

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. W1-11-0212

ORDER TO SET A STATUS
CONFERENCE

CONTESTED CASE NAME: *In re Pyeatt Group of Cases*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: Status conference set for **November 19, 2021 at 2:20 p.m.**

NUMBER OF PAGES: 6

DATE OF FILING: October 25, 2021

This stage of the contested case involves two Watershed File Reports that list four potential water rights. Proposed abstracts were prepared for the potential water rights that constitute *de minimis* uses and submitted to Arizona Department of Water Resources (“ADWR”)

for review. On May 4, 2021, ADWR filed its report and maps of the places of use and points of diversions for each proposed right.

A proposed abstract was not prepared for the potential irrigation use because it is not a *de minimis* use. The parties were granted time by Minute Entry filed May 25, 2021 to determine whether an agreement could be reached as to the claim for a water right for an irrigation use. On October 14, 2021, Pyeatt Ranch LLC submitted a Status Report that stated that the parties had not reached agreement about the claim for an irrigation water right, but attached a proposed abstract for a water right. The proposed abstract for irrigation use did not include a specific description of the place of use other than a reference to a 40-acre parcel and a tax parcel number. According to Watershed File Report 111-19-DDC-001, the irrigated land only includes 3.4 acres. The submitted abstract did not include a map of the irrigated land. The Status Report also attached proposed abstracts for three stockponds, two domestic uses, and one stock watering use. Counsel represented that a search had made of records maintained by ADWR to determine whether proposed water abstracts have already been prepared.

This contested case was one of the cases consolidated with *In re Sands Group of Cases*, Contested Case No. W1-11-19. Based on the documents included in the court docket for *In re Sands Group of Cases*, the State of Arizona filed an agreement on October 1, 1993 among the parties about certain water right characteristics. Subsequently, a "Notice of Filing Final Abstracts and Matrices for the Watershed File Reports in the Eight Consolidated Cases," was filed November 19, 2003. On October 15, 2008, ADWR proposed to commence the summary adjudication process approved by the Court in 2002 for all existing "*de minimis* uses that met the *Sands* criteria for certain small domestic, stockpond and stock watering uses." By Order dated April 29, 2009, the Court approved the course of action outlined in ADWR's report.

On June 21, 2011, the Special Master requested ADWR to file a report regarding the guidance needed to complete the assignment. On September 13, 2011, ADWR filed a Report that provided water right attributes for ten claimed rights to water for *de minimis* uses in the *Sands* case. In that Report, ADWR stated that it had spent three months to complete ten abstracts and requested that the work on the *Sands* Group I cases be reprioritized due to staffing limitations and other adjudication work. The Report contains proposed water right attributes based on agreements of the parties and ADWR's analysis for the stockpond and domestic use reported in Watershed File Report 111-19-DDC-001 and the domestic use in Watershed File Report 111-19-DC-010. A copy of the Report, filed in *In re Sands Group of Cases*, has been posted to the website for this General Adjudication on the Active Cases page under this contested case number.

IT IS ORDERED that a Status Conference shall be held on **November 19, 2021 at 2:20 p.m.**

The Status Conference shall be held using the Court Connect program. Instructions for Court Connect are attached as Attachment A. If you receive this Order by email, click on the red box "Join Court Connect Hearing" on the attached instructions to make an appearance. If you do not receive this Order by email, log into the Court Connect program on the internet by typing <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend telephonically using the telephone number and access code included in the instructions for Court Connect. If you are not able to access Court Connect, you may appear telephonically by using the following instructions:

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

At the Status Conference, counsel for Pyeatt Ranch, LLC shall be prepared to state whether a map has been prepared that shows the area for which an irrigation water right is sought. The *de minimis* process applicable to this contested case shall also be addressed at the Status Conference.


SUSAN WARD HARRIS
Special Master

On October 25, 2021, 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.

ATTACHMENT A



Court Connect Hearing Notice for In re Pyeatt Group of Cases, Contested Case W1-11-0212

This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear in an online, rather than a physical, courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.

All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.

Participants: Please follow the steps below to participate in the proceeding which will be conducted remotely.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

Case Name: In re Pyeatt Group of Cases, Contested Case W1-11-0212

Start Date/Time: November 19, 2021 at 2:20 p.m.

JOIN COURT CONNECT HEARING

Dial-in Information: +1 917-781-4590

Private Dial-in Information: for privacy purposes, you can block your phone number by dialing *67 +1 917-781-4590

Dial-in Access Code: 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)

