

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

February 2, 2023

CLERK OF THE COURT

SPECIAL WATER MASTER  
SUSAN WARD HARRIS

A. Parmar  
Deputy

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)

FILED: February 13, 2023

In re: Ruth M. Ryan  
Contested Case No. W1-11-0384

**MINUTE ENTRY**

Courtroom 301 – Central Court Building

2:00 p.m. This is the time set for a telephonic Status Conference to obtain an update from Mr. Manteufel and Ms. Filloon regarding whether a Statement of Claimant has been filed before Special Water Master Susan Ward Harris.

The following parties/attorneys appear virtually through Court Connect:

- Kimberly Park and Kome Akpolo on behalf of Arizona Department of Water Resources (“ADWR”)
- Thomas Murphy on behalf of the Gila River Indian Community
- Joe Sparks on behalf of the San Carlos Apache Tribe
- Anthony Proano on behalf of the Tonto Apache Tribe
- Sue Montgomery on behalf of the Yavapai Apache Nation (and observing on behalf of Pascua Yaqui Tribe)
- Robert Manteufel, landowner, present on his own behalf
- Thomas Manteufel, landowner, present on his own behalf

- Terry Filloon, landowner, present on her own behalf
- Katrina Wilkinson observing on behalf of Salt River Project (“SRP”)
- Margaret Woodward on behalf of the United States proprietary agencies
- Laura Boyer on behalf of the United States Department of Justice

A record of the proceedings is made digitally in lieu of a court reporter.

The Court inquires as to the status of filing.

Ms. Filloon reports that she filed a Statement of Claimant on January 26, 2023 for domestic and irrigation water rights from two wells with a 1947 priority date located in the subflow zone.

Mr. Sparks agrees with the Court that ADWR should set a meeting with the parties to enable the parties to understand the process and try to resolve any objections.

Ms. Montgomery agrees with the Court’s proposal.

Ms. Woodward is not opposed to the Court’s proposal.

Ms. Filloon inquires as to objections. The Court informs the parties that they may view the objections to the watershed file report prepared by ADWR, watershed file report, and the orders on the website for the Maricopa County Superior Court. The General Adjudication can be found under the “Resources” tab for the Maricopa County Superior Court webpage. The individual cases, which includes copies of the objections, can be found on the “Active Cases” tab found on the General Adjudication webpage. The objections as well as all documents issued by the Court can be viewed using the following location:

<https://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp>

Mr. Robert Manteufel addresses the Court regarding the Statements of Claimant. The Court states that it appears that Statements of Claimant 39-175991 and 39-175992 were filed by the Manteufels, but the public records maintained by Arizona Department of Water Resources available on its website did not provide images of the filed Statements of Claimant.

Robert Manteufel said that he claimed a right to withdraw groundwater and listed 4/15/78 as the priority date. The source of water was groundwater located on section 32 township 20S range 20E in Cochise County. They claimed no diversion for irrigation or stockponds. The registration number for the well is 55-640633. The well is located on property owned by Thomas Manteufel. Claimed  $\frac{3}{4}$  - 1 acre feet of water per year.

Mr. Manteufel said that we not sure what the “claimed priority date” meant when he filed the original Statements of Claimant. He amended the Statement of Claimant with the 1978 priority date and filed with ADWR.

The Court explained that the priority date is the date when the water was first put to use on the property.

Mr. Robert Manteufel confirmed that the water claimed is used for domestic use.

Mr. Manteufel said that he tapped into and uses his father's well for water on his property. He said that he was told at the last meeting that if he was planning to ever get a well on his property, he needed to take care of it right now and put in a claim in so if he needed to drill a well, he could drill a well on his property. They said he could not have anything to do with the proceedings if he did not file a claim.

The Court said that these court proceedings do not deal with claims for future uses of water from a well to be drilled in the future. The general adjudication only deals with past and current uses of water.

Mr. Manteufel asked that if wanted to drill a well after these proceedings are over why could not he not put in a claim.

The Court explained that if he wanted to drill a well in the future, he needed to file with Arizona Department of Water Resources to obtain a well permit. The purpose of this general adjudication is not to deal with water use in the future.

Mr. Manteufel described his conversations with ADWR. He said that everything he has done has been for absolutely nothing.

Mr. Manteufel says he still doesn't know exactly what is going on because no one has ever said Mr. Manteufel this is exactly what is going on.

The Court explained that the Arizona legislature started the general adjudication to determine everyone's rights to appropriable water. The process for determining a water right involves the of a filing a Statement of Claimant, followed by ADWR's investigation of the claim and preparation of a report. Once the report is filed and distributed, objections may be filed to the report. In this case, the Statement of Claimant, the investigation, the report, and the filing of the objections occurred many decades ago. The Court is now getting to this case and the purpose is to determine water rights and resolve objections.

The Court explained that ADWR will schedule a meeting so the parties can discuss the claims and objections. ADWR will file a meeting report and then there will be another status conference set.

Based on the matters presented,

**IT IS ORDERED** that ADWR shall schedule a meeting with the parties within 30 days.

2:37 p.m. Matter concludes.

**LATER:**

The University of Arizona law school has established a legal clinic to assist landowners understand their water claims and rights. The following information is provided on the clinic's web page:

Have a question about the Arizona water rights adjudication? We may be able to help you reach settlement of your claim. Contact our team via email at [law-waterrights@list.arizona.edu](mailto:law-waterrights@list.arizona.edu) (link sends e-mail) or by phone at 520-621-6722.

Include the following information:

- Name and contact information
- Description of issue
- Whether you have already received legal assistance in some form
- Any applicable deadlines or time constraints.

Please bear in mind that as a student-based legal clinic, we maintain limited resources and cannot accept all proposed clients and matters. Matter selection will take into account such factors as the nature of the legal issue and its susceptibility to student counseling, the clinic's existing project load and the proposed client's ability to otherwise access legal counseling.

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