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10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
11 **IN AND FOR THE COUNTY OF MARICOPA**

12 IN RE THE GENERAL ADJUDICATION  
13 OF ALL RIGHTS TO USE WATER IN  
14 THE GILA RIVER SYSTEM AND  
15 SOURCE

16 W-1, W-2, W-3, W-4  
(Consolidated)

17 Contested Case No. W1-11-19

18 (Referred to Special Master Susan Ward  
19 Harris)

20 **ARIZONA DEPARTMENT OF WATER**  
21 **RESOURCES' REPORT**  
22 **CONCERNING CLAIMANTS**  
23 **IDENTIFIED BY THE SPECIAL**  
24 **MASTER**

25 **CONTESTED CASE:** *In re Sands Group of Cases Phase II.*

26 **HSR INVOLVED:** San Pedro River Watershed Hydrographic Survey Report.

**DESCRIPTIVE SUMMARY:** Arizona Department of Water Resources' report concerning the status of claimants identified by the Special Master for this contested case.

**NUMBER OF PAGES:** Five.

**DATE OF FILING:** July 15, 2016.

By Order dated June 17, 2016 ("Order"), the Special Master directed the Arizona Department of Water Resources ("ADWR") to file a report on or before July 15, 2016 concerning the status of claimants in this case. Specifically, the Special Master directed

1 ADWR to review the “named claimants” listed on Appendix B to the Special Master’s  
2 Order, determine whether “any of the named claimants have assigned their claim to  
3 another person or entity,” and identify any changes to the list of named claimants. Order  
4 at 6, ¶ 2. Appendix B lists named claimants for the following eight consolidated cases,  
5 which are part of the *Sands Group of Cases* (consisting of 54 cases in total with numerous  
6 claims): *In re Bayless & Berkalew Group of Cases*, *In re Goff Group of Cases*, *In re*  
7 *Hendrickson Group of Cases*, *In re Lunt Group of Cases*, *In re Mercer Group of Cases*, *In*  
8 *re Pyeatt Group of Cases*, *In re Sands Group of Cases*, and *In re White Group of Cases*.  
9 *Id.* at 2.

10 ADWR reviewed its imaged files and Statement of Claimant (“SOC”) database  
11 entry for each SOC listed in Appendix B to determine whether the named claimant  
12 matched the most recent claimant referenced in ADWR’s records. Under the Special  
13 Master’s Order, it is ADWR’s understanding that the parties have been ordered to file  
14 objections to correct information listed on Appendix B, including the name of the  
15 claimant. Order at 7, ¶ 4.b. In this report, ADWR is only providing information  
16 concerning the name of the claimant, as requested by the Special Master.

17 ADWR identified six instances where the named claimant listed in Appendix B  
18 was not the same as the claimant shown in ADWR’s records. For the six instances in  
19 which ADWR identified differences, the information listed in Appendix B is repeated  
20 below with a bracketed notation identifying the most current claimant in ADWR’s  
21 records. In all but one instance (noted below), there is no record of an assignment from  
22 the claimants listed on the SOC to the named claimants in Appendix B, or from the named  
23 claimants to others.

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**Appendix B, *In re Bayless & Berkalew Company***  
(page 1, first line of data)

<b>Watershed File Report</b>	<b>Statement of Claimant</b>	<b>Claimant</b>	<b>Legal Description</b>	<b>Proposed Water Right Number</b>	<b>Landowner</b>	<b>Lessee</b>
113-09-017	39-0003560	Arizona State Land Department [Bayless & Berkalew]	SW SW NE 33 T10S R19E	113-09-017-SP001	State of Arizona	Bayless & Berkalew Company

**Appendix B, *In re Goff***  
(page 1, fourth line of data)

<b>Watershed File Report</b>	<b>Statement of Claimant</b>	<b>Claimant</b>	<b>Legal Description</b>	<b>Proposed Water Right Number</b>	<b>Landowner</b>	<b>Lessee</b>
113-08-007	39-0000648	Arizona State Land Department [Goodman's Ranches, Inc.]	SW NE 36 8S 15E	113-08-007-SP001	State of Arizona	Goff and Goff Limited Partnership

**Appendix B, *In re Mercer***  
(page 2, sixth line of data)

<b>Watershed File Report</b>	<b>Statement of Claimant</b>	<b>Claimant</b>	<b>Legal Description</b>	<b>Proposed Water Right Number</b>	<b>Landowner</b>	<b>Lessee</b>
113-05-004	39-0008216	Mercer Ranch Land Holdings, LLC [Coronado National Forest]	NE NW NW 19 T8S R19E	113-05-004-SW002	United States	Joyce & Virgil Mercer

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**Appendix B, *In re White***  
(page 1, third and fourth lines of data)

<b>Watershed File Report</b>	<b>Statement of Claimant</b>	<b>Claimant</b>	<b>Legal Description</b>	<b>Proposed Water Right Number</b>	<b>Landowner</b>	<b>Lessee</b>
115-04-004	39-0002679	Arizona State Land Department [Jep O. White]	SE SE 26 T6S R17E	115-04-004-SW001	State of Arizona	David Rychener
115-04-004	39-0002674	Arizona State Land Department [Jep O. White]	NW SW 35 T6S R17E	115-04-004-SW002	State of Arizona	David Rychener

**Appendix B, *In re White***  
(page 1, fifteenth line of data)

<b>Watershed File Report</b>	<b>Statement of Claimant</b>	<b>Claimant</b>	<b>Legal Description</b>	<b>Proposed Water Right Number</b>	<b>Landowner</b>	<b>Lessee</b>
115-04-006	39-0002673	Bill and Debra Burnstein [Brighthawk, LLC]	SE SE 27 6S 17E	115-04-116-SW001	United States	Jeptha O. & Peggy White

**NOTE:** The SOC database indicates that the Burnsteins assigned the SOC to Brighthawk, LLC, but the SOC assignment form is not part of the SOC's imaged records. However, other records maintained by ADWR indicate that the Burnsteins executed an assignment of its underlying legal basis for the claim (36-59854) to Brighthawk, LLC.

The remaining named claimants listed in Appendix B of the Order are consistent with the claimants shown in ADWR's records.

**DATED** this 15th day of July, 2016.

ARIZONA DEPARTMENT OF WATER  
RESOURCES

  
Janet L. Miller, Deputy Counsel  
Nicole D. Klobas, Deputy Counsel

**ORIGINAL** of the foregoing sent by  
first class mail this 15th day of July, 2016, to:

Clerk of the Maricopa County Superior Court  
Attn: Water Case  
601 W. Jackson Street  
Phoenix, Arizona 85003

**COPIES** of the foregoing sent by  
first class mail this 15th day of July, 2016, to:

Special Master Susan Ward Harris  
Maricopa County Superior Court  
Central Court Building Suite 3A  
201 W. Jefferson  
Phoenix, Arizona 85003-2205

All parties on the Court-approved mailing list  
for Contested Case No. W1-11-19



