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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 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)
(Consolidated)

Contested Case No. W1-11-0384

**ARIZONA DEPARTMENT OF WATER
RESOURCES' MEETING REPORT**

Special Master Susan Ward Harris

CONTESTED CASE NAME: *In re Ruth M. Ryan*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report (“HSR”)

DESCRIPTIVE SUMMARY: The Arizona Department of Water Resources (“ADWR”) provides the meeting report as requested by the Court in the Minute Entry Order filed February 13, 2023.

NUMBER OF PAGES: Five

DATE OF FILING: March 2, 2023

1 Pursuant to the Minute Entry Order filed February 13, 2023, ADWR hereby files
2 its Meeting Report pursuant to Rule 8.02[1][c] of the Rules for Proceedings Before the
3 Special Master, addressing the results of the meeting between ADWR personnel and the
4 claimants and objectors for the above contested case. A copy of ADWR's Meeting
5 Report is being posted to ADWR's website at: <https://new.azwater.gov/adjudications>.

6 **MEETING DETAILS**

7 There are three landowners making claims for water rights in this case. ADWR
8 conducted two separate meetings via video conference on February 28, 2023. The first
9 meeting was focused on claims made by Thomas and Robert Manteufel, and the second
10 meeting focused on claims made by Terry Filloon. Participating in the meetings were
11 Mike Hilstrom, Kome Akpolo, Millicent Heffner, and Kimberly Parks representing
12 ADWR; Susan Montgomery representing the Yavapai Apache Nation; Laurel Hermann
13 representing the San Carlos Apache Tribe; Tom Murphy representing the Gila River
14 Indian Community; landowners Robert and Thomas Manteufel, and landowner Terry
15 Filloon. Katrina Wilkinson, Craig McGinnis, and Rodney Held representing the Salt
16 River Project were also in attendance, but the Salt River Project did not file objections in
17 this case. The United States and the Tonto Apache Tribe did not participate in the
18 meeting.

19 **MEETING OUTCOMES**

20 This case involves claims for water use within Cochise County parcels 10647032D
21 (currently owned by Thomas Manteufel), 10647032G (currently owned by Robert
22 Manteufel), and 10647032H (currently owned by Terry Filloon) which ADWR addressed
23 in Watershed File Report (WFR) 111-20-CA-006 as part of the 1991 Hydrographic
24 Survey Report (HSR) for the San Pedro River watershed. In 1985, Ruth Ryan filed
25 Statement of Claimant (SOC) 39-11856 claiming a water right for irrigation use. The
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1 current landowners have also filed SOCs. Thomas and Robert Manteufel have each filed
2 an SOC claiming water rights for domestic use (39-175991 and 39-175992). Terry
3 Filloon has filed SOCs claiming water rights for domestic use (39-175987) and irrigation
4 (39-175988). When investigating the 1991 HSR, ADWR did not find any existing water
5 uses or sources of water on the land.

6 **Manteufel Claims**

7 Robert Manteufel indicated that both he and his father want to pursue water rights
8 for domestic purposes. Currently, Robert and Thomas Manteufel share a well (55-
9 640633) located on Thomas Manteufel's parcel and within the subflow zone of the San
10 Pedro River. Robert Manteufel estimates that their water consumption is very low, likely
11 less than 1 AFA. The priority date they are claiming is 1978, which is the date that the
12 well was drilled.

13 There was some discussion about Mr. Manteufel updating the well registration
14 paperwork due to a possible error in the location of the well. To assist the Manteufels,
15 ADWR will provide copies of all the paperwork for the Manteufel parcels currently on
16 file with ADWR (SOCs and well registration) and will provide information on contacting
17 ADWR's Surface Water Unit for information on obtaining a legal basis for their claims.

18 The parties discussed whether Ruth Ryan had originally filed a claim for domestic
19 use and whether Robert Manteufel could provide a copy of the property deeds to show
20 ownership of the property. All of the objecting parties represented at the meeting
21 indicated that they would be willing to work to resolve the objections in this case once
22 they have more information on the Manteufel claims.

23 **Filloon Claims**

24 Ms. Filloon indicated that she wants to pursue water rights for domestic and
25 irrigation uses. There are two wells on the property, and both wells are located within the
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1 subflow zone of the San Pedro River. Ms. Filloon indicated that the land is not currently
2 being irrigated but that she plans to begin irrigating 18-20 acres of pasture later this year.
3 Ms. Filloon estimated that the land was last irrigated by the previous landowner 8-10
4 years ago. Ms. Filloon estimated that she likely uses less than 1 AFA for domestic
5 purposes, but she was unable to provide a quantity for the irrigation claim. Ms. Filloon
6 indicated that she is pursuing a priority date of 1980 for the domestic use because the
7 house was built in 1980.

8 To assist Ms. Filloon, ADWR will provide information on contacting ADWR's
9 Surface Water Unit for information on obtaining a legal basis for her claims.


10 The parties discussed whether an abstract could be completed for the irrigation
11 claim when the previous irrigation use may have been forfeited, and discussed whether the
12 irrigation use would be considered a new use. All of the objecting parties represented at
13 the meeting indicated that they would be willing to work to resolve the objections in this
14 case once they have more information on the Filloon claims.

15 **NEXT STEPS**

16 The claimants need additional time to determine whether they have a legal basis for
17 their claims and, if not, whether they want to take the necessary steps to legally
18 appropriate water. ADWR recommends that the Court set a status conference in 90 days
19 to allow the claimants to provide an update on their progress and to determine next steps.

20 **DATED** this 2nd day of March, 2023.

21 ARIZONA DEPARTMENT OF WATER
22 RESOURCES

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24 _____
25 Kimberly R. Parks, Deputy Counsel
26 Kome Akpolo, Deputy Counsel

1 **ORIGINAL** of the foregoing sent by
2 first-class mail on March 2, 2023, to:

3 Clerk of the Maricopa Superior Court
4 Attn: Water Case
5 601 W. Jackson Street
6 Phoenix, Arizona 85003

7 **COPIES** of the foregoing sent by
8 first-class mail on March 2, 2023, to:

9 Special Master Susan Ward Harris
10 Maricopa County Superior Court
11 Central Court Building
12 201 West Jefferson Street, Suite 3A
13 Phoenix, AZ 85003-2205

14 **COPIES** of the foregoing sent by
15 first-class mail on March 2, 2023 to all
16 parties on the court-approved mailing list
17 for Contested Case No. W1-11-0384.

18 *Lizette Fuentes*
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