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5 Phoenix, Arizona 85067
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9
10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
11 **IN AND FOR THE COUNTY OF MARICOPA**
12

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

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

22 Contested Case No. W1-11-3380

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

26 Special Master Susan Ward Harris

CONTESTED CASE NAME: *In re Sandra Fraser, Daniel and Cindy Tapia, and Norma Luepke*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: The Arizona Department of Water Resources ("ADWR") hereby provides notice of filing its report as requested by the Court in the Order dated August 13, 2019.

NUMBER OF PAGES: Three and twelve-page attachment

DATE OF FILING: October 24, 2019

1 Pursuant to the Court's Order dated August 13, 2019, ADWR hereby provides
2 notice of filing its report on the draft abstracts and maps provided by the Claimants. A
3 copy of ADWR's report is attached to the original of this Notice being filed with the Clerk
4 (Attachment) and is being posted to ADWR's web site at:

5 <https://new.azwater.gov/adjudications>.

6 **DATED** this 24th day of October, 2019.

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8 ARIZONA DEPARTMENT OF WATER
9 RESOURCES

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11 _____
12 Kimberly R. Parks, Deputy Counsel

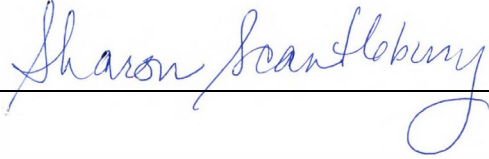
13
14 **ORIGINAL** of the foregoing notice
15 and attachment sent by first-class mail
16 on October 24, 2019, to:

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

20 **COPY** of the foregoing notice
21 and attachment sent by first-class mail
22 on October 24, 2019, to:

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

1 **COPIES** of the foregoing sent by
2 first-class mail on October 24, 2019 to
3 all parties on the court-approved mailing list
4 for Contested Case No. W1-11-3380.

5 A handwritten signature in blue ink, reading "Sharon Scanlon", is written over a horizontal line. The signature is cursive and extends slightly below the line.

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ATTACHMENT

REVIEW OF PROPOSED ABSTRACTS

Attribute	Proposed Abstract of Water Right	ADWR Comments
Proposed Water Right No.	115-06-AB-004-DM001A	115- 06 05 -AB-004-DM001A The correct WFR region is 115- 05 , not 115-06.
Owner of Water Right	Sandra Fraser, Daniel Tapia, Cindy Tapia	
Landowner	Sandra Fraser, Daniel Tapia, Cindy Tapia	
Statement of Claimant No(s)	39-0000333	
Statement of Claimant Names(s)	Sandra Fraser, Daniel Tapia, Cindy Tapia	
Lessee or Permittee	None	
Basis of Right	36-0047416	
Beneficial Use	Domestic	
Priority Date	December 31, 1867	36- 47416 reflects a claimed priority date of July 1, 1908.
Quantity	1 AFA	36-47416 includes a claim for 90.50 AF, but does not specify the quantities used for domestic, irrigation, and stockwatering uses. The quantity in the new abstract is inconsistent with the original claim.
Place of Use	SWNESW Section 21 T06S R19E	
Point of Diversion	55-537630: SWNESW Section 21 T06S R19E	36-47416 reflects a claimed point of diversion of NWNE Section 28 T06S R19E. It does not reference the current well.
Source of Water	Aravaipa Creek	
Name of Facility	N/A	
GPS Coordinates for POD:	55-537630: 32.894530, -110.412640	



Map Comments:

The provided map includes an incorrect PWR Number.

- The correct PWR is 115-05-AB-004-DM001A. The correct WFR region is 115-**05**, not 115-06.

GPS coordinates for the Irrigation POU are incorrect.

- Point number 3 for the southeast corner of Field #1 is identified as: **32.897388**, -110.412349
This number appears to be incorrect.
- ADWR believes the correct number is: 32.894388, -110.412349



Attribute	Proposed Abstract of Water Right	ADWR Comments
Proposed Water Right No.	115-06-AB-004-IR001A	115- 05 -AB-004- IR001A The correct WFR region is 115- 05 , not 115-06.
Owner of Water Right	Sandra Fraser, Daniel Tapia, Cindy Tapia	
Landowner	Sandra Fraser, Daniel Tapia, Cindy Tapia	
Statement of Claimant No(s)	39-0000333	
Statement of Claimant Names(s)	Sandra Fraser, Daniel Tapia, Cindy Tapia	
Lessee or Permittee	None	
Basis of Right	36-0047416	
Beneficial Use	Irrigation	
Priority Date	December 31, 1867	36- 47416 reflects a claimed priority date of July 1, 1908.
Quantity	Field 1 6.53 AFA (0.66 acres) Maximum diversion rate = 1.5 cfs Field 2 15.25 AFA (1.54 acres) Maximum diversion rate = 1.5 cfs	36-47416 includes a claim for 90.50 AF, but does not specify the quantities used for domestic, irrigation, and stockwatering uses. The quantity in the new abstract is inconsistent with the original claim.
Place of Use	SWNESW Section 21 T06S R19E NWSESW Section 21 T06S R19E NESESW Section 21 T06S R19E	
Point of Diversion	Instream pump: NWSESW Section 21 T06S R19E 55-537630: SWNESW Section 21 T06S R19E 55-642966: NESESW Section 21 T06S R19E	36-47416 reflects a claimed point of diversion of NWNE Section 28 T06S R19E. It does not reference the current instream pump or wells.
Source of Water	Aravaipa Creek	
Name of Facility	N/A	
GPS Coordinates for POD:	55-537630: 32.894530, - 110.412640 55-642966: 32.893000, - 110.411670	



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Attribute	Proposed Abstract of Water Right	ADWR Comments
Proposed Water Right No.	115-06-AB-004-SW001A	115- 05 -AB-004- SW001A The correct WFR region is 115- 05 , not 115-06.
Owner of Water Right	Sandra Fraser, Daniel Tapia, Cindy Tapia	
Landowner	Sandra Fraser, Daniel Tapia, Cindy Tapia	
Statement of Claimant No(s)	39-0000333	
Statement of Claimant Names(s)	Sandra Fraser, Daniel Tapia, Cindy Tapia	
Lessee or Permittee	None	
Basis of Right	36-0047416	
Beneficial Use	Stockwatering and wildlife	
Priority Date	December 31, 1867	36-47416 reflects a claimed priority date of July 1, 1908.
Quantity	Reasonable use	36-47416 includes a claim for 90.50 AF, but does not specify the quantities used for domestic, irrigation, and stockwatering uses. The quantity in the new abstract is inconsistent with the original claim.
Place of Use	NWSESW Section 21 T06S R19E NESESW Section 21 T06S R19E	
Point of Diversion	55-642966: NESESW Section 21 T06S R19E Instream use	36-47416 reflects a claimed point of diversion of NWNE Section 28 T06S R19E. It does not reference the current well or instream use.
Source of Water	Aravaipa Creek	
Name of Facility	N/A	
GPS Coordinates for POD:	55-642966: 32.89300, -110.411670	



Map Comments:

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This number appears to be incorrect.
- ADWR believes the correct number is: 32.894388, -110.412349



Attribute	Proposed Abstract of Water Right	ADWR Comments
Proposed Water Right No.	115-06-AB-004-DM001B	115- 05 -AB-004- DM001B The correct WFR region is 115- 05 , not 115-06.
Owner of Water Right	Norma Tapia, John Robert Tapia Luepke	
Landowner	Norma Tapia, John Robert Tapia Luepke	
Statement of Claimant No.(s)	39-0000333	
Statement of Claimant Name(s)	Norma Tapia, John Robert Tapia Luepke	
Lessee or Permittee	None	
Basis of Right	36-0047416	
Beneficial Use(s)	Domestic	
Priority Date	December 31, 1867	36- 47416 reflects a claimed priority date of July 1, 1908.
Quantity	1 AFA	39-333 reflects a claimed quantity of 1.0 AFA for domestic uses. 36-47416 includes a claim for 90.50 AF, but does not specify the quantities used for domestic, irrigation, and stockwatering uses. The quantity in the new abstract is inconsistent with the original claim.
Place(s) of Use	NESESW Section 21 T06S R19E	
Point(s) of Diversion	55-642966: NESESW Section 21 T06S R19E	36-47416 reflects a claimed point of diversion of NWE Section 28 T06S R19E. It does not reference the current well.
Water Source(s)	Aravaipa Creek	
Name of Facility	N/A	
GPS Coordinates for POD:	55-642966: 32.89300, -110.411670	



Map Comments:

The provided map includes an incorrect PWR Number.

- The correct PWR is 115-05-AB-004-DM001B. The correct WFR region is 115-**05**, not 115-06.

GPS coordinates for the Irrigation POU are incorrect.

- Point number 3 for the southeast corner of the irrigation area is identified as: **32.893184**, -110.410920 This number appears to be incorrect.
- ADWR believes the correct number is: 32.892184, -110.410920



Attribute	Proposed Abstract of Water Right	ADWR Comments
Proposed Water Right No.	115-06-AB-004-IR001B	115- 05 -AB-004- IR001B The correct WFR region is 115- 05 , not 115-06.
Owner of Water Right	Norma Tapia, John Robert Tapia Luepke	
Landowner	Norma Tapia, John Robert Tapia Luepke	
Statement of Claimant No.(s)	39-0000333	
Statement of Claimant Name(s)	Norma Tapia, John Robert Tapia Luepke	
Lessee or Permittee	None	
Basis of Right	36-0047416	
Beneficial Use(s)	Irrigation	
Priority Date	December 31, 1867	36- 47416 reflects a claimed priority date of July 1, 1908.
Quantity	39.6 AFA (4 acres) Maximum diversion rate = 1.5 CFS	39-0333 reflects a claimed quantity of 39.6 AFA for irrigation. 36-47416 includes a claim for 90.50 AF, but does not specify the quantities used for domestic, irrigation, and stockwatering uses. The quantity in the new abstract is inconsistent with the original claim.
Place(s) of Use	NWSESW Section 21 T06S R19E NESESW Section 21 T06S R19E	
Point(s) of Diversion	Instream pump: NWSESW Section 21 T06S R19E 55-642966: NESESW Section 21 T06S R19E	36-47416 reflects a claimed point of diversion of NWNE Section 28 T06S R19E. It does not reference the current instream pump or well.
Water Source(s)	Aravaipa Creek	
Name of Facility	N/A	
GPS Coordinates for POD:	Instream Pump: 32.892386, -110.412932 55-642966: 32.89300, - 110.411670	



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Attribute	Proposed Abstract of Water Right	ADWR Comments
Proposed Water Right No.	115-06-AB-004-SW001B	115- 05 -AB-004- SW001B The correct WFR region is 115- 05 , not 115-06.
Owner of Water Right	Norma Tapia, John Robert Tapia Luepke	
Landowner	Norma Tapia, John Robert Tapia Luepke	
Statement of Claimant No.(s)	39-0000333	
Statement of Claimant Name(s)	Norma Tapia, John Robert Tapia Luepke	
Lessee or Permittee	None	
Basis of Right	36-0047416	
Beneficial Use(s)	Stockwatering	
Priority Date	December 31, 1867	36- 47416 reflects a claimed priority date of July 1, 1908.
Quantity	Reasonable use	39-333 reflects a claimed quantity of 0.03 AFA for stockwatering. 36-47416 includes a claim for 90.50 AF, but does not specify the quantities used for domestic, irrigation, and stockwatering uses. The quantity in the new abstract is inconsistent with the original claim.
Place(s) of Use	NWSESW Section 21 T06S R19E NESESW Section 21 T06S R19E	
Point(s) of Diversion	55-642966: NESESW Section 21 T06S R19E Instream use	36-47416 reflects a claimed point of diversion of NWNE Section 28 T06S R19E. It does not reference the current well or instream use..
Water Source(s)	Aravaipa Creek	
Name of Facility	N/A	
GPS Coordinates for POD:	55-642966: 32.89300, -110.411670	



Map Comments:

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