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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 (Salt)  
W-2 (Verde)  
W-3 (Upper Gila)  
W-4 (San Pedro)  
Consolidated

CONTESTED CASE NO. W1-11-3346

**ORDER SETTING DATE FOR  
SUGGESTED CORRECTIONS OF  
PROPOSED WATER RIGHTS**

CONTESTED CASE NAME: *In re ASLD – Agro Land and Cattle Co.*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.  
DESCRIPTIVE SUMMARY: Abstracts issued for proposed water rights for stockwatering and stockpond uses analyzed by Watershed File Report number 115-05-023 and deadline set to file suggested corrections.  
NUMBER OF PAGES: 12  
DATE OF FILING: March 23, 2023

This case involves claims for water rights analyzed by Watershed File Report 115-05-023 (“WFR”) included in the final hydrographic survey report for the San Pedro Watershed (“San Pedro HSR”) filed on November 20, 1991. In the WFR prepared by Arizona Department


1 of Water Resources ("ADWR") it identified proposed water rights for SP001 and SP002,  
2 among others. It listed as the applicable filings in the WFR, Claims of a Water Right for a  
3 Stockpond 38-94528 and 38-76237 filed under the 1977 Stockpond Registration Act (A.R.S.  
4 §45-271 through §45-276). Arizona Revised Statute §45-272(A) provides:  
5

6 (A) The owner of any stockpond constructed after June 12, 1919 and prior to  
7 August 27, 1977, the capacity of which is not in excess of fifteen acre-feet  
8 and concerning which water rights litigation or protest to the state land  
9 department was not a matter or record prior to August 27, 1977, shall have  
10 a valid water right in such stockpond with priority as of the date of  
11 construction and shall be eligible for such evidence of validity as the  
12 director may prescribe.

13 According to the findings that ADWR included in the WFR, the two stockponds were first  
14 put to beneficial use in 1972 and 1942, respectively and were less than fifteen acre-feet in size.  
15 These two stockponds along with three stockwatering uses are eligible for adjudication under  
16 the summary procedures set forth in the Memorandum Decision, Findings of Fact, and  
17 Conclusions of Law for Group 1 Cases involving Stockwatering, Stockponds, and Domestic  
18 Uses, dated November 14, 1994, amended February 23, 1995, approved and modified  
19 September 27, 2002 ("Decision").

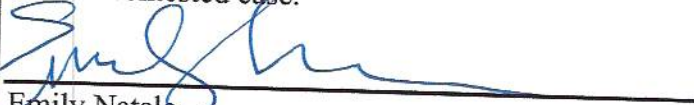
20 Proposed water right abstracts have been prepared for the *de minimis* water rights  
21 analyzed by Watershed File Report number 115-05-023 that are attached as Appendix A.

22 **IT IS ORDERED** that any suggested corrections to the proposed abstracts shall be filed  
23 on or before **June 30, 2023**.

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26   
27 Susan Ward Harris  
28 Special Master

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The original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court on March 23, 2023, for filing and distributing a copy to all persons listed on the Court approved mailing list for this contested case.

  
Emily Natale

Court Approved Mailing List  
In re ASLD - Agro Land and Cattle Co., Contested Case No. W1-11-3346  
W1-11-3346 (13 Names)  
Prepared by the Special Master  
3/23/2023

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Indian Resources Section  
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# APPENDIX A

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115-05-023-SP001

115-05-023-SP002

115-05-023-SW001

115-05-023-SW002

115-05-023-SW003



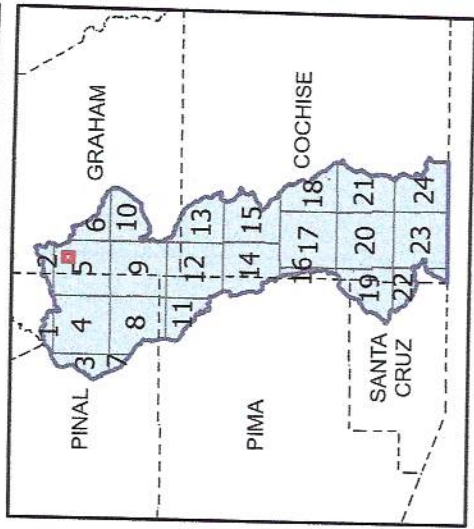
**WFR Boundary**

**Water Use Type**  
 Stockpond  
 Surface Water

**Township/Range**

**Section**

**Points of Diversion**  
 Diversion  
 Impoundment



Watershed File Report  
**115-05-023**  
 Landowner  
**ARIZONA STATE LAND DEPARTMENT**  
 HSR Region 05  
 San Pedro River  
  
 ADWR February 2023





**PROPOSED ABSTRACT OF POTENTIAL WATER RIGHT**

San Pedro River Watershed

1. Proposed Water Right	115-05-023-SP001
2. Owner of Right	State of Arizona - Arizona State Land Department
3. Landowner	State of Arizona - Arizona State Land Department
4. Statement of Claimant(s)	39-6779
5. Lessee or Permittee	The Nature Conservancy
6. Basis of Right	38-94528
7. Beneficial Use	Stock and wildlife watering from a stockpond
8. Priority Date	12/31/1971
9. Quantity	4.7 acre-feet annually with continuous fill
10. Place of Use	SESWNW23 06S 19E
11. Point of Diversion	I01 (SESWNW23 06S 19E)
12. Source of Water	Triangle Wash
13. Facility Name	Triangle Tank

Additional Information:

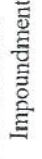


Beneficial Use



Stockpond

Point of Diversion



Impoundment

**115-05-023-SP001**

San Pedro River



ADWR February 2023



**PROPOSED ABSTRACT OF POTENTIAL WATER RIGHT**

San Pedro River Watershed

<b>1. Proposed Water Right</b>	115-05-023-SP002
<b>2. Owner of Right</b>	State of Arizona - Arizona State Land Department
<b>3. Landowner</b>	State of Arizona - Arizona State Land Department
<b>4. Statement of Claimant(s)</b>	39-6778, 39-12290
<b>5. Lessee or Permittee</b>	The Nature Conservancy
<b>6. Basis of Right</b>	10-0505525.1100, 38-0071077, 38-0076237, 38-0094526
<b>7. Beneficial Use</b>	Stock and wildlife watering from a stockpond
<b>8. Priority Date</b>	12/31/1942
<b>9. Quantity</b>	Not to exceed (≤) 4 acre-feet annually with continuous fill
<b>10. Place of Use</b>	SWSWSE23 06S 19E
<b>11. Point of Diversion</b>	I02 (SWSWSE23 06S 19E)
<b>12. Source of Water</b>	Blackhill Wash
<b>13. Facility Name</b>	Blackhill Tank

Additional Information:



Scale: 1:1,000  
Basemap: NAD 2011

- Beneficial Use
- Stockpond
- Point of Diversion
- Impoundment

**115-05-023-SP002**

San Pedro River



ADWR February 2023



**PROPOSED ABSTRACT OF POTENTIAL WATER RIGHT**

San Pedro River Watershed

1. Proposed Water Right	115-05-023-SW001
2. Owner of Right	State of Arizona - Arizona State Land Department
3. Landowner	State of Arizona - Arizona State Land Department
4. Statement of Claimant(s)	39-6779
5. Lessee or Permittee	The Nature Conservancy
6. Basis of Right	36-4945
7. Beneficial Use	Stock and wildlife watering
8. Priority Date	12/31/1884
9. Quantity	Reasonable use
10. Place of Use	NENESW23 06S 19E
11. Point of Diversion	D01 (NENESW23 06S 19E)
12. Source of Water	Triangle Wash

Additional Information:



Scale: 1:5,000  
Basemap: NAIP 2019

- Point of Diversion**
- ◆ Diversion
  - ◆ Impoundment
  -  Stockpond

**115-05-023-SW001**

**San Pedro River**



ADWR February 2023

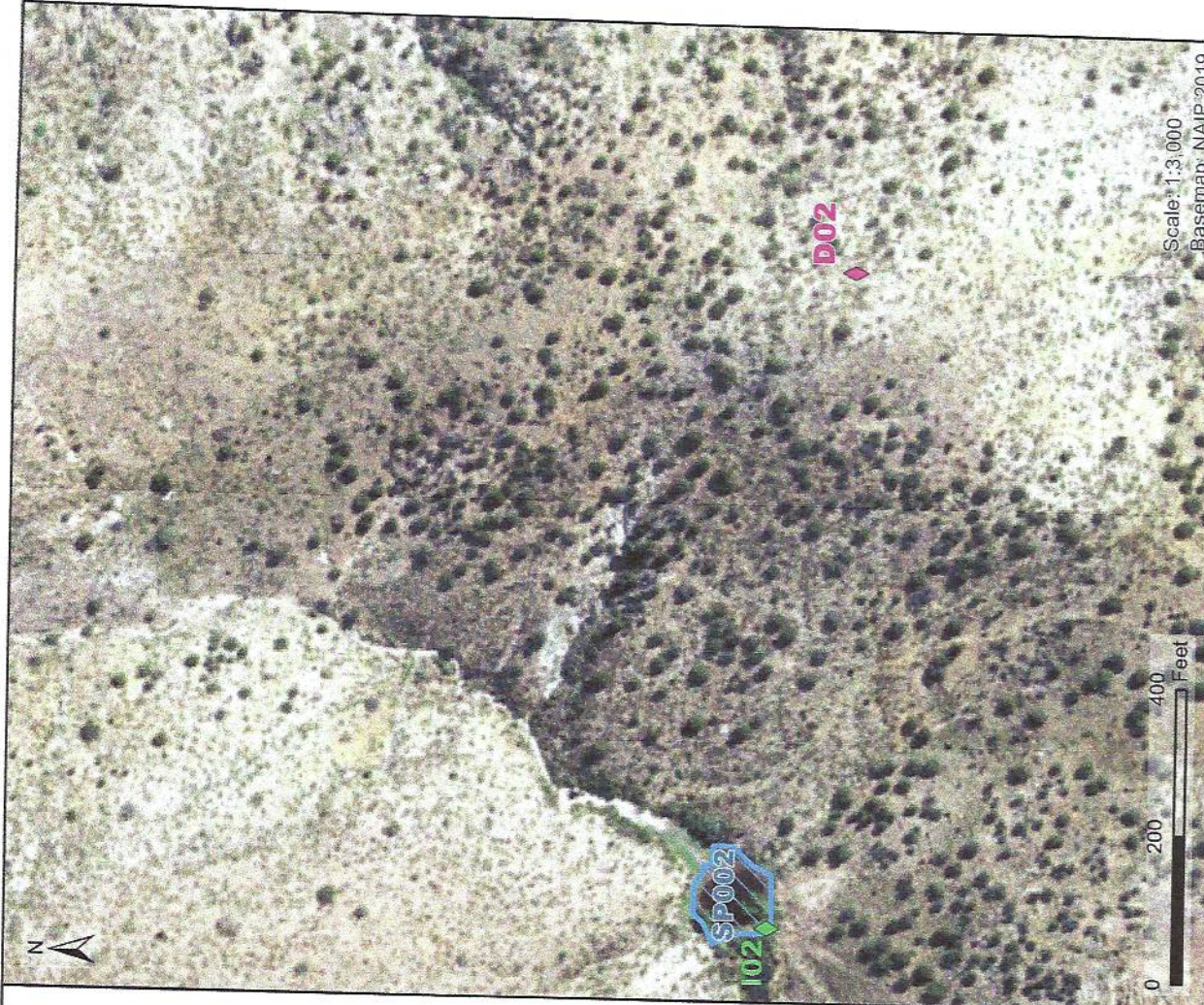


**PROPOSED ABSTRACT OF POTENTIAL WATER RIGHT**

San Pedro River Watershed

<b>1. Proposed Water Right</b>	115-05-023-SW002
<b>2. Owner of Right</b>	State of Arizona - Arizona State Land Department
<b>3. Landowner</b>	State of Arizona - Arizona State Land Department
<b>4. Statement of Claimant(s)</b>	39-6778
<b>5. Lessee or Permittee</b>	The Nature Conservancy
<b>6. Basis of Right</b>	10-0505525.1100, 36-4944
<b>7. Beneficial Use</b>	Stock and wildlife watering
<b>8. Priority Date</b>	12/31/1884
<b>9. Quantity</b>	Reasonable use
<b>10. Place of Use</b>	NESWSE23 06S 19E
<b>11. Point of Diversion</b>	D02 (SESWSE23 06S 19E)
<b>12. Source of Water</b>	Blackhill Wash

Additional Information:



Scale: 1:3,000  
Basemap: NAIP 2019

**115-05-023-SW002**

**San Pedro River**



ADWR February 2023

**Point of Diversion**

-  Diversion
-  Stockpond
-  Impoundment

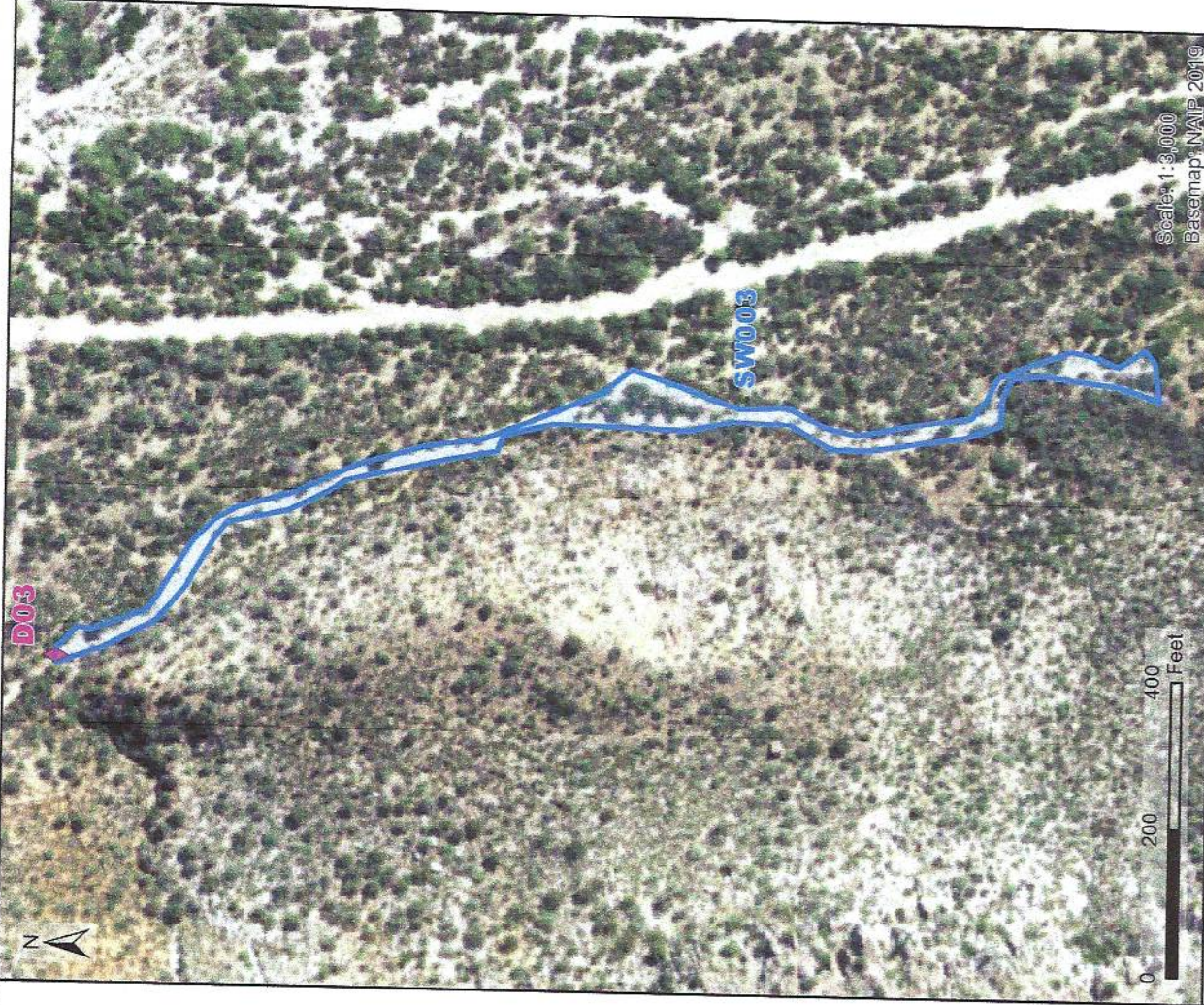


**PROPOSED ABSTRACT OF POTENTIAL WATER RIGHT**

San Pedro River Watershed

1. Proposed Water Right	115-05-023-SW003
2. Owner of Right	State of Arizona - Arizona State Land Department
3. Landowner	State of Arizona - Arizona State Land Department
4. Statement of Claimant(s)	39-13160
5. Lessee or Permittee	The Nature Conservancy
6. Basis of Right	10-505525, 36-5409
7. Beneficial Use	Stock and wildlife watering
8. Priority Date	12/31/1884
9. Quantity	Reasonable use
10. Place of Use	SENESE23 06S 19E
11. Point of Diversion	D03 (SENESE23 060S 190E)
12. Source of Water	Top Draw Wash

Additional Information:



**115-05-023-SW003**

San Pedro River



ADWR February 2023

**Beneficial Use**

Stockwatering

**Point of Diversion**

Diversion