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

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. W1-11-1483

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

26 Special Master Sherri Zendri

CONTESTED CASE NAME: *In re Lee e. and Sharie H. Taylor*

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

DESCRIPTIVE SUMMARY: The Arizona Department of Water Resources (“ADWR”) provides the clarifying report as requested by the Court in the Order filed December 13, 2024.

NUMBER OF PAGES: Three and three-page attachment

DATE OF FILING: January 10, 2025

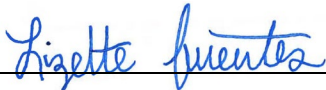
1 **ORIGINAL** of the foregoing sent by
2 first-class mail on January 10, 2025, to:

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 electronic mail on January 10, 2025, to:

9 Special Master Sherri Zendri
10 water@jbazmc.maricopa.gov

11 **COPIES** of the foregoing sent by
12 first-class mail on January 10, 2025, to all
13 parties on the court-approved mailing list
14 for Contested Case No. W1-11-1483.

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ATTACHMENT A

W1-11-1483 In re Lee E. and Sharie H. Taylor
Clarifying Report on WFR 112-14-DA-001 & 112-14-DAD-002

The Court requested that the Arizona Department of Water Resources (ADWR) file a clarifying report investigating both WFRs 112-14-DA-001 and 112-14-DAD-002.¹ This request comes after ADWR filed a map with the Court on December 6, 2024 indicating places of use, well locations, and parcels investigated within WFR No. 112-14-DAD-002.² In completing the analysis for this clarifying report, ADWR reviewed:

- The San Pedro HSR³;
- ADWR WFR investigation notes for WFR Nos. 112-14-DA-001 and 112-14-DAD-002;
- Statement of Claimant (“SOC”) 39-6326 for Domestic Use;
- The Cochise County Assessor’s Office information on parcel no. 208-10-014B & 208-10-014C.⁴

The purpose of this report is to explain the relationship and mapping discrepancy involving WFR Nos. 112-14-DA-001 and 112-14-DAD-002. The San Pedro HSR did not include a map of the land investigated for WFR No. 112-14-DA-001 due to domestic uses not being mapped as part of the investigative methodology of the San Pedro HSR.⁵ SOC No. 39-6326 is listed in both WFRs under “Applicable Filings and Decrees” and was therefore investigated twice. The SOC along with both WFRs list the location for the domestic use as NENWNW28 T15S R20E.

ADWR’s investigation notes from WFR No. 112-14-DAD-002 indicate that Cochise County Assessor Parcel no. 208-10-014B was to be investigated under WFR No. 112-14-DAD-002. The investigation notes contain a map showing the parcel of interest highlighted in yellow, as illustrated below in Figure 1; the parcel number is indicated. This parcel is representative of WFR No. 112-14-DAD-002 and is not the parcel associated with the domestic use.

¹ Order for Additional Investigation and Setting Status Conference, *In re Lee E. and Sharie H. Taylor*, Contested Case No. W1-11-1483, December 13, 2024.

² Arizona Department of Water Resources’ Status Report and Maps, *In re Lee E. and Sharie H. Taylor*, Contested Case No. W1-11-1483, filed December 6, 2024.

³ Arizona Department of Water Resources. (November 20, 1991). Hydrographic Survey Report for the San Pedro River Watershed.
<https://infoshare.azwater.gov/docushare/dsweb/View/Collection-19508>

⁴ Cochise County Assessor Website: <https://www.cochise.az.gov/178/Assessor>

⁵ Arizona Department of Water Resources. (November 20, 1991). Hydrographic Survey Report for the San Pedro River Watershed. Vol 1. p. 589.



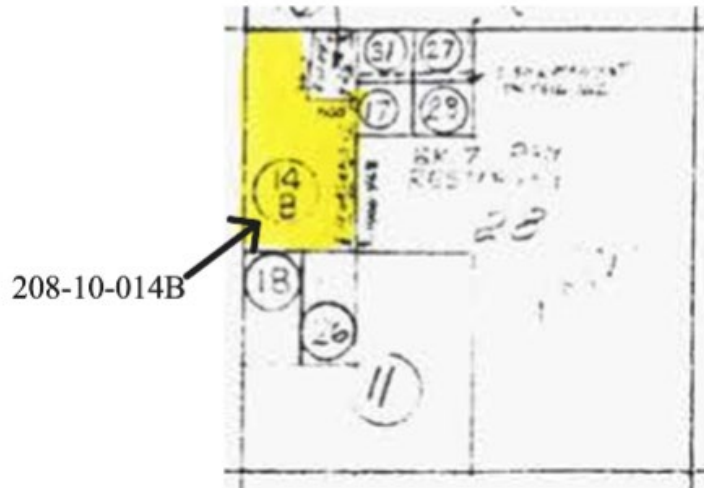


Figure 1: Applicable portion of ADWRs Investigation Notes for WFR No. 112-14-DAD-002⁶

ADWR’s investigation notes from WFR No. 112-14-DA-001 indicate that Cochise County Assessor Parcel No. 208-10-014C was to be investigated under WFR No. 112-14-DA-001. The investigation notes contain a map showing the parcel of interest highlighted in pink, as illustrated below in Figure 2; the parcel number is indicated. This parcel is representative of WFR No. 112-14-DA-001 and is the parcel associated with the domestic use. The investigative notes indicate the owner of the property was Ellen T. O’Hearn and James S. Coston.

⁶ ADWR’s original investigation notes contain the highlighted illustrations in yellow. ADWR added the label denoted by an arrow during the re-investigation process.



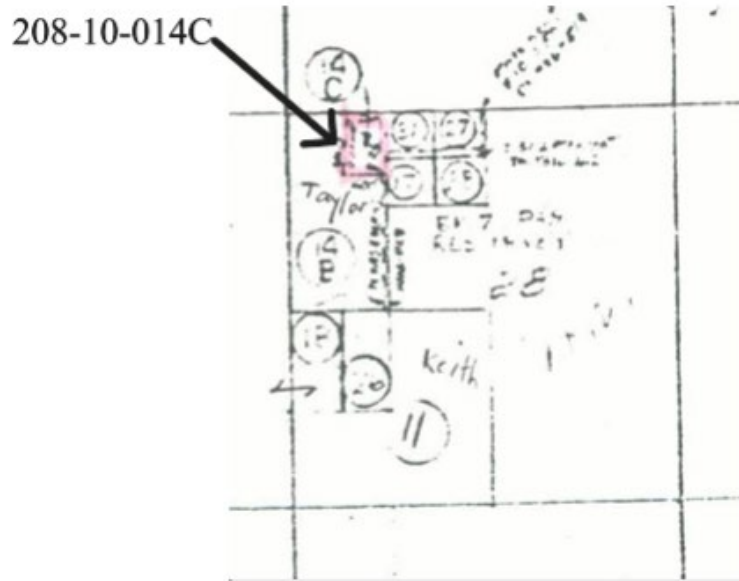


Figure 2: Applicable portion of ADWR’s Investigation Notes for WFR 112-14-DA-001.⁷

After reviewing the associated WFR documentation and investigative notes, ADWR concludes that the mapping methodology used in the San Pedro HSR investigation resulted in a discrepancy where ADWR investigated Cochise County Assessor Parcel No. 208-10-014C twice; once under each WFR. This could have occurred due to the investigative notes from WFR No. 112-14-DAD-002 (Figure 1) not being considered during the mapping phase of the San Pedro HSR.

In the event both WFRs investigated the same parcel, the Court requested that ADWR provide a suggested resolution.⁸ ADWR’s suggested resolution is to amend the existing WFR boundary for WFR No. 112-14-DAD-002 to only include Cochise County Assessor Parcel no. 208-10-014B and digitize a new WFR boundary for WFR No. 112-14-DA-001 to only include Cochise County Assessor Parcel no. 208-10-014C. WFR No. 112-14-DA-001 would be maintained in ADWR’s GIS database.

⁷ ADWR’s original investigation notes contain the highlighted illustrations in pink. ADWR added the label denoted by an arrow during the re-investigation process.

⁸ *Supra* n. 1, at 1.

