

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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. W1-11-2665

ORDER SETTING DATE FOR
SUGGESTED CORRECTIONS OF
PROPOSED WATER RIGHTS FOR
REDFIELD CANYON

CONTESTED CASE NAME: *In re Redfield Canyon State Claims*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master issues abstracts for proposed water rights for stockponds and stock watering analyzed by Watershed File Report No. 113-12-009 and sets a deadline to file suggested corrections.

NUMBER OF PAGES: 13

DATE OF FILING: June 10, 2019

1 This case involves *de minimis* claims for water rights analyzed by watershed file report
2 no. 113-12-009 included in the final hydrographic survey report for the San Pedro Watershed
3 (“San Pedro HSR”) filed on November 20, 1991. In 1994, the Special Master issued a
4 Memorandum Decision, Findings of Fact, and Conclusions of Law for Group 1 Cases involving
5 Stock watering, Stockponds, and Domestic Uses, dated November 14, 1994, amended February
6 23, 1995, approved and modified September 27, 2002 (“Decision”). The Decision established
7 the procedures for adjudicating *de minimis* water rights for claims in the San Pedro watershed.
8

9 Once the proposed water right abstracts have been prepared, “the litigants will be
10 provided an opportunity to suggest the correction of mistakes in the proposed abstracts.”
11 Decision, p. 47. This proceeding is not a forum in which to relitigate the Decision, which was
12 the subject of years of briefing and has now been affirmed for more than 14 years.
13 Subsequently, these abstracts will be included in a catalog of proposed water rights where they
14 will be subject to very limited set of objections and ultimately in a final decree.
15

16 As required by the Decision, proposed water right abstracts have been prepared for the *de*
17 *minimis* water rights analyzed by watershed file report no. 113-12-009 which are attached as
18 Appendix A.
19

20 **IT IS ORDERED** that any suggested corrections to the proposed abstracts shall be filed
21 on or before August 9, 2019.



Susan Ward Harris
Special Master

22
23
24
25 The original of the foregoing was delivered to the Clerk
26 of the Maricopa County Superior Court on June 10,
27 2018, for filing and distributing a copy to all persons
28 listed on the Court approved mailing list for this
Contested Case.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

APPENDIX A

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	113-12-009-SP001
2. Owner of Water Right:	United States
3. Landowner:	United States
4. Statement of Claimant No.(s):	39-5582, 39-7288
5. Statement of Claimant Name(s):	Bureau of Land Management
6. Lessee or Permittee:	C Spear LLC
7. Basis of Right:	38-80698, 38-88472
8. Beneficial Use:	Stockpond
9. Priority Date:	December 31, 1935
10. Quantity:	Not to exceed (\leq) 4 acre feet annually with continuous refill
11. Place of Use:	NENWSE 22 T12S R20E
12. Point of Diversion:	NENWSE 22 T12S R20E
13. Source of Water:	San Pedro River
14. Name of Facility:	Yellow Bluff Tank

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	113-12-009-SP002
2. Owner of Water Right:	United States
3. Landowner:	United States
4. Statement of Claimant No.(s):	39-5584, 39-7293
5. Statement of Claimant Name(s):	Bureau of Land Management
6. Lessee or Permittee:	C Spear LLC
7. Basis of Right:	38-80699, 38-88523
8. Beneficial Use:	Stockpond
9. Priority Date:	December 31, 1935
10. Quantity:	Not to exceed (\leq) 4 acre feet annually with continuous refill
11. Place of Use:	SENE SW 28 T12S R20E
12. Point of Diversion:	SENE SW 28 T12S R20E
13. Source of Water:	San Pedro River
14. Name of Facility:	Soza Mesa Tank

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	113-12-009-SP003
2. Owner of Water Right:	United States
3. Landowner:	United States
4. Statement of Claimant No.(s):	39-7294
5. Statement of Claimant Name(s):	Bureau of Land Management
6. Lessee or Permittee:	C Spear LLC
7. Basis of Right:	38-88724
8. Beneficial Use:	Stockpond
9. Priority Date:	December 31, 1957
10. Quantity:	Not to exceed (\leq) 4 acre feet annually with continuous refill
11. Place of Use:	SESWSE 29 T12S R20E
12. Point of Diversion:	SESWSE 29 T12S R20E
13. Source of Water:	San Pedro River
14. Name of Facility:	Unnamed Tank #1

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	113-12-009-SP004
2. Owner of Water Right:	United States
3. Landowner:	United States
4. Statement of Claimant No.(s):	39-7277
5. Statement of Claimant Name(s):	Bureau of Land Management
6. Lessee or Permittee:	C Spear LLC
7. Basis of Right:	38-88719
8. Beneficial Use:	Stockpond
9. Priority Date:	December 31, 1957
10. Quantity:	Not to exceed (\leq) 4 acre feet annually with continuous refill
11. Place of Use:	NESENW 36 T12S R19E
12. Point of Diversion:	NESENW 36 T12S R19E
13. Source of Water:	San Pedro River
14. Name of Facility:	Unnamed Tank #2

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	113-12-009-SP005
2. Owner of Water Right:	United States
3. Landowner:	United States
4. Statement of Claimant No.(s):	39-7279
5. Statement of Claimant Name(s):	Bureau of Land Management
6. Lessee or Permittee:	C Spear LLC
7. Basis of Right:	38-88721
8. Beneficial Use:	Stockpond
9. Priority Date:	December 31, 1957
10. Quantity:	Not to exceed (\leq) 4 acre feet annually with continuous refill
11. Place of Use:	NESENW 36 T12S R19E
12. Point of Diversion:	NESENW 36 T12S R19E
13. Source of Water:	San Pedro River
14. Name of Facility:	Unnamed Tank #3

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	113-12-009-SW001
2. Owner of Water Right:	United States
3. Landowner:	United States
4. Statement of Claimant No.(s):	39-7284, 39-7285
5. Statement of Claimant Name(s):	Bureau of Land Management
6. Lessee or Permittee:	C Spear LLC
7. Basis of Right:	4A-0820
8. Beneficial Use:	Stock watering
9. Priority Date:	December 31, 1915
10. Quantity:	Reasonable Use
11. Place of Use:	NENENW 20 T12S R20E
12. Point of Diversion:	NENENW 20 T12S R20E
13. Source of Water:	San Pedro River
14. Name of Facility:	Eureka Spring

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	113-12-009-SW002
2. Owner of Water Right:	United States of America
3. Landowner:	United States of America
4. Statement of Claimant No.(s):	39-5552, 39-7295
5. Statement of Claimant Name(s):	Bureau of Land Management
6. Lessee or Permittee:	C Spear LLC
7. Basis of Right:	36-34403
8. Beneficial Use:	Stock watering
9. Priority Date:	December 31 st , 1918
10. Quantity:	Reasonable use
11. Place of Use:	SESW 33 T12S R20E
12. Point of Diversion:	SESW 33 T12S R20E
13. Source of Water:	San Pedro River
14. Name of Facility:	Lower Blanco Spring

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	113-12-009-SW003
2. Owner of Water Right:	United States
3. Landowner:	United States
4. Statement of Claimant No.(s):	39-5551, 39-7296
5. Statement of Claimant Name(s):	Bureau of Land Management
6. Lessee or Permittee:	C Spear LLC
7. Basis of Right:	36-34402
8. Beneficial Use:	Stock watering
9. Priority Date:	December 31, 1912
10. Quantity:	Reasonable use
11. Place of Use:	NWNESE 34 T12S R20E
12. Point of Diversion:	NWNESE 34 T12S R20E
13. Source of Water:	San Pedro River
14. Name of Facility:	Cocktail Spring

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	113-12-009-SW004
2. Owner of Water Right:	United States
3. Landowner:	United States
4. Statement of Claimant No.(s):	39-4870, 39-7271, 39-13618
5. Statement of Claimant Name(s):	Bureau of Land Management
6. Lessee or Permittee:	C Spear LLC
7. Basis of Right:	33-94370
8. Beneficial Use:	Stock watering
9. Priority Date:	December 31, 1988
10. Quantity:	Reasonable use
11. Place of Use:	NESENW 34 T11S R20E
12. Point of Diversion:	None
13. Source of Water:	San Pedro River
14. Name of Facility:	Instream Use

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	113-12-009-SW005
2. Owner of Water Right:	United States
3. Landowner:	United States
4. Statement of Claimant No.(s):	39-4872, 39-5548, 39-7297, 39-13619
5. Statement of Claimant Name(s):	Bureau of Land Management
6. Lessee or Permittee:	C Spear LLC
7. Basis of Right:	36-34399
8. Beneficial Use:	Stock watering
9. Priority Date:	December 31, 1918
10. Quantity:	Reasonable use
11. Place of Use:	SESESE 27 T12S R20E
12. Point of Diversion:	None
13. Source of Water:	San Pedro River
14. Name of Facility:	Instream Use