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6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
7 IN AND FOR THE COUNTY OF MARICOPA
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9 IN RE THE GENERAL ADJUDICATION
10 OF ALL RIGHTS TO USE WATER IN
11 THE GILA RIVER SYSTEM AND
12 SOURCE

W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)

13 Contested Case No. W1-11-232

14 **ORDER SETTING DEADLINES FOR**
15 **FILINGS AND SCHEDULING A**
16 **STATUS CONFERENCE**

17 CONTESTED CASE NAME: *In re San Pedro Riparian National Conservation Area*

18 HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

19 DESCRIPTIVE SUMMARY: Order setting deadlines for filing and scheduling a status
20 conference for **April 30, 2024, at 10:00 am**

NUMBER OF PAGES: 10

21 On February 24, 2023, the United States filed a Fifth Report on State Law Claims
22 within the San Pedro Riparian National Conservation Area (“Fifth Report”) in response to
23 the January 18, 2023, Order from this Court. The Fifth Report was required to provide the
24 status of several specific Statements of Claimants (“SOCs”) and any other corrections
25 necessary to ensure the United States’ state-law claims for water rights in the San Pedro
26 Riparian National Conservation Area are accurately reflected. An April 5, 2023, order
27 from this court summarized the changes that resulted from the Fifth Report.

28 The filing of the Fifth Report did not, however, resolve all issues with these state

1 water rights claims. The following is a list of items that are still outstanding:

- 2 **1.** A final, exhaustive list of all Statements of Claimant (“SOCs”) containing claims
3 that the United States will be pursuing in W1-11-232, including any claims not
4 yet documented with SOC’s.
- 5 **2.** Confirmation that the United States updated all relevant SOC’s and assignments
6 with the proper claimant name and address.
- 7 **3.** Confirmation that, for any relevant SOC’s not originally in the United States’
8 name, the United States either amended the name on the SOC or obtained an
9 assignment.
- 10 **4.** The addition of the 18 *de minimis* potential water rights (“PWRs”) identified in
11 the Special Master’s October 11, 2021 Order to the catalog of proposed water
12 rights.
 - 13 **4.1.** ADWR issued comments to draft proposed abstracts for 15 of the 18 PWRs
14 on November 8, 2022. ADWR has not yet issued comments to proposed
15 abstracts for 111-20-032-SP001, 111-24-CCB-011-SP002, or 111-24-
16 CCB-011-SP003.
- 17 **5.** The addition of remaining *de minimis* potential water rights to the catalog of
18 proposed water rights.
- 19 **6.** The resolution of instream flow claims.
 - 20 **6.1.** Settlement of the claim in SOC 39-13611, which is for a certificated
21 instream flow right.
 - 22 **6.2.** Certification and subsequent settlement of instream flow claims found in
23 SOCs 39-14485, 39-14482, and 39-7752.
 - 24 **6.3.** Filing of an SOC for instream flow application 33-96197.
- 25 **7.** The resolution of other non-de minimis claims.
- 26 **8.** The resolution of all claims not investigated in the San Pedro I HSR.

27
28 **IT IS ORDERED** that by **February 29, 2024**, ADWR shall file a report:

- 1 1. Commenting on draft proposed abstracts for the following PWRs: 111-20-032-
2 SP001, 111-24-CCB-011-SP002, or 111-24-CCB-011-SP003.
- 3 2. Issuing draft proposed abstracts for 111-20-032-SP001, 111-24-CCB-011-
4 SP002, 111-24-CCB-011-SP003.
- 5 3. Informing the court of progress in the issuance of water rights certificates for
6 instream flow claims found in SOC 39-14485, 39-14482, and 39-7752 and a
7 deadline for the completion of this task.

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9 **IT IS FURTHER ORDERED** that by **April 1, 2024**, the United States shall
10 file a report:


- 11 1. Providing a final, exhaustive list of all Statements of Claimant (“SOCs”)
12 containing claims that the United States will be pursuing in W1-11-232 including
13 any claims that are not documented in SOC 39-14485, 39-14482, and 39-7752 and a
14 deadline for the completion of this task.
- 15 2. Confirming the appropriate surface water filing has been initiated for any claim
16 lacking a surface water filing.
- 17 3. Providing, in accordance with ADWR’s November 2022 comments, evidence
18 for the location of the spring or stockpond relevant to the following potential
19 water rights: 111-20-032-SP002, 111-20-032-WL001, 111-20-032-WL005,
20 112-17-063-SW001, 112-17-063-SW002.
- 21 4. Confirming that, for any relevant SOC not originally in the United States’ name,
22 the United States amended the name on the SOC or obtained an assignment.
- 23 5. Confirming that all relevant SOC 39-14485, 39-14482, and 39-7752 and a
24 deadline for the completion of this task.
- 25 6. Informing the court of progress in the settlement of the instream flow claim in
26 SOC 39-13611.
- 27 7. Informing the Court of the non-*de minimis* claims that it believes are most
28 amenable to settlement.

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2 **IT IS FURTHER ORDERED** scheduling a status conference on **April 30,**
3 **2024, at 10:00 am** to discuss the following:

- 4 1. Any suggested corrections to the draft abstracts for *de minimis* claims.
5 2. A timeline for the settlement of the instream flow claim in SOC 39-13611.
6 3. Whether roadblocks are anticipated regarding the settlement of instream flow
7 claims in SOC 39-14485, 39-14482, and 39-7752.
8 4. A timeline for the settlement of the non-*de minimis* claims included in the United
9 States' most recent report.

10 The status conference will be held using the Court Connect program. Instructions
11 for Court Connect are attached as Attachment A. If you receive this Order by email, click
12 on the red box "Join Court Connect Hearing" on the attached instructions to make an
13 appearance. If you do not receive this Order by email, log into the Court Connect program
14 on the internet by typing <https://tinyurl.com/specialwatermaster>. If you do not have access
15 to the internet, you may attend telephonically using the telephone number and access code
16 included in the instructions for Court Connect.

17
18 Signed this 11th day of January 2024

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21 
22 Sherri L. Zendri
23 Special Water Master

24 On January 11, 2024, the
25 original of the foregoing was delivered to the
26 Clerk of the Maricopa County Superior Court for
27 filing and distributing a copy to all persons listed
28 on the Court approved mailing list.


Emily Natale

Court Approved Mailing List
In re San Pedro Riparian National Conservation Area
W1-11-232 (52 Names)
Prepared by the Special Master
1/10/2024

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ATTACHMENT A



Court Connect Hearing Notice for In re SPRNCA

This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.

All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.

Participants: Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

Case Name: In re San Pedro Riparian National Conservation Area

Contested Case No. W1-11-232

Start Date/Time: April 30, 2024 at 10:00 a.m.

JOIN COURT CONNECT HEARING

Dial-in Information: +1 917-781-4590

Private Dial-in Information: for privacy purposes, you can block your phone number by dialing *67 +1 917-781-4590

Dial-in Access Code: 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)

