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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. W1-11-1709

ORDER TO INITIATE CONTESTED CASE
AND
ORDER TO SET STATUS CONFERENCE

CONTESTED CASE NAME: *In re Joseph K. and Barbara D. Bring*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey WFR
DESCRIPTIVE SUMMARY: Case initiated and status conference set for **April 7, 2022 at 2:00 p.m.**
NUMBER OF PAGES: 14
DATE OF FILING: February 3, 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 Assessor has identified as owned by Randy S. Vincent. This contested case is one of the many cases in the Arizona General Stream Adjudication for the San Pedro River Watershed to determine legal rights to water. Other cases

1 in which claims have been made for legal rights to water in the San Pedro River Watershed have
2 been completed, are in the process of determining water rights, or awaiting initiation. The
3 purpose of the General Adjudication is to determine the rights of those persons who filed
4 Statements of Claimant for rights to use appropriable water in Arizona. The General
5 Adjudication will also determine water rights in the Upper Salt, Verde, Upper Gila, Lower Gila,
6 Agua Fria, and Upper Santa Cruz watersheds.

7
8 In this case, Walter J. Mayshar (“Claimant”) filed Statement of Claimant (“SOC”) 39-
9 10855 on July 23, 1984 for rights to water for irrigation and domestic use on Parcel 4A in Section
10 36 Township 17S Range 20E from well registered as 55-505755. The Arizona Department of
11 Water Resources (“ADWR”) investigated the claim, which it characterized as a claim for
12 irrigation and stock watering uses, and prepared a report known as Watershed File Report No.
13 112-17-AC-016 (“WFR”) published in the Final San Pedro River Watershed Hydrographic
14 Survey Report (1991). A copy of the WFR is attached as Attachment A.

15
16 The SOC includes claims with a priority date of 1983 from a well located in Section 36
17 T18S R21E. The WFR found no irrigation or domestic watering uses on the land described in
18 the WFR. After ADWR issued the WFR, objections were filed to the findings made in the
19 WFR. The purpose of this case is to consider the claims made for water rights that are the subject
20 of the WFR and resolve the objections to the WFR.
21

22 23 **Claimant & Landowner**

24
25 The WFR identified one SOC relevant to the potential water right: 39-4136. Walter J.
26 Mayshar filed the SOC claiming water for irrigation and stock watering uses. The WFR lists
27 Joseph and Barbara Bring as the owners of the property described as located in the southwest
28 quarter southwest quarter southeast quarter of the Section 36 Township 17S Range 20E. The

1 records of the Cochise County Assessor indicate that Randy S. Vincent is the owner of the land
2 described in the WFR. Randy S. Vincent owns tax parcel no. 124-24-019. The public records
3 of the Arizona Department of Water Resources do not contain an assignment of the SOC from
4 Walter Mayshar to a successor landowner. A copy of the map prepared by the Cochise County
5 Assessor showing tax parcel no. 124-24-019 is attached as Attachment B.
6

7
8 **IT IS ORDERED:**

9 1. Contested Case. This contested case shall be known as *In re Joseph K. and*
10 *Barbara D. Bring* and it will determine appropriable water rights asserted in the Statement of
11 Claimant and objections that were filed to Watershed File Report 112-17-AC-016 published in
12 the Final San Pedro River Watershed Hydrographic Survey Report (1991). Copies of objections
13 can be found under the case name and number on the following website:
14 [http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)
15 [asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)
16

17 2. Litigants. The litigants in this contested case are the Claimant, the current land
18 owner, all persons who filed objections to the WFR, and parties who are allowed to intervene by
19 order.
20

21 3. Court-Approved Mailing List.

22 A. The initial Court-approved mailing list for this case shall include all
23 persons listed on Attachment C to this order. The list may be modified
24 only by filing a motion with the Special Master to amend the Court-
25 approved mailing list. Litigants are responsible for using the current
26 Court-approved mailing list.
27
28

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

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


7
8 D. The Clerk of the Court will send copies of all minute entries and orders
9 issued in this case to the parties listed on the Court-approved mailing list.
10 Upon request, the Clerk of the Court will provide copies by email. Parties
11 may request emailed copies of minute entries and orders by completing
12 and submitting a CONSENT FOR ELECTRONIC RECEIPT OF WATER
13 CASE DOCUMENTS, which is attached as Attachment D.
14

15 4. Status Conference. An initial status conference shall be held to determine whether
16 the Claimant or current landowners, Randy S. Vincent, intend to pursue claims for rights to
17 appropriable water for irrigation or stock watering use. If no person claiming a water right
18 appears at the Status Conference, then Statement of Claimant 39-4136 and this case will be
19 dismissed and no further action will be taken with respect to the WFR or the objections filed to
20 the WFR.
21

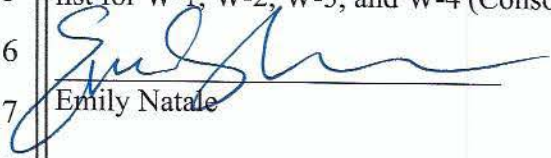
22 The Status Conference shall be held on **April 7, 2022 at 2:00 p.m.** The Status
23 Conference shall be held using the Court Connect program. Instructions for Court Connect are
24 attached as Attachment E. If you receive this Order by email, click on the red box “Join Court
25 Connect Hearing” on the attached instructions to make an appearance. If you do not receive this
26 Order by email, log into the Court Connect program on the internet by typing
27 <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend
28

1 telephonically using the telephone number and access code included in the instructions for Court
2 Connect. Alternatively, you may attend telephonically using the following instructions:

3
4 Instructions for telephonic appearance:
5 Dial: 602-506-9695 (local)
6 1-855-506-9695 (toll free long distance)
7 Dial Participant Pass Code 357264#

8
9 
10 SUSAN WARD HARRIS
Special Master

11
12 On February 3, 2022, the original of the foregoing was
13 delivered to the Clerk of the Maricopa County Superior
14 Court for filing and distributing a copy to all persons
15 listed on the Court-approved mailing list for this contested
16 case, a copy of which is attached hereto as Attachment C,
17 and to all persons listed on the Court-approved mailing
18 list for W-1, W-2, W-3, and W-4 (Consolidated).

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Emily Natale

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ATTACHMENT A

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
BRING, JOSEPH K.	112-17-AC-016
& BARBARA D.	

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

WI-11-1709

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
39-0010855	QUE.RECD	IRRIGATION DOMESTIC		SWSWSE36	170S	200E	1983	SWSWSE36	170S	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
39-0010855	IRRIGATION DOMESTIC	NONE 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	39-0010855	NONE		

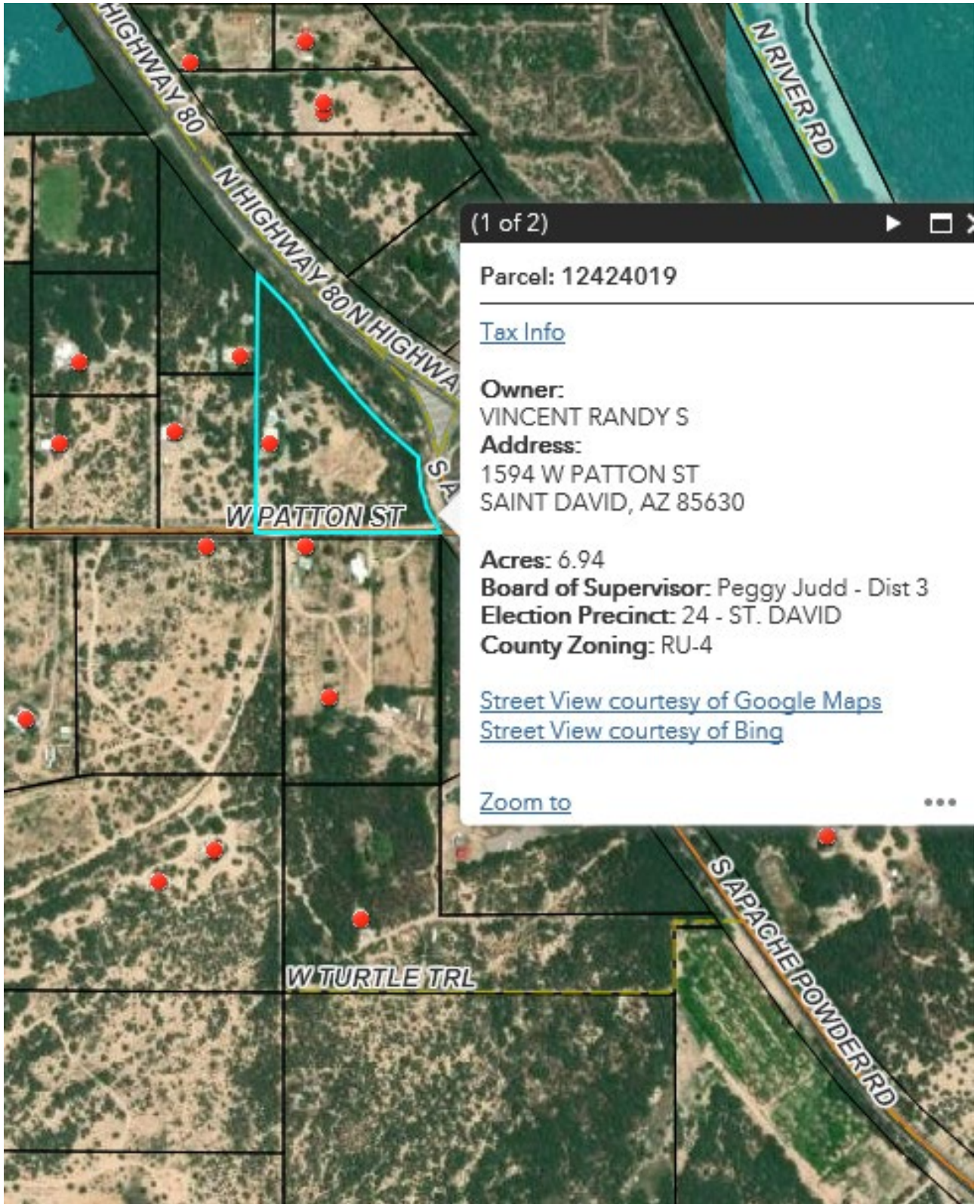
E X P L A N A T I O N

FILINGS AND DECREES

FILING 39-10855 - A UNIFORM QUESTIONNAIRE WAS RECEIVED WHICH PROVIDED THE WATER USE AND DIVERSION LOCATIONS.
 FILING 39-10855 - CLAIMS IRRIGATION AND DOMESTIC USES. NO IRRIGATION OR DOMESTIC USES WERE FOUND AT THE CLAIMED LOCATION.

ATTACHMENT B

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ATTACHMENT C

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3 Arizona Department of Water Resources
4 Kimberly Parks
5 P. O. Box 36020
6 Phoenix, AZ 85067

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

7 Clerk of the Superior Court
8 Maricopa County
9 Attn: Water Case
10 601 West Jackson Street
11 Phoenix, AZ 85003

Tonto Apache Tribe
Richard Palmer, Jr., Jeremiah Weiner
and Lauren Mulhern
Rosette, LLP
565 W. Chandler Blvd. Suite 212
Chandler, AZ 85225

12 Gila River Indian Community
13 Linus Everling and Thomas L. Murphy
14 Office of the General Counsel
15 P. O. Box 97
16 Sacaton, AZ 85147

Walter Mayshar
1111 E Limberlost Dr. #220
Tucson, AZ 85719

17 Randy S Vincent
18 1594 W Patton St
19 Saint David, Az 85630

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

20 San Carlos Apache Tribe
21 Joe P. Sparks and Laurel A. Herrmann
22 The Sparks Law Firm, P.C.
23 7503 First Street
24 Scottsdale, AZ 85251-4573

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ATTACHMENT D

**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 E



Court Connect Hearing Notice for In re Joseph K. & Barbara D. Bring

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 Joseph K. and Barbara D. Bring, Contested Case No. W1-11-1709

Start Date/Time: April 7, 2022 at 2:00 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](#)

