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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. W1-11-3362

ORDER SETTING STATUS CONFERENCE

CONTESTED CASE NAME: *In re Magoffin Family Trust I*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report
DESCRIPTIVE SUMMARY: Status Conference set for **November 4, 2021 at 3:30 p.m.**
NUMBER OF PAGES: 8
DATE OF FILING: October 20, 2021

On September 27, 2021, Anna Magoffin, as trustee of the Magoffin Family Trust, submitted a letter which she represented as having been sent to all parties. A copy of the letter is attached as Attachment A. The letter will be deemed a request for a Status Conference. Ms. Magoffin requested a status conference on case numbers W1-11-3362 to W1-11-3374, W1-11-3407, and W1-11-3338. The requested case numbers along with associated watershed file reports, status, and landowner named on the watershed file report are shown below:

Contested Case No.	Watershed File Report	Initiated	Landowner (as shown on the WFR)
W1-11-3338	115-05-015	Yes	State of Arizona - Arizona State Land Department
W1-11-3362	115-05-040	Yes	Kaibab Industries
W1-11-3363	115-05-041	Yes	Nature Conservancy
W1-11-3364	115-05-042	Yes	Lackner
W1-11-3365	115-05-043	No	Goldwater, Inc.
W1-11-3366	115-05-044	Yes	Nature Conservancy
W1-11-3367	115-05-048	Yes	Hughes, Butt
W1-11-3368	115-05-049	Yes	Nature Conservancy
W1-11-3369	115-05-050	Yes	Nature Conservancy
W1-11-3370	115-05-051	No	United States
W1-11-3371	115-05-052	No	United States
W1-11-3372	115-05-053	No	State of Arizona - Arizona State Land Department
W1-11-3373	115-05-054	Yes	Nature Conservancy
W1-11-3374	115-05-055	Yes	Kaibab
W1-11-3407	115-06-005	Yes	State of Arizona - Arizona State Land Department

Four of the cases listed by Ms. Magoffin have not been initiated. Contested cases that name the Nature Conservancy and Lackner as the landowners do not involve the trustees of the Magoffin Family Trust and have been completed. The listed cases that involve the trustees of the Magoffin Family Trust are as follows:

Contested Case No.	Watershed File Report	Initiated	Landowner (as shown on the WFR)
W1-11-3338	115-05-015	Yes	State of Arizona - Arizona State Land Dept.
W1-11-3362	115-05-040	Yes	Kaibab Industries
W1-11-3367	115-05-048	Yes	Hughes, Butt
W1-11-3374	115-05-055	Yes	Kaibab
W1-11-3407	115-06-005	Yes	State of Arizona - Arizona State Land Dept.

This contested case was initiated to consider the claim for a water right and resolve objections to Watershed File Report 115-05-040 ("WFR"). On July 2, 2020, the Arizona State

1 Land Department and the Trustees of the Magoffin Family Trust agreed to the dismissal of this
2 contested case and Watershed File Report 115-05-040. The case was dismissed on July 24, 2020.

3 Pursuant to the request of the trustee of the Magoffin Family Trust,

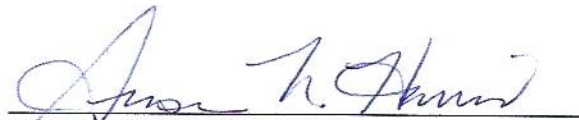
4
5 **IT IS ORDERED** setting a Status Conference on **November 4, 2021 at 3:30 p.m.** The
6 Status Conference shall be held using the Court Connect program. Instructions for Court Connect
7 are attached as Attachment B. If you receive this Order by email, click on the red box "Join Court
8 Connect Hearing" on the attached instructions to make an appearance. If you do not receive this
9 Order by email, log into the Court Connect program on the internet by typing
10 <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend
11 telephonically using the telephone number and access code included in the instructions for Court
12 Connect. You may also attend telephonically using the following numbers:

14 Instructions for telephonic participation:

15 Dial: 602-506-9695 (local)

16 1-855-506-9695 (toll free long distance)

17 Dial Collaboration (conference) Code 357264#

18
19 

20 SUSAN WARD HARRIS
21 Special Master

22 On October 20, 2021, the original of the
23 foregoing was delivered to the Clerk of the
24 Maricopa County Superior Court for filing
25 and distributing a copy to all persons listed on
26 the Court-approved mailing list for this
27 contested case.

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Emily Natale

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ATTACHMENT A

Magoffin Family Trust
34625 W. Klondyke Road
Willcox, AZ 85643

OFFICE OF THE SPECIAL MASTER
Arizona General Stream Adjudication



OCT 04 2021

Susan Ward Harris
Central Court Building, Ste 3A
201 West Jefferson
Phoenix, AZ 85003-2205

September 27, 2021

Special Master,

The attachment shows cases I would like to have status checks on. I am trying to determine if there is something I am missing to move any of the cases forward. I understand from our involvement with adjudication is that it does take time. From our end, however, I realize that some things can get lost. For example, at one point, our cases were changed our old address in Douglas, AZ. And we literally stopped getting information. And sometimes the cases move forward before the surface water application are finished, which has been a problem every time for me.

On a side note, the amazing Barbara Brown had the most wonderful personality even though she literally was dealing with everyone entering into adjudication. At the time our mail suddenly going to Douglas, I was able to interact briefly with Durina and I could not believe you were able to find a second lovely soul to manage all the files. When we got an email notice on W1-11-0245 it was from the clerk of the court and I thought I might be able to ask a person how to set up a status call. I do apologize for using that email, but in all fairness, it is not general knowledge as to the status of your clerk.

I think you might also consider an occasional status call to review what happens from this side of the process. I think we arrive at the adjudication from two different perspectives but I also think the two should meet at a common ground. The legal description of waters used a mess. ADWR wells use small to big quarter sections, most other land use applications use big to small quarter sections and to lend a more technical science to avoid lines that can go up or down on a map; GPS makes sound sense, but surface water doesn't accept GPS. I also don't believe ADWR is using good science to establish sub flow, I know it is wrong in a couple of instances using the simplest of observation science and soil science. Also, the ADWR definition of sub flow suggest waters moving through sand and gravel but does not take into consideration clay barriers. Just like knowing when you do and don't have a clerk, there should be a simple process that allows for science to be introduced.

Anyhow, I am simply trying to see what needs to be done from my side on W1-11-3374, W1-11-3407, W1-11-3338. These were all tied to cases with State Land and deeded land but the Abstracts I sent were never presented.

I am sending this to the folks on the combined mailing lists of all three.

Sincerely,

Anna Magoffin, trustee of the Magoffin Family Trust

Magoffin Family Trust Water Case Inventory September 2, 2021

Case number	Specific waters	actions
W1-11-3362 to W1-11-3374	Frog Pond	Certificate 87761.0000 Inspection
W1-11-3407	PM Bar Well	Not in sub flow, priority1917
W1-11-3338	Long Hollow well (Wootan)	Priority date 10-10-1913

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ATTACHMENT B



Court Connect Hearing Notice for Magoffin Set of Cases

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 Names: In re SLD-Magoffin III, In re Magoffin II, In re Kaibab Industries, In re SLD-Magoffin II, In re Magoffin Family Trust I

Contested Case Nos. W1-11-3407, W1-11-3367, W1-11-3374, W1-11-3338, W1-11-3362

Start Date/Time: November 4, 2021 at 3:30 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](#)

