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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. W1-11-1017

ORDER TO INITIATE CONTESTED CASE

AND

ORDER SETTING STATUS CONFERENCE

CONTESTED CASE NAME: *In re Mary Reilly*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey WFR
DESCRIPTIVE SUMMARY: Case initiated and status conference set for **October 7, 2021** at **1:50 p.m.**
NUMBER OF PAGES: 15
DATE OF FILING: August 12, 2021

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 Karolin Martinez. This contested case is one of the many cases in the 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 statement of claimants for rights to use appropriable water in the San Pedro River Watershed.
5 The General Adjudication will also determine water rights in the Upper Salt, Verde, Upper Gila,
6 Lower Gila, Agua Fria, and Upper Santa Cruz watersheds.

7 In this case, Mary G. Reilly (“Claimant”) filed a Statement of Claimant on July 26, 1979
8 for rights to water on land described in a subsequently submitted Uniform Questionnaire as
9 located on Lot 1, Block 11, Miracle Valley Unit 1 Subdivision in the W2SW Section 31 T23S
10 R22E in Cochise County. The Arizona Department of Water Resources (“ADWR”) investigated
11 the claim, which it characterized as claims for irrigation and domestic uses, and prepared a report
12 known as Watershed File Report No. 111-23-DA-014 001017# (“WFR”) published in the Final
13 San Pedro River Watershed Hydrographic Survey WFR (1991). A copy of the WFR is attached
14 as Attachment A.

15 The WFR included no legal description of the land, found no use of water on the land,
16 and no sources of water for use on the land. After ADWR issued the WFR, objections were filed
17 to the findings made in the WFR. The purpose of this case is to consider the claims made for
18 water rights that are the subject of the WFR and resolve the objections to the WFR.
19

20 **Claimant & Landowners**

21
22 The WFR identified one Statement of Claimant (SOC) relevant to the potential water
23 right: 39-12580. Mary Reilly filed a SOC claiming water for domestic use that was purchased
24 from the Miracle Valley Water Company. Ms. Reilly filed an amended form to claim water for
25 household and garden use. The WFR lists Mary Reilly as the owner of the property.

26 The records of the Cochise County Recorder include a deed from Mary L Reilly to the
27 Mary L Reilly Trust and a quit claim deed from the Mary L Reilly Trust to Karolin Martinez in
28 2001, recorded as document 2001-35143. The Cochise County Assessor lists Karolin Martinez

1 as the current owner of tax parcel 104-46-174. A copy of a map prepared by the Cochise County
2 Assessor showing tax parcel 104-46-174 is attached as Attachment B. The public records of
3 ADWR do not include an assignment of the SOC from Mary Reilly or a Statement of Claimant
4 filed by Karolin Martinez.

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8 **IT IS ORDERED:**

9 1. Contested Case. This contested case shall be known as *In re Mary Reilly* and it
10 will determine appropriable water rights asserted in the Statement of Claimant and objections
11 that were filed to Watershed File report 111-23-DA-014 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 2. Litigants. The litigants in this contested case are the Claimant, the current
17 landowner, all persons who filed objections to the WFR, who are included on Attachment C, and
18 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

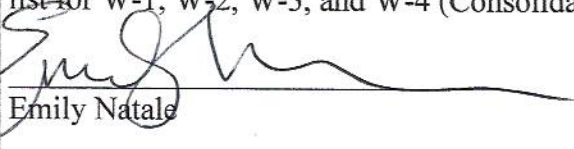
15 4. Status Conference. An initial status conference shall be held to determine
16 whether the Claimant or Karolin Martinez intend to pursue claims for rights to appropriable water
17 for domestic or irrigation use. If no person intent on asserting a water right appears at the
18 Status Conference, then Statement of Claimant 39-12580 and this case will be dismissed and no
19 further 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 **October 7, 2021 at 1:50 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.

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7 SUSAN WARD HARRIS
8 Special Master

9 On August 12, 2021, the original of the foregoing was
10 delivered to the Clerk of the Maricopa County Superior
11 Court for filing and distributing a copy to all persons
12 listed on the Court-approved mailing list for this contested
13 case, a copy of which is attached hereto as Attachment C,
14 and to all persons listed on the Court-approved mailing
15 list for W-1, W-2, W-3, and W-4 (Consolidated).

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ATTACHMENT A

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
REILLY, MARY G.	111-23-DA-014

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

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
39-0012580	QUE.RECD	IRRIGATION DOMESTIC								

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
39-0012580	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	39-0012580	NONE		

E X P L A N A T I O N

FILINGS AND DECREES
 FILING 39-12580 - CLAIMS IRRIGATION AND DOMESTIC WATER USES FROM THE MIRACLE VALLEY WATER COMPANY. NO IRRIGATION OR DOMESTIC USES WERE FOUND.
 FILING 39-12580 - A UNIFORM QUESTIONNAIRE WAS RECEIVED WHICH REFLECTS INFORMATION PREVIOUSLY PROVIDED IN THE ORIGINAL STATEMENT OF CLAIMANT.

ATTACHMENT B

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ATTACHMENT C

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

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

Mary Reilly
7133 Nash Road
Bozeman, MT 59715

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

Karolin Martinez
1311 S Grand Ave
Bozeman, MT 59715

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

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

1 Special Master Susan Ward Harris
2 Superior Court of Arizona
3 201 W. Jefferson Street
4 Courtroom 301
5 Phoenix, AZ 85003

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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 Mary Reilly

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 Mary Reilly, Contested Case No. W1-11-1017

Start Date/Time: October 7, 2021 at 1:50 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](#)

