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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

Contested Case No. W1-11-3301

ORDER REGARDING PROPOSED
ABSTRACTS

CONTESTED CASE NAME: *In re Arizona Chapter of the Nature Conservancy – Instream Flow*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.
DESCRIPTIVE SUMMARY: Direction to Arizona Department of Water Resources to review proposed abstracts for water rights for instream use.
NUMBER OF PAGES: 7
DATE OF FILING: April 30, 2018

The Nature Conservancy obtained four Certificates of Water Rights for instream flow right to four reaches of Aravaipa Creek from Arizona Department of Water Resources. In its Statement of Intent and Revised Consolidated Abstracts, filed February 15, 2018, The Nature Conservancy claimed instream flow rights based on the four certificates to Reaches A, B, C, and

1 D of Aravaipa Creek. At the status conference held on April 10, 2018, a discussion occurred
2 concerning the correct quantity of water to be included in each Proposed Abstract of Water Right.
3 The attached abstracts based on watershed file reports 115-04-011 and 115-05-054 have been
4 prepared with quantities consistent with Certificates of Water Rights.

5 This order does not address water rights claimed pursuant to Statements of Claimant 39-
6 2116 and 39-11371, which was filed to update and amend Statement of Claimant 39-2116. Nor
7 does this order address Watershed file report 115-04-012 which will be the subject of a separate
8 order.
9

10 **IT IS ORDERED** that the Arizona Department of Water Resources shall review the
11 draft abstracts to verify conformance of the Proposed Abstracts of Water Right to the certificates
12 of instream flow and shall file a report no later than May 21, 2018 setting forth any suggested
13 corrections to the proposed abstracts. The report shall be accompanied by a map of each reach of
14 the Aravaipa Creek identified in the abstracts.
15

16
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18 SUSAN WARD HARRIS
19 Special Master
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22 On April 30, 2018, the original of
23 the foregoing was delivered to the
24 Clerk of the Maricopa County
25 Superior Court for filing and
26 distributing a copy to all persons
27 listed on the Court-approved
28 mailing list for this contested case.

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No:	115-04-011-WL001
2. Owner of Water Right:	The Nature Conservancy
3. Landowner:	The Nature Conservancy
4. Statement of Claimant No.:	39-14133
5. Statement of Claimant Name:	The Nature Conservancy
6. Lessee or Permittee:	None
7. Basis of Right:	Application and Permit No. 33-95771 Certificate No. 95771
8. Beneficial Use:	Instream use for wildlife and recreation. There shall be no interference with the natural flow of Aravaipa Creek
9. Priority Date:	October 31, 1990
10. Quantity:	10,272.8 acre feet annually
11. Place of Use:	NWNW 3 T7S R17E – SWNE 4 T7S R17E
12. Point of Diversion:	Water will not be diverted from the natural channel.
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	Aravaipa Creek

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No:	115-05-054-WL001
2. Owner of Water Right:	The Nature Conservancy
3. Landowner:	The Nature Conservancy
4. Statement of Claimant No.:	39-14131
5. Statement of Claimant Name:	The Nature Conservancy
6. Lessee or Permittee:	None
7. Basis of Right:	Application and Permit No. 33-95490; Certificate No. 95490
8. Beneficial Use:	Instream use for wildlife and recreation. There shall be no interference with the natural flow of Aravaipa Creek
9. Priority Date:	October 31, 1990
10. Quantity:	11,213 acre feet annually
11. Place of Use:	SWNE 35 T6S R19E – NE28 T6S R19E
12. Point of Diversion:	Water will not be diverted from the natural channel.
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	Aravaipa Creek
Comment: Three instream flow rights are included under a single proposed water right number. 1 of 3	

Abstract of Water Right San Pedro Watershed

1. Proposed Water Right No:	115-05-054-WL001
2. Owner of Water Right:	The Nature Conservancy
3. Landowner:	The Nature Conservancy
4. Statement of Claimant No.:	39-14132
5. Statement of Claimant Name:	The Nature Conservancy
6. Lessee or Permittee:	None
7. Basis of Right:	Application and Permit No. 33-95489; Certificate No. 95489
8. Beneficial Use:	Instream use for wildlife and recreation. There shall be no interference with the natural flow of Aravaipa Creek
9. Priority Date:	October 31, 1990
10. Quantity:	13,567.5 acre feet annually
11. Place of Use:	NWSW 21 T6S R19E – E1/2 19 T6S R19E
12. Point of Diversion:	Water will not be diverted from the natural channel.
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	Aravaipa Creek
Comment: Three instream flow rights are included under a single proposed water right number. 2 of 3	

Abstract of Water Right San Pedro Watershed

1. Proposed Water Right No:	115-05-054-WL001
2. Owner of Water Right:	The Arizona Chapter of the Nature Conservancy
3. Landowner:	The Arizona Chapter of the Nature Conservancy
4. Statement of Claimant No.:	39-14134
5. Statement of Claimant Name:	The Arizona Chapter of the Nature Conservancy
6. Lessee or Permittee:	None
7. Basis of Right:	Application and Permit No. 33-95488; Certificate No. 95488
8. Beneficial Use:	Instream use for wildlife and recreation. There shall be no interference with the natural flow of Aravaipa Creek
9. Priority Date:	October 31, 1990
10. Quantity:	12,634.8.5 acre feet annually
11. Place of Use:	SW 13 T6S R17E – NESW 26 T6S R17E
12. Point of Diversion:	Water will not be diverted from the natural channel.
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	Aravaipa Creek
Comment: Three instream flow rights are included under a single proposed water right number. 3 of 3	

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No:	115-05-054-WL001
2. Owner of Water Right:	The Nature Conservancy
3. Landowner:	The Nature Conservancy
4. Statement of Claimant No.:	39-14131
5. Statement of Claimant Name:	The Nature Conservancy
6. Lessee or Permittee:	None
7. Basis of Right:	Application and Permit No. 33-95490; Certificate No. 95490
8. Beneficial Use:	Instream use for wildlife and recreation. There shall be no interference with the natural flow of Aravaipa Creek
9. Priority Date:	October 31, 1990
10. Quantity:	11,213 acre feet annually
11. Place of Use:	SWNE 35 T6S R19E – NE28 T6S R19E
12. Point of Diversion:	Water will not be diverted from the natural channel.
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	Aravaipa Creek
Comment: Three instream flow rights are included under a single proposed water right number. 1 of 3	