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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. W1-11-1795

ORDER TO INITIATE CONTESTED CASE  
AND  
ORDER TO SET STATUS CONFERENCE

CONTESTED CASE NAME: *In re Carlos Monreal*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey WFR  
DESCRIPTIVE SUMMARY: Case initiated and status conference set for **April 7, 2022 at 2:20 p.m.**  
NUMBER OF PAGES: 14  
DATE OF FILING: February 4, 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 Carlos Monreal, Jr. 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 are 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, Carlos Monreal, Jr. (“Claimant”) filed Statement of Claimant (“SOC”) 39-  
9 12837 on December 20, 1988 for rights to water for use on land in the northwest quarter of the  
10 southwest quarter of the southeast quarter of Section 25 Township 17S Range 20E. The Arizona  
11 Department of Water Resources (“ADWR”) investigated the claim, which it characterized as a  
12 claim for irrigation and domestic uses, and prepared a report known as Watershed File Report  
13 No. 112-17-ACC-118 (“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 for water for irrigation and domestic use with a priority date  
17 of January 1, 1990 from a well, well registration number 55-52181. The WFR found no  
18 irrigation or domestic watering uses on the land described in the WFR. After ADWR issued  
19 the WFR, objections were filed to the findings made in the WFR. The purpose of this case is  
20 to consider the claims made for water rights that are the subject of the WFR and resolve the  
21 objections to the WFR.  
22

### 23 24 25 **Claimant & Landowners**

26 The WFR identified one SOC relevant to the potential water right: 39-12837. Carlos  
27 Monreal, Jr. filed the SOC claiming water for irrigation and domestic uses. The WFR lists  
28 Carlos Monreal as the owner of the property described as located in the northwest quarter of the

1 southwest quarter of the southeast quarter of Section 25 Township 17S Range 20E. The records  
2 of the Cochise County Assessor indicate that Carlos Monreal, Jr. is still the owner of  
3 the land described in the WFR. Carlos Monreal, Jr. owns tax parcel no. 124-23-010. A  
4 copy of the map prepared by the Cochise County Assessor showing tax parcel no.  
5 124-23-010 is attached as Attachment B.

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7  
8 **IT IS ORDERED:**

9 1. Contested Case. This contested case shall be known as *In re Carlos Monreal* and  
10 it will determine appropriable water rights asserted in the Statement of Claimant and objections  
11 that were filed to Watershed File Report 112-17-ACC-118 published in the Final San Pedro River  
12 Watershed Hydrographic Survey Report (1991). Copies of objections can be found under the  
13 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, all persons who  
18 filed objections to the WFR, and parties who are allowed to intervene by order.

19  
20 3. Court-Approved Mailing List.

21 A. The initial Court-approved mailing list for this case shall include all  
22 persons listed on Attachment C to this order. The list may be modified  
23 only by filing a motion with the Special Master to amend the Court-  
24 approved mailing list. Litigants are responsible for using the current  
25 Court-approved mailing list.  
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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 current landowner, Carlos Monreal, intends to pursue claims for rights to appropriable water  
17 for irrigation or stock watering use. If no person claiming a water right appears at the Status  
18 Conference, then Statement of Claimant 39-12837 and this case will be dismissed and no further  
19 action will be taken with respect to the WFR or the objections filed to the WFR.  
20

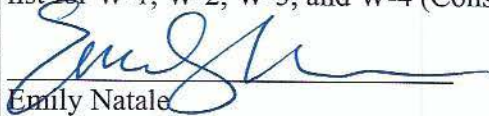
21 The Status Conference shall be held on **April 7, 2022 at 2:20 p.m.** The Status  
22 Conference shall be held using the Court Connect program. Instructions for Court Connect are  
23 attached as Attachment E. If you receive this Order by email, click on the red box “Join Court  
24 Connect Hearing” on the attached instructions to make an appearance. If you do not receive this  
25 Order by email, log into the Court Connect program on the internet by typing  
26 <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend  
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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 4, 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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# **ATTACHMENT A**

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
MONREAL, CARLOS	112-17-ACC-118

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-11-1795*

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION SECTION	LOCATION TWNP	RNGE
39-0012837		IRRIGATION	100.00	NWSWSE25	17OS	200E		NWSWSE25	17OS	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
39-0012837	IRRIGATION DOMESTIC	NONE NONE		

P W R S U M M A R Y

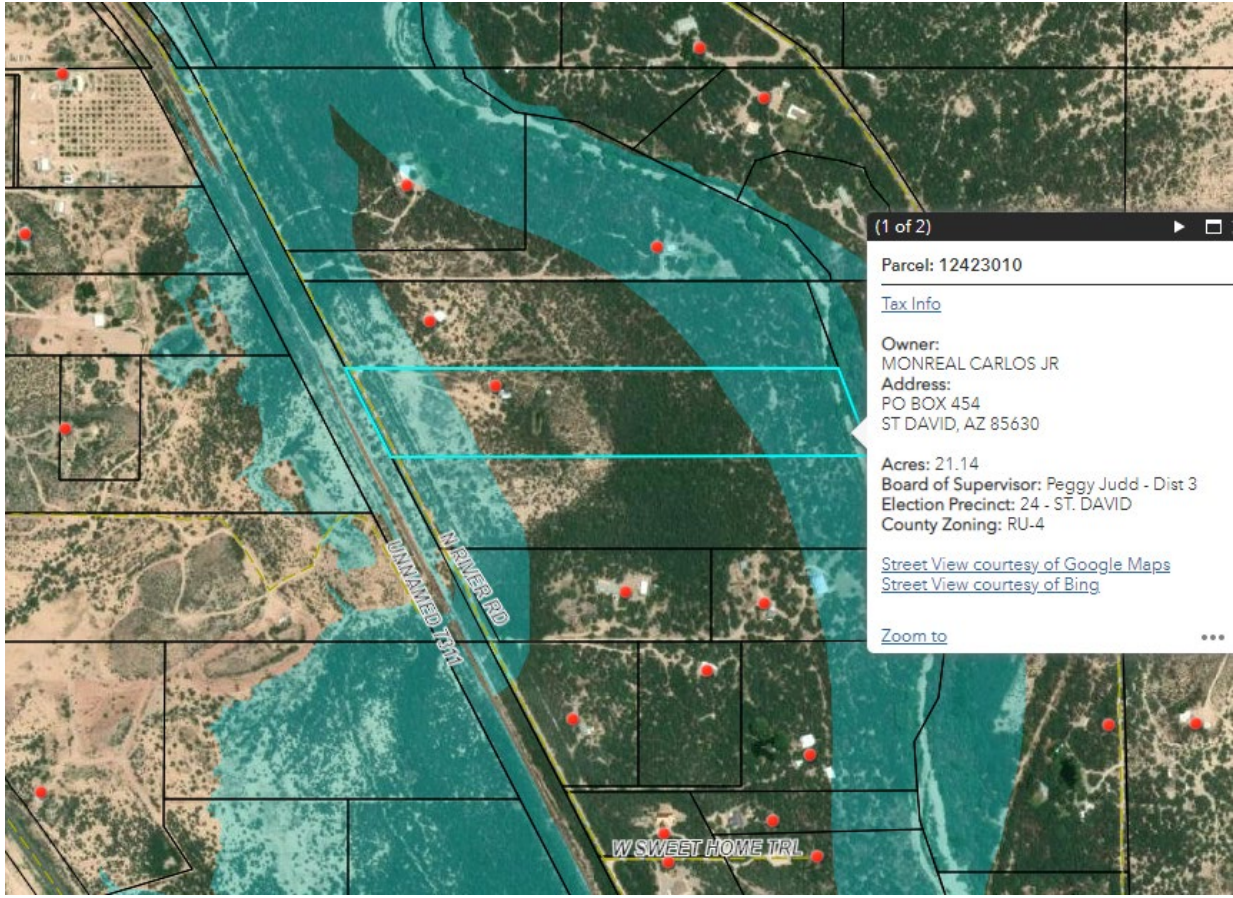
PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE* DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
NONE	39-0012837	NONE		

E X P L A N A T I O N

FILINGS AND DECREES  
 FILING 39-12387 - CLAIMS IRRIGATION AND DOMESTIC WATER USES. NO IRRIGATION OR DOMESTIC USES WERE FOUND AT THE CLAIMED LOCATION.

# ATTACHMENT B

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

Carlos Monreal Jr.  
PO Box 454  
St. David, AZ 85630

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

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

Josh Edelstein Phoenix Field Solicitor  
Office of the Solicitor  
U.S. Department of the Interior  
Sandra Day O'Connor U.S. Courthouse  
Ste. 404 401 W. Washington St., SPC 44  
Phoenix, AZ 85003

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

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

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

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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](mailto:Mayra.Antelo@Maricopa.Gov).

Preferred email address:

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Alternate email address:

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Physical address:

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Phone number:

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Firm Name:

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Name [Printed]:

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Signature:

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Date:

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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 Carlos Monreal

*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 Carlos Monreal, Contested Case No. W1-11-1795**

**Start Date/Time: April 7, 2022 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](#)

