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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, W-2, W-3, W-4 (Consolidated)

Contested Case No. W1-11-0384

ORDER TO INITIATE CONTESTED CASE

AND

ORDER SETTING STATUS CONFERENCE

CONTESTED CASE NAME: *In re Ruth M. Ryan*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey WFR
DESCRIPTIVE SUMMARY: Case initiated and status conference set for **October 27, 2022 at 1:30 p.m.**
NUMBER OF PAGES: 15
DATE OF FILING: September 15, 2022

General Explanation

This Order begins the process necessary to adjudicate claims made for rights to appropriable water for use on land that the Cochise County Treasurer has identified as owned by Terry Filloon. Copies of this order are also being sent to Thomas and Robert Manteufel.

1 This contested case is one of the many cases in the General Stream Adjudication for the
2 San Pedro River watershed to determine legal rights to water. Other cases in which claims have
3 been made for legal rights to water in the San Pedro River watershed have been completed, are
4 in the process of determining water rights, or are awaiting initiation. The purpose of the General
5 Adjudication is to determine the rights of those persons who filed statement of claimants for
6 rights to use appropriable water in the San Pedro River Watershed. The General Adjudication
7 will also determine water rights in the Upper Salt, Verde, Upper Gila, Lower Gila, Agua Fria,
8 and Upper Santa Cruz watersheds.

9 In this case, Ruth M. Ryan (“Claimant”) filed a Statement of Claimant on January 2,
10 1985, for rights to use water for irrigation on land that she described as 23.033 acres of land in
11 Section 32 Township 20S Range 20E, consisting of two tax parcels. She identified the relevant
12 land as tax parcels 106-47-032-4 and 106-47-032A-3 encompassing 21.033 and 2 acres,
13 respectively. A copy of the map attached to the SOC is attached as Attachment A. Mrs. Ryan
14 listed the source of water as a well registered under registration no. 55-612340. The Arizona
15 Department of Water Resources (“ADWR”) investigated the claim and prepared a report known
16 as Watershed File Report No. 111-20-CA-006 (“WFR”) published in the Final San Pedro River
17 Watershed Hydrographic Survey WFR (1991). A copy of the WFR is attached as Attachment
18 B. It did not prepare a map showing the land investigated.

19 The WFR stated that ADWR found no uses of water and no sources of water on the land.
20 After ADWR issued the WFR, objections were filed to the findings made in the WFR. The
21 purpose of this case is to consider the claims made for water rights that are the subject of the
22 WFR and resolve the objections to the WFR.
23

24 **Claimant & Landowners**

25
26 The WFR identified Statement of Claimant (SOC) 39-11856 as the relevant claim. It
27 listed Ruth M. Ryan as the owner of the property described as located in Section 23 T20S R20E
28

1 with the water diverted from SWSWSW section 32 T20S R20E. The public records maintained
2 by ADWR do not include an assignment of the SOC to a successor landowner. The public
3 records maintained by ADWR also do not include any change in the registration of the ownership
4 of the well identified by Mrs. Ryan as the source of the water.

5 According to the Cochise Country Treasurer, tax parcel 106-47-032-4 was combined in
6 2020 with tax parcel 106-47-06706 to create tax parcel 106-47-032H. Terry Filloon is listed as
7 the current owner of tax parcel 106-47-032H that consists of 21.033 acres. Similarly, the Cochise
8 County Treasurer no longer has a tax parcel 106-47-032A-3. The legal description for tax parcel
9 106-47-032A-3 provided by Mrs. Ryan was for a two-acre parcel in section 32 T20 S R20 E.
10 On May 7, 1996, a Community Property with the Right of Survivorship Deed was recorded with
11 the Cochise County Recorder naming Ruth M. Ryan as the grantor and Thomas W. Manteufel
12 and Doris J. Manteufel as the grantees of that two-acre parcel of land in Section 32 Township 20
13 S Range 20E with a legal description found on the tax bill submitted by Mrs. Ryan with the SOC.
14 *See* Deed recorded at document #1996-11641. Thereafter, Thomas and Doris Manteufel signed
15 a Joint Tenancy Deed in favor of Robert and Janice Manteufel that appears to include land
16 received in the Community Property with the Right of Survivorship Deed. *See* Joint Tenancy
17 Deed filed with the Cochise County Recorder on April 17, 1997, at document #1997-09702.
18 The Cochise County Treasurer lists Thomas Manteufel and Robert Manteufel as the owners of
19 tax parcels 106-47-032D and 106-47-032G, respectively. A copy of the map prepared by the
20 Cochise Country Treasurer is attached as Attachment C.

21
22 **IT IS ORDERED:**

23 1. Contested Case. This contested case shall be known as *In re Ruth M. Ryan* and it
24 will address the Statement of Claimant and objections that were filed to Watershed File report
25 111-20-CA-006 published in the Final San Pedro River Watershed Hydrographic Survey Report
26 (1991). Copies of objections can be found under the case name and number on the following
27 website:
28

1 [http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)
2 [asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)

3 2. Litigants. The litigants in this contested case are the Claimant, the current
4 landowners, all persons who filed objections to the WFR, who are included on Attachment D,
5 and parties who are allowed to intervene by order.

6
7 3. Court-Approved Mailing List.

8 A. The initial Court-approved mailing list for this case shall include all
9 persons listed on Attachment D to this order. The list may be modified
10 only by filing a motion with the Special Master to amend the Court-
11 approved mailing list. Litigants are responsible for using the current
12 Court-approved mailing list.

13
14 B. A copy of any pleading filed with the Clerk of the Maricopa County
15 Superior Court in this case shall be served upon each person listed on the
16 Court-approved mailing list.

17
18 C. Claimants wishing to be added or removed from the mailing list shall file
19 a motion with the Special Master. Parties allowed to intervene will be
20 automatically added to the Court-approved mailing list.

21 D. The Clerk of the Court will send copies of all minute entries and orders
22 issued in this case to the parties listed on the Court-approved mailing list.
23 Upon request, the Clerk of the Court will provide copies by email. Parties
24 may request emailed copies of minute entries and orders by completing
25 and submitting a CONSENT FOR ELECTRONIC RECEIPT OF WATER
26 CASE DOCUMENTS, which is attached as Attachment E.
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ATTACHMENT B

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
RYAN, RUTH M.	111-20-CA-006

A P P L I C A B L E F I L I N G S A N D D E C R E E S

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES *W1-11-384*

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
39-0011856	QUE.RECD	IRRIGATION	161.00	32	200S	200E	1947	SWSWSW32	200S	200E

D W R A N A L Y S I S O F F I L I N G S A N D D E C R E E S

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
39-0011856	IRRIGATION	NONE		

P W R S U M M A R Y

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE* DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
NONE	39-0011856	NONE		

E X P L A N A T I O N

FILINGS AND DECREES

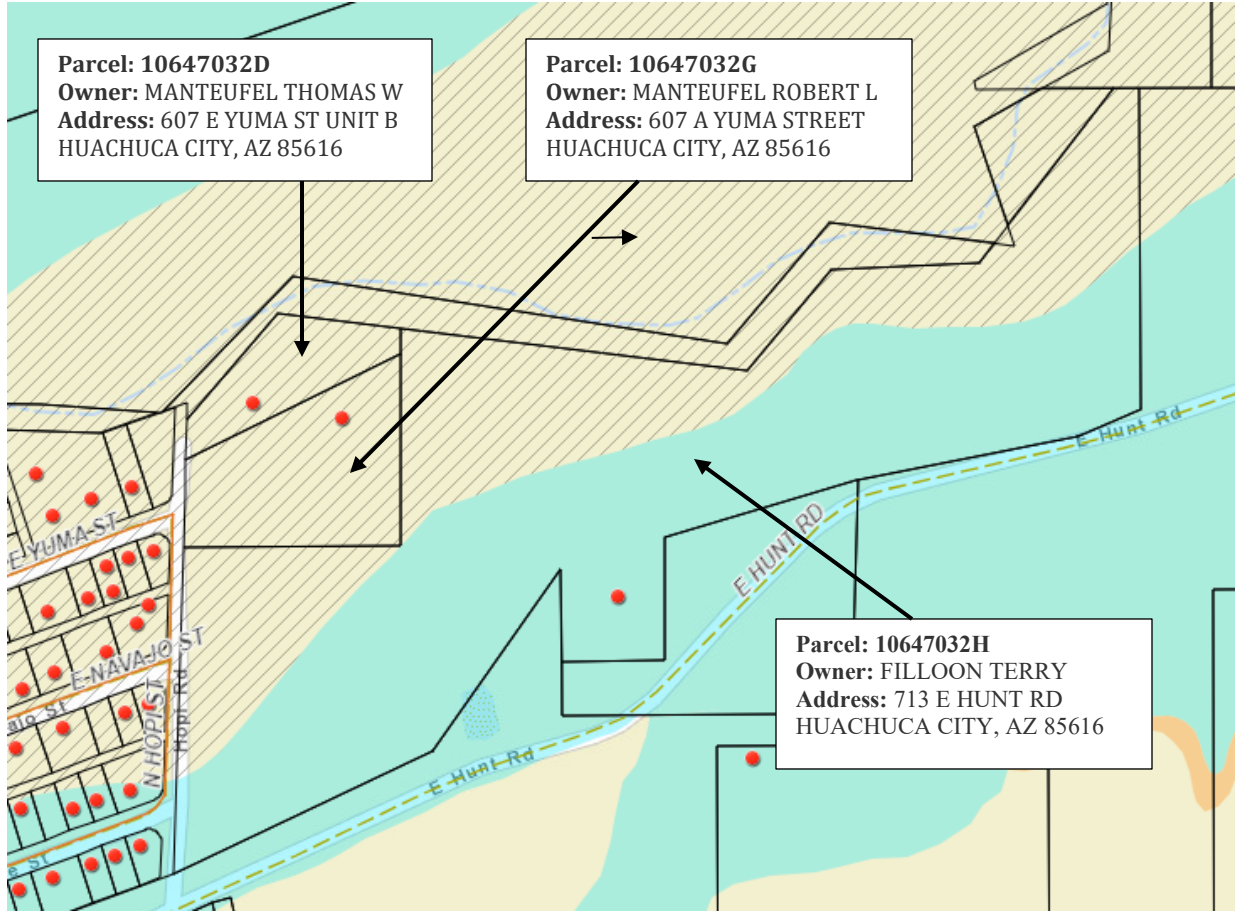
FILING 39-11856 - A UNIFORM QUESTIONNAIRE WAS RECEIVED WHICH PROVIDED A DIVERSION LOCATION.
 FILING 39-11856 - CLAIMS AN IRRIGATION WATER USE. NO IRRIGATION WAS FOUND AT THE CLAIMED LOCATION.

DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS

A COMMENT WAS RECEIVED FROM THE LAND OWNER STATING THAT IRRIGATION HAS NOT TAKEN PLACE FOR TEN YEARS.

ATTACHMENT C

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ATTACHMENT D

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3 Arizona Department of Water Resources
4 Kimberly R. Parks and Kome Akpolo
5 1110 West Washington, Suite 310
6 Phoenix, AZ 850007

Robert Manteufel
607 E. Yuma Street
Huachuca City, AZ 85616

7 Clerk of the Superior Court
8 Maricopa County
9 Attn: Water Case
601 West Jackson Street
Phoenix, AZ 85003

Ruth M. Ryan
2144 First Avenue
Safford, AZ 85546

10 Gila River Indian Community
11 Thomas L. Murphy
12 Office of the General Counsel
13 P. O. Box 97
14 Sacaton, AZ 85147

S. Montgomery, R. Interpreter, J. Tomkus
Montgomery & Interpreter, Plc
3301 E. Thunderbird Road
Phoenix, AZ 85032

15 Joe P. Sparks and Laurel A. Herrmann
16 The Sparks Law Firm, P.C.
17 7503 First Street
18 Scottsdale, AZ 85251-4573

Special Master Susan Ward Harris
Superior Court of Arizona
201 W. Jefferson Street
Courtroom 301
Phoenix, AZ 85003

19 Richard Palmer, Jr., Jeremiah Weiner
20 and Lauren Mulhern
21 Rosette, LLP
22 565 W. Chandler Blvd. Suite 212
23 Chandler, AZ 85225

Terry Filloon
713 E. Hunt Rd.
Huachuca City, AZ 85616

Thomas W. Manteufel
607 E. Yuma St. Unit B
Huachuca City, AZ 85616

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ATTACHMENT E

**CLERK OF THE COURT
SUPERIOR COURT OF ARIZONA**

Jeff Fine
Clerk

**MARICOPA COUNTY
Customer Service Center
601 West Jackson
Phoenix, AZ 85003**

602 372-4115
Water Case Clerk

CONSENT FOR ELECTRONIC RECEIPT OF WATER CASE DOCUMENTS

In an effort to provide more timely and cost effective distribution of copies of filed Water Case documents, the Clerk of the Superior Court would like implement electronic distribution via email. To do so, we require your consent to receive copies of documents electronically at an email address provided to our office.

This consent is voluntary and can be rescinded if you so choose. If you no longer wish to receive Water Case documents from the Clerk of Superior Court electronically, please send written notification to the Clerk of the Superior Court Water Case Specialist at the email address below requesting that all future records be sent in paper form.

Please note that if you consent to receive documents via email, you must notify the Clerk's Office of any change to your email address to avoid delay in receiving future filings. In the event there is no valid email address on file with the Clerk of the Superior Court Water Case Specialist, documents will be mailed to the address provided.

If you wish to consent to receive future documents via email, please either fill out the information below and mail to our office or provide the below information to Mayra.Antelo@Maricopa.Gov.

Preferred email address:

Alternate email address:

Physical address:

Phone number:

Firm Name:

Name [Printed]:

Signature:

Date:

Thank you,

Mayra Antelo
Clerk of the Superior Court
Water Case Specialist
(602) 372-5375 options 7,1,3,4

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ATTACHMENT F



Court Connect Hearing Notice for In re Ruth M. Ryan

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 online, rather than in 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 remote proceeding.

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 Ruth M. Ryan Contested Case No. W1-11-0384

Start Date/Time: October 27, 2022 at 1:30 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](#)

