conclusions of Law for Group 1 Cases
2 involving Stockwatering, Stockponds, and Domestic Uses, dated November 14, 1994, amended
3 February 23, 1995, approved and modified September 27, 2002 (“Decision”). The Decision
4 established the procedures for adjudicating *de minimis* water rights for claims in the San Pedro
5 watershed.
6

7 Once the proposed water right abstracts have been prepared, “the litigants will be
8 provided an opportunity to suggest the correction of mistakes in the proposed abstracts.”
9 Decision, p. 47. This proceeding is not a forum in which to relitigate the Decision, which was
10 the subject of years of briefing and has now been affirmed for almost 18 years. Subsequently,
11 these abstracts will be included in a catalog of proposed water rights where they will be subject
12 to very limited set of objections and ultimately in a final decree.
13

14 As required by the Decision, a proposed water right abstract has been prepared for the *de*
15 *minimis* water right analyzed by Watershed File Report 115-05-055, which is attached as
16 Appendix A along with a map prepared by Arizona Department of Water Resources.
17

18 **IT IS ORDERED** that any suggested corrections to the proposed abstract shall be filed
19 on or before **October 15, 2020**.

20
21 
22 Susan Ward Harris
Special Master
23

24 The original of the foregoing was delivered to the Clerk
25 of the Maricopa County Superior Court on August 13,
26 2020 for filing and distributing a copy to all persons
27 listed on the Court approved mailing list for this
28 Contested Case.

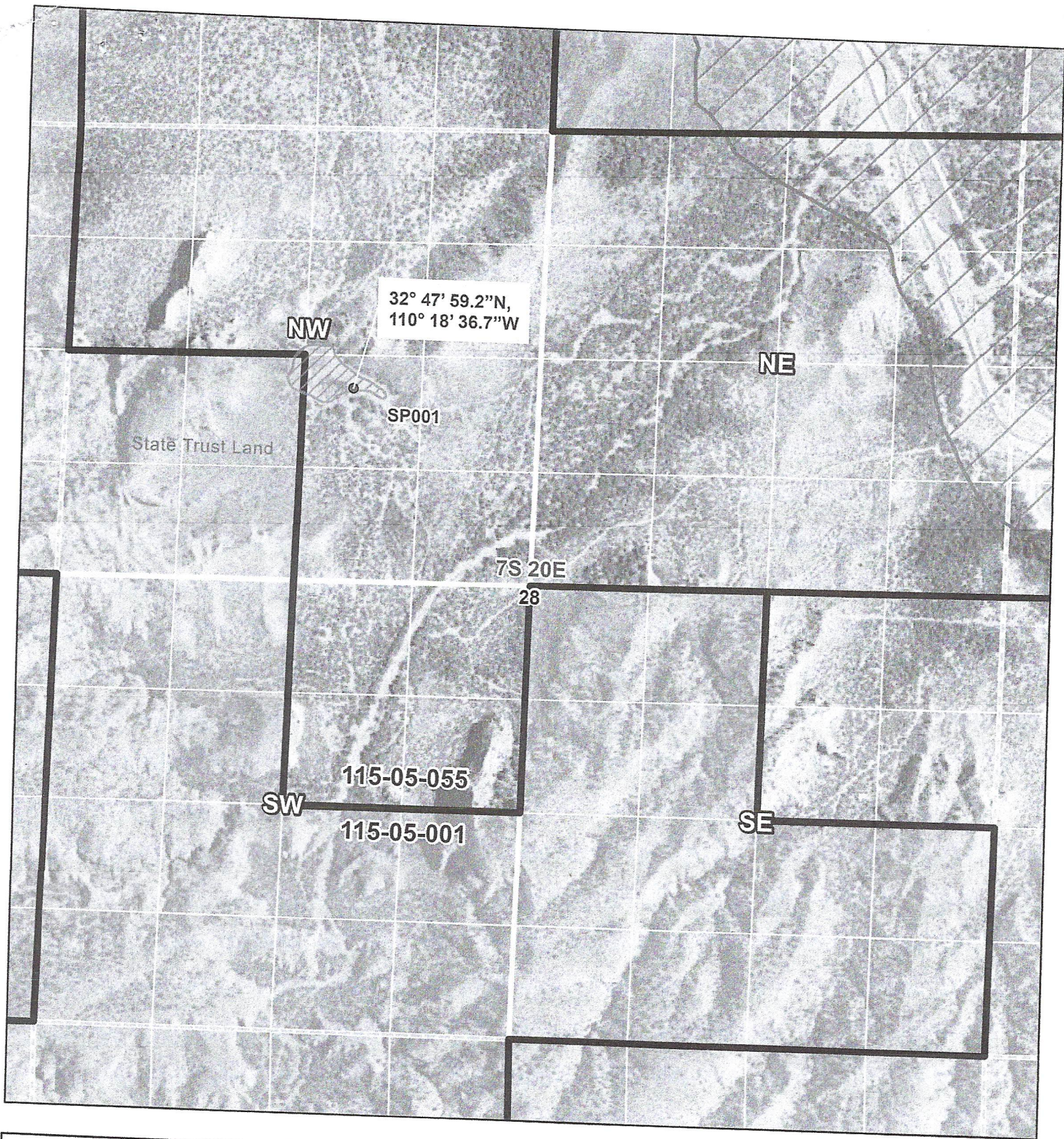
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APPENDIX A


Proposed Abstract of Water Right

San Pedro Watershed

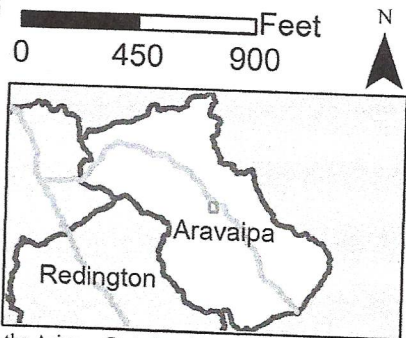
Attribute	Proposed Abstract of Water Right
1. Proposed Water Right No.:	115-05-055-SP001
2. Owner of Water Right:	Matthew O. and Anna M. Magoffin, trustees of the Magoffin Family Trust
3. Landowner:	Matthew O. and Anna M. Magoffin, trustees of the Magoffin Family Trust
4. Statement of Claimant No.(s):	39-12022
5. Statement of Claimant Name(s):	Matthew O. and Anna M. Magoffin, trustees of the Magoffin Family Trust
6. Lessee or Permittee:	n/a
7. Basis of Right:	33-87761
8. Beneficial Use:	Stock watering from a stock pond
9. Priority Date:	February 10, 1983
10. Quantity:	4.30 acre feet annually with continuous fill
11. Place of Use:	SENW 28 T07S R20E See Map attached.
12. Point of Diversion:	NW 28 T07S R20E
13. Source of Water:	Surface Water: San Pedro River
14. Name of Facility:	Frog Pond



In re Kaibab Industries - Stock
 Contested Case W1-11-3374
 Watershed File Report
 115-05-055
 Section 28 T07S R20E



ADWR June 2020



Legend	
	SP - Stockpond
	Section
	WFR Boundary
	QQQ
	Subflow Zone
	Q
	Aravaipa Creek
	State Trust Land

Data sources include: Land ownership acquired April 2019 from the Arizona State Land Department. NAIP 2017.