

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

11/01/2019

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER
SUSAN HARRIS

A. Hatfield

Deputy

In re: Alex Pacheco and Christine Salazar
Pacheco
Contested Case No. W1-11-3378

FILED: 11/07/2019

In Re: The General Adjudication
of All Rights to Use Water in the
Gila River System and Source
W-1, W-2, W-3 and W-4 (Consolidated)

In re: Status Conference

MINUTE ENTRY

Courtroom: CCB 301

2:50 p.m. This is the time set for a status conference before Special Master Susan Harris.

The following attorneys and parties appear in-person: Alex Pacheco on behalf of Alex Pacheco and the Pacheco family; and Mark McGinnis on behalf of SRP.

The following attorneys and parties appear telephonically: Charles Cahoy on behalf of the City of Phoenix; Carla Consoli on behalf of the Arizona Chapter of the Nature Conservancy; Laurel Herrmann on behalf of the San Carlos Apache Tribe; Julian Nava on behalf of the Tonto Apache Tribe; Kimberly Parks on behalf of the Arizona Department of Water Resources (ADWR); and Jay Tomkus on behalf of the Yavapai-Apache Nation.

Court reporter, Marylynn Lemoine, is present and a record of these proceedings is made digitally.

The Court notes that Mr. Pacheco timely prepared and properly distributed proposed abstracts for review by the parties and ADWR. The Court inquires if Mr. Pacheco has seen the comments from ADWR.

Mr. Pacheco states that they received notice of the filing saying it was accepted but has not seen the report from ADWR.

The Court advises Mr. Pacheco that a Statement of Claim has not been filed with ADWR. An abstract of water right requires a Basis of Right which can be provided by a Statement of Claim filed.

Mr. McGinnis has no objection to the Pacheco Family filing a Statement of Claim for their claimed pre-1919 water right.

The Court inquires if any of the parties on the telephone have any objections to the Pacheco Family filing a Statement of Claim.

Hearing no objection,

Mr. Pacheco is directed to contact ADWR and work with the Department to file a Statement of Claim filed consistent with the Pacheco Family's Statement of Claimant.

Mr. Pacheco states they have not received any objections from the Objectors.

Ms. Parks clarifies that ADWR's report is actually on the ADWR website.

The Court instructs ADWR to mail a copy of the report to the Pachecos.

IT IS ORDERED that Mr. Pacheco shall file a Statement of Claim, read ADWR's comments, prepare one abstract consistent with the attached abstract, and distribute the abstract and the map prepared by ADWR to all the parties on the Court-approved mailing list no later than **December 2, 2019**.

IT IS FURTHER ORDERED that the parties are instructed to mail comments to the Claimant by **December 12, 2019**.

IT IS FURTHER ORDERED that Mr. Pacheco file a status report, along with a copy of the proposed abstract distributed as instructed above, with the Court (and all parties on the Court-approved mailing list) and advise the Court whether the parties have agreed to withdraw their objections to the proposed water rights or whether there are parties that continue to assert objections. The status report shall be filed by **December 30, 2019**.

2:55 p.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court-approved mailing list.

Abstract of Water Right San Pedro Watershed

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| 1. Proposed Water Right No.: | 115-05-AB-002-DM001 |
| 2. Owner of Water Right: | David J. Pacheco, a single man, as to an undivided ½ interest and Arthur A. Pacheco, a married man, as his sole and separate property, as to an undivided ½ interest |
| 3. Landowner: | David J. Pacheco, a single man, as to an undivided ½ interest and Arthur A. Pacheco, a married man, as his sole and separate property, as to an undivided ½ interest |
| 4. Statement of Claimant No.(s): | 39-0001173 39-0012254 |
| 5. Statement of Claimant Name(s): | Alex and Christine Pacheco |
| 6. Lessee or Permittee: | None |
| 7. Basis of Right: | 36-[to be completed by Claimant] |
| 8. Beneficial Use: | Domestic use with associated irrigation of laws, gardens, or landscape in an amount not more than one-half acre per residence. |
| 9. Priority Date: | July 1, 1908 |
| 10. Quantity: | [to be completed by Claimant] |
| 11. Place of Use*: | [to be completed by Claimant] |
| 12. Point of Diversion: | [to be completed by Claimant] |
| 13. Source of Water: | Surface water and subflow from Aravaipa Creek |
| 14. Name of Facility: | N/A |

*See attached map prepared by ADWR