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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. W1-11-3326

ORDER APPROVING PROPOSED
WATER RIGHT ABSTRACTS

CONTESTED CASE NAME: *In re Lackner*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master approves abstracts for proposed water rights for
de minimis stockpond and stock watering uses: 115-05-004-SW009, 115-05-038-SP003, 115-05-
038-SP004, 115-05-038-SW003, and 115-05-042-SW001

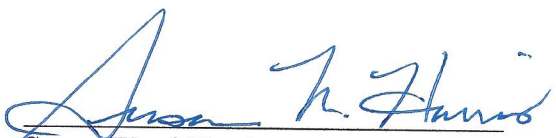
NUMBER OF PAGES: 9.

DATE OF FILING: June 11, 2019

On April 5, 2019, five proposed abstracts were prepared and distributed to the parties for

1 comments by June 4, 2019. On May 17, 2019, Salt River Project Agricultural Improvement and
2 Power District and Salt River Valley Water User's Association filed a comment with respect to
3 115-05-038-SP003. No other comments have been received.

4 **IT IS ORDERED** approving the five proposed water right abstracts, 115-05-004-
5 SW009, 115-05-038-SP003, 115-05-038-SP004, 115-05-038-SW003, and 115-05-042-SW001,
6 attached as Appendix A. The abstracts will be included in a Catalog of Proposed Water Rights
7 created pursuant to §15 of the Rules for Proceeding before the Special Master.
8

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12 Susan Ward Harris
13 Special Master

14 The original of the foregoing was delivered to
15 the Clerk of the Maricopa County Superior
16 Court on June 11, 2019, for filing and
17 distributing a copy to all persons listed on the
18 Court approved mailing list for this contested
19 case
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APPENDIX A

Abstract of Water Right San Pedro Watershed

1. Proposed Water Right No:	115-05-004-SW009
2. Owner of Water Right:	Norma L. Lackner, Kirrilla M. Jeremy and William Ernest Lackner, Co-Trustees of the Lackner Living Trust, dated June 30, 1980
3. Landowner:	State of Arizona (State Land Department)
4. Statement of Claimant No.(s):	39-0003489
5. Statement of Claimant Name(s):	Norma L. Lackner, Kirrilla M. Jeremy and William Ernest Lackner, Co-Trustees of the Lackner Living Trust, dated June 30, 1980
6. Lessee or Permittee:	Norma L. Lackner, Kirrilla M. Jeremy and William Ernest Lackner, Co-Trustees of the Lackner Living Trust, dated June 30, 1980
7. Basis of Right:	36-0025578
8. Beneficial Use	Stock watering and wildlife
9. Priority Date	January 1, 1932
10. Quantity:	Reasonable Use
11. Place of Use:	SE SW SE 33 T7S 19E
12. Point of Diversion:	SE SW SE 33 T7S 19E
13. Source of Water:	Right Prong Four Mile Canyon
14. Name of Facility:	Developed Spring #11

Abstract of Water Right San Pedro Watershed

1. Proposed Water Right No:	115-05-038-SP003
2. Owner of Water Right:	Norma L. Lackner, Kirrilla M. Jeremy and William Ernest Lackner, Co-Trustees of the Lackner Living Trust, dated June 30, 1980
3. Landowner:	Norma L. Lackner, Kirrilla M. Jeremy and William Ernest Lackner, Co-Trustees of the Lackner Living Trust, dated June 30, 1980
4. Statement of Claimant No.(s):	39-17986
5. Statement of Claimant Name(s):	Norma L. Lackner, Kirrilla M. Jeremy and William Ernest Lackner, Co-Trustees of the Lackner Living Trust, dated June 30, 1980
6. Lessee or Permittee:	None
7. Basis of Right:	38-0095737
8. Beneficial Use	Stock Pond
9. Priority Date	January 1, 1948
10. Quantity:	Not to exceed (\leq) 4 ac-ft. with continuous fill
11. Place of Use:	SESWNW 29 T7S R19E
12. Point of Diversion:	SESWNW 29 T7S R19E
13. Source of Water:	Turkey Creek
14. Name of Facility:	Van Dyke Tank

Abstract of Water Right San Pedro Watershed

1. Proposed Water Right:	115-05-038-SP004
2. Owner of Right:	Norma L. Lackner, Kirrilla M. Jeremy, and William Ernest Lackner, Co-Trustees of the Lackner Living Trust Dated June 30, 1980
3. Landowner:	Norma L. Lackner, Kirrilla M. Jeremy, and William Ernest Lackner, Co-Trustees of the Lackner Living Trust Dated June 30, 1980
4. Statement of Claimant No.(s):	39-0003475
5. Statement of Claimant Name(s):	Norma L. Lackner, Kirrilla M. Jeremy, and William Ernest Lackner, Co-Trustees of the Lackner Living Trust Dated June 30, 1980
6. Lessee or Permittee:	None
7. Basis of Right:	38-0025560
8. Beneficial Use:	Stockpond and Stockwatering
9. Priority Date:	December 31, 1948
10. Quantity:	Not to exceed (≤) 4 acre-feet with continuous fill
11. Place of Use:*	NW SE NW Section 27 T07S R19E SW NW NE Section 27 T07S R19E NE SW NE Section 27 T07S R19E NE SE NE Section 27 T07S R19E NE NE SW Section 27 T07S R19E NW NE SE Section 27 T07S R19E NE NE NW Section 28 T07S R19E SW SE NE Section 28 T07S R19E (Horse Pasture Dirt Tank)
12. Point of Diversion:	SW SE NE Section 28 T07S R19E
13. Source of Water:	Turkey Creek
14. Name of Facility:	Dirt Tank #3 (Horse Pasture Dirt Tank)

Additional Information

*Horse Pasture Dirt Tank connects directly to a pipeline. The additional places of use represent troughs and drinkers that are supplied water from Horse Pasture Dirt Tank via the pipeline.

Abstract of Water Right San Pedro Watershed

1. Proposed Water Right:	115-05-038-SW003
2. Owner of Right:	Norma L. Lackner, Kirrilla M. Jeremy, and William Ernest Lackner, Co-Trustees of the Lackner Living Trust Dated June 30, 1980
3. Landowner:	Norma L. Lackner, Kirrilla M. Jeremy, and William Ernest Lackner, Co-Trustees of the Lackner Living Trust Dated June 30, 1980 State of Arizona (State Land Department)*
4. Statement of Claimant No.(s):	39-0003506
5. Statement of Claimant Name(s):	Norma L. Lackner, Kirrilla M. Jeremy, and William Ernest Lackner, Co-Trustees of the Lackner Living Trust Dated June 30, 1980
6. Lessee or Permittee:	None
7. Basis of Right:	36-0025575 55-xxxxxxx 55-xxxxxxx
8. Beneficial Use:	Stockwatering and Wildlife
9. Priority Date:	December 31, 1913
10. Quantity:	Reasonable use
11. Place of Use:	SW NE SE Section 20 T07S R19E (ASLD) SW NE NE Section 20 T07S R19E (ASLD) SW NW NE Section 20 T07S R19E (ASLD) NE NE SW Section 20 T07S R19E SW SE SW Section 20 T07S R19E NW NW NE Section 29 T07S R19E NW NW NW Section 29 T07S R19E SW NE NE Section 30 T07S R19E <u>SW SW NE Section 30 T07S R19E (Doc Ison Spring)</u>
12. Point of Diversion:	Doc Ison Spring: SW SW NE Section 30 T07S R19E Well: SW SE SW Section 20 T07S R19E Well: NW NE NE Section 30 T07S R19E
13. Source of Water:	Turkey Creek
14. Name of Facility:	Doc Ison Spring

Additional Information

Abstract of Water Right San Pedro Watershed

1. Proposed Water Right:	115-05-042-SW001
2. Owner of Right:	Norma L. Lackner, Kirrilla M. Jeremy, and William Ernest Lackner, Co-Trustees of the Lackner Living Trust Dated June 30, 1980
3. Landowner:	Norma L. Lackner, Kirrilla M. Jeremy, and William Ernest Lackner, Co-Trustees of the Lackner Living Trust Dated June 30, 1980 State of Arizona (State Land Department)*
4. Statement of Claimant No.(s):	39-0003491
5. Statement of Claimant Name(s):	Norma L. Lackner, Kirrilla M. Jeremy, and William Ernest Lackner, Co-Trustees of the Lackner Living Trust Dated June 30, 1980
6. Lessee or Permittee:	Norma L. Lackner, Kirrilla M. Jeremy, and William Ernest Lackner, Co-Trustees of the Lackner Living Trust Dated June 30, 1980
7. Basis of Right:	10-0501044.3200 10-0505563.1100 36-0025570
8. Beneficial Use:	Stockwatering and Wildlife
9. Priority Date:	December 31, 1913
10. Quantity:	Reasonable Use
11. Place of Use*:	NE NE NE Section 19 T07S R19E (<u>Garden Spring</u>) SW SW NE Section 17 T07S R19E (ASLD) SE SE NW Section 17 T07S R19E (ASLD) NW NE SW Section 17 T07S R19E (ASLD) SE NW SE Section 17 T07S R19E (ASLD)
12. Point of Diversion:	NE NE NE Section 19 T07S R19E
13. Source of Water:	Garden Spring Canyon
14. Name of Facility:	Garden Spring

Additional Information

*The spring is located on deeded land owned by the Lackner Living Trust Dated June 30, 1980, in Section 19 T07S R19E and connected to a pipeline that is situated on land owned by the State of Arizona in Section 17 T07S R19E. Each additional place of use identified above represents a trough or drinker that is connected to the pipeline and receives water from the spring.

*The spring is located on deeded land owned by the Lackner Living Trust dated June 30, 1980, in Section 30 Township 07 South Range 19 East and is connected to a pipeline that extends onto land owned by the State of Arizona (State Land Department) in Section 20 Township 07 South Range 19 East. Each additional place of use identified above represents a trough or drinker located along the pipeline that receives water from the spring and wells.