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12 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
13 **IN AND FOR THE COUNTY OF MARICOPA**

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

18 W-1 (Salt)  
19 W-2 (Verde)  
20 W-3 (Upper Gila)  
21 W-4 (San Pedro)  
22 (Consolidated)

23 Contested Case No. W1-11-3329

24 **ARIZONA DEPARTMENT OF WATER  
25 RESOURCES' NOTICE OF FILING  
26 REPORT**

(Special Master Susan Ward-Harris)

**CONTESTED CASE NAME:** *In re BLM- Nature Conservancy Leased Land*

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

**DESCRIPTIVE SUMMARY:** The Arizona Department of Water Resources ("ADWR") provides notice of filing its report as requested in the Court's Order dated July 12, 2018.

**NUMBER OF PAGES:** Two and six-page attachment

**DATE OF FILING:** October 26, 2018

1 Pursuant to the Court's Order dated July 12, 2018, ADWR hereby provides notice  
2 of filing its report based on ADWR's review of the legal descriptions for places of use,  
3 points of diversion, and sources of water for the proposed water rights abstracts. A copy  
4 of ADWR's report is attached to the original of this Notice being filed with the Clerk and  
5 is being posted to ADWR's web site at:

6 <http://www.azwater.gov/AzDWR/SurfaceWater/Adjudications/default.htm>.

7 **DATED** this 26<sup>th</sup> day of October, 2018.

8 ARIZONA DEPARTMENT OF WATER  
9 RESOURCES

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12 Kimberly R. Parks, Deputy Counsel  
13 Janet L. Miller, Deputy Counsel

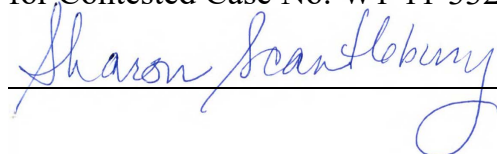
14 **ORIGINAL** of the foregoing notice and  
15 attachment sent by first-class mail on  
16 October 26, 2018 to:

17 Clerk of the Maricopa County Superior Court  
18 Attn: Water Case  
19 601 W. Jackson Street  
20 Phoenix, Arizona 85003

21 **COPIES** of the foregoing notice and  
22 attachment sent by first-class mail on  
23 October 26, 2018 to:

24 Special Master Susan Ward-Harris  
25 Maricopa County Superior Court  
26 Central Court Building  
201 West Jefferson Street, Suite 3A  
Phoenix, AZ 85003-2205

**COPIES** of the foregoing notice sent  
by first-class mail on October 26, 2018 to  
all parties on the court-approved mailing list  
for Contested Case No. W1-11-3329.



**ATTACHMENT**

## REVIEW OF DRAFT WATER RIGHTS ABSTRACTS

Pursuant to the Special Master’s Order dated July 12, 2018, ADWR reviewed 42 proposed water right (PWR) abstracts for *de minimis* stockpond and stock watering uses asserted by the Bureau of Land Management under state law on land leased by The Nature Conservancy.

The table below displays the confirmed legal descriptions of the places of use and points of diversion and the names of the water sources and facilities. ADWR’s comments are provided for each abstract. If a portion of the legal description is in question, that portion is shown in *underline italics*.

In accordance with the 1994 De Minimis Decision<sup>1</sup>, priority dates for the proposed abstracts were assigned to the end of the year for each PWR; however, during investigations subsequent to the preparation of the San Pedro Hydrographic Survey Report, ADWR compiled more specific first-use dates for many of these PWRs by examining all previous filings and imagery. ADWR has included these dates in the table below, along with a reference to any applicable filing so that the Court may determine which priority date is appropriate.

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<sup>1</sup> See Special Master John E. Thorson’s Memorandum Decision, Findings of Fact, and Conclusions of Law for Group I Cases Involving Stockwatering, Stockponds, and Domestic Uses, filed November 14, 1994, as modified by Order dated February 23, 1995 (collectively referred to as “the 1994 De Minimis Decision”) at 42.



<b>PWR No:</b>	<b>Place of Use:</b>	<b>Point of Diversion:</b>	<b>Source of Water:</b>	<b>ADWR Comment:</b>	<b>Priority Date:</b>	<b>Priority Date Source:</b>
115-05-005-SP001	NENWSE 23 T6S R18E	NENWSE 23 T6S R18E	Red Tank	No comments.	<del>12/31/1953</del> 11/30/1953	38-61135 & 38-88459
115-05-005-SP003	NENENW 26 T6S R18E	NENENW 26 T6S R18E	Playa Tank	No comments.	12/31/1953	Abstract/HSR
115-05-005-SP004	SWNESW 26 T6S R18E	SWNESW 26 T6S R18E	Houston Tank	No comments.	<del>12/31/1982</del> 04/07/1982	33-87291
115-05-005-SP007	NENWNW 35 6S 18E	NENWNW 35 6S 18E	White Tank	No comments	12/31/1953	Abstract/HSR
115-05-005-SP008	SESWNW 35 6S 18E	SESWNW 35 6S 18E	Mesa Draw Tank	No comments.	12/31/1953	Abstract/HSR
115-05-005-SP011	SESENW 2 T7S R18E	SESENW 2 T7S R18E	Dead Cow Tank	No comments.	12/31/1953	Abstract/HSR
115-05-005-SP014	<del>SWSESE 7 T7S R19E</del> NWSESE 7 T7S R19E	<del>SWSESE 7 T7S R19E</del> NWSESE 7 T7S R19E	Black Butte Tank	Legal description for the POU and POD should be NWSESE 7 T7S R19E, based on location of the dam visible in imagery.	<del>12/31/1963</del> 11/01/1963	38-61140
115-05-005-SP016	NWNWNW 18 T6S R18E	NWNWNW 18 T6S R18E	Unnamed	No comments.	<del>12/31/1982</del> 05/18/1982	33-87595
115-05-005-SW001	<del>SESENE 25 T7S R18E</del> SENENE 25 T7S R18E	<del>SESENE 25 T7S R18E</del> SENENE 25 T7S R18E	Jed Spring	Recommend changing the legal description for the POU and POD to SENENE 25 T7S R18E, based on San Pedro HSR Vol. 9 location and map location referenced in filing 36-61127.	<del>12/31/1919</del> 12/31/1867	36-61127.
115-05-005-SW002	SESESW 25 T7S R18E	SESESW 25 T7S R18E	Walnut Spring	No comments.	<del>12/31/1919</del> 12/31/1867	36-61125
115-05-005-SW003	SWSESE 25 T7S R18E	SWSESE 25 T7S R18E	Unnamed Spring	No comments.	<del>12/31/1980</del> 05/05/1980	33-84233
115-05-005-SW004	NENENW 7 T7S R19E	NENENW 7 T7S R19E	Jackson Spring	No Comments.	<del>12/31/1919</del> 12/31/1867	36-61126



115-05-017-WL001	SWSWSE 22 T7S R18E	SWSWSE 22 T7S R18E	<del>Aravaipa Creek</del> Sycamore Canyon	Recommend changing the Source of Water to Sycamore Canyon, based on claimed water source listed in filings.	<del>12/31/1980</del> 07/21/1980	33-85315
115-05-018-SP002	SESWSW 27 T6S R18E	SESWSW 27 T6S R18E	Woodrows Tank	No comments.	<del>12/31/1954</del> 08/31/1954	36-37281
115-05-018-SP004	NESESE 28 T6S R19E	NESESE 28 T6S R19E	Matanza Dam	No comments.	12/31/1950	Abstract/HSR
115-05-018-SP005	SWSWNE 10 T6S R19E	SWSWNE 10 T6S R19E	East Bear Tank	No comments.	<del>12/31/1972</del> 12/31/1971	38-88772
115-05-018-SP006	SESENE 10 T6S R19E	SESENE 10 T6S R19E	Bear Canyon Tank	No comments.	<del>12/31/1981</del> 03/31/1938	38-86583
115-05-018-SP007	SWSENE 10 T6S R19E	SWSENE 10 T6S R19E	Bear Canyon Tank	No comments.	<del>12/31/1981</del> 03/31/1938	38-86583
115-05-018-SP008	NWSENE 15 T6S R19E	NWSENE 15 T6S R19E	Martinez Tank #1	No comments.	<del>12/31/1958</del> 04/25/1958	38-88545 & 3R-1866
115-05-018-SP009	SWSWNE 15 T6S R19E	SWSWNE 15 T6S R19E	Martinez Tank #2	No comments.	<del>12/31/1958</del> 4/02/1958	38-88421
115-05-018-SP010	SENESE 16 T6S R19E	SENESE 16 T6S R19E	East Bear Tank	No comments.	12/31/1952	Abstract/HSR
115-05-018-SP011	NWSWSW 32 T6S R19E	NWSWSW 32 T6S R19E	Mescal Hill Tank	No comments.	<del>12/31/1977</del> 12/31/1976	38-88771
115-05-018-SP012	NWSWSE 33 T6S R19E	NWSWSE 33 T6S R19E	Turkey Creek Break	No comments.	<del>12/31/1967</del> 03/27/1967	38-88399
115-05-018-SP014	NESENE 33 T6S R19E	NESENE 33 T6S R19E	Matanza Tank	No comments.	<del>12/31/1967</del> 03/27/1967	38-88525
115-05-018-SP015	SWSWNW 33 T6S R19E	SWSWNW 33 T6S R19E	Turkey Breaks Tank	No comments.	<del>12/31/1934</del> 05/09/1934	38-88445
115-05-018-SP016	<del>SWSENE 10 T6S R19E</del> SWSENE 17 T6S R19E	<del>SWSENE 10 T6S R19E</del> SWSENE 17 T6S R19E	Pilares Tank	Legal description for the POU and POD should be SWSENE 17 T6S R19E based on location of the dam visible in imagery.	<del>12/31/1934</del> 11/23/1934	38-88532



115-05-018-SP017	SWNWNE 29 T6S R19E	SWNWNE 29 T6S R19E	Turkey Breaks	No comments.	<del>12/31/1967</del> 03/27/1967	38-88526
115-05-018-SP018	NWSWNE 29 T6S R19E	NWSWNE 29 T6S R19E	Turkey Break #3	No comments.	12/31/1967 03/27/1967	38-88538
115-05-018-SW001	<del>NWNWNW 27 T6S R18E</del> SWSWNW 34 T6S R18E	<del>NWNWNW 27 T6S R18E</del> SWSWNW 34 T6S R18E	Stone Cabin Canyon	Legal description for the POU and POD should be SWSWNW 34 T6S R18E located at the headwaters of the stream.	12/31/1888 12/31/1883	36-37292
115-05-018-SW006	NENWNW 10 T6S R19E	NENWNW 10 T6S R19E	Bear Canyon	No comments.	12/31/1880	Abstract/HSR
115-05-018-SW009	SWSWNW 4 T7S R18E	SWSWNW 4 T7S R18E	Ash Canyon Spring	No comments.	<del>12/31/1888</del> 12/31/1883	36-37294
115-05-018-SW010	SWSWNE 4 T7S R18E	SWSWNE 4 T7S R18E	Locust Spring	No comments.	<del>12/31/1888</del> 12/31/1883	36-37291
115-05-018-SW011	NWNENW 16 T7S R18E	NWNENW 16 T7S R18E	Granite Spring	No comments.	<del>12/31/1888</del> 12/31/1883	36-37293
115-05-018-SW012	<del>NENESE 16 T7S R18E</del> NENWSE 16 T7S R18E	<del>NENESE 16 T7S R18E</del> NENWSE 16 T7S R18E	Goat Camp Spring	Recommend changing the legal description for the POU and POD to NENWSE16 T7S R18E, based on the map location referenced in filing 33-85313.	<del>12/31/1980</del> 07/21/1980	33-85313
115-05-018-SW013	NENENE 17 T7S R18E	NENENE 17 T7S R18E	North Table Mountain Spring	No comments.	<del>12/31/1980</del> 07/21/1980	33-85319
115-05-018-SW014	NESWNE 17 T7S R18E	NESWNE 17 T7S R18E	South Table Mountain Spring	No comments.	<del>12/31/1980</del> 07/21/1980	33-85319
115-05-018-SW015	SWNWNE 5 T7S R19E	SWNWNE 5 T7S R19E	Turkey Creek Spring	No comments.	<del>12/31/1958</del> 04/25/1958	4A-4365



115-05-018-SW016	<u>SESWSE 6 T7S R19E</u> <u>SWSWSE 6 T7S R19E</u>	<u>SESWSE 6 T7S R19E</u> <u>SWSWSE 6 T7S R19E</u>	Oak Grove Canyon Spring	Recommend changing the legal description for the POU and POD to SWSWSE 6 T7S R19E, based on map location referenced in the filing 4A-4367.	12/31/1890	Abstract/HSR
115-05-018-SW018	<u>NWNESW 34 T6S R18E</u> <u>SWNESW 34 T6S R18E</u>	<u>NWNESW 34 06S R18E</u> <u>SWNESW 34 06S R18E</u>	Tin House Spring	Legal description for the POU and POD should be SWNESW 34 T6S R18E, based on spring location in USGS 1:24,000 Mammoth East quadrangle map.	<del>12/31/1929</del> 10/24/1929	4A-1033
115-05-018-SW019	<u>NWNWSW 9 T6S R18E</u> NWNWSW 9 T7S R18E	<u>NWNWSW 9 T6S R18E</u> NWNWSW 9 T7S R18E	Battleship Rock Spring	Legal description for the POU and POD should be NWNWSW 9 T7S R18E as mapped in San Pedro HSR.	<del>12/31/1980</del> 07/21/1980	33-85316
115-05-018-SW020	<u>SESESW 15 T7S R18E</u> <u>SESESW 15 T7S R18E</u>	<u>SESESW 15 T7S R18E</u> <u>SESESW 15 T7S R18E</u>	Sycamore Canyon	Legal description for the POU and POD should be SESESW 15 T7S R18E, located where the stream enters the WFR boundary.	<del>12/31/1980</del> 07/21/1980	33-85315
115-05-018-SW024	<u>SWSWNW 21 T7S R19E</u> SWSWNW 21 T6S R19E	<u>SWSWNW 21 T7S R19E</u> SWSWNW 21 T6S R19E	Aravaipa Creek	Legal description for the POU and POD should be SWSWNW 21 T6S R19E as mapped in San Pedro HSR.	12/31/1890	Abstract/HSR

