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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 Nos. W1-11-3317

23 **ARIZONA DEPARTMENT OF**
24 **WATER RESOURCES' STATUS**
25 **REPORT**

26 (Special Master Susan Ward-Harris)

CONTESTED CASE NAME: *In re Lester Young*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: The Arizona Department of Water Resources ("ADWR") hereby reports on efforts made to resolve objections after ADWR's Meeting Report was filed on April 2, 2018.

NUMBER OF PAGES: Four

DATE OF FILING: May 18, 2018

1 Pursuant to the Special Master's Case Management Order filed February 8, 2018,
2 ADWR filed a Meeting Report on April 2, 2018 that addressed the results of a March 26,
3 2018 meeting between ADWR, the claimant and objectors in this matter. Also, on April
4 2, 2018, ADWR filed a Meeting Report that addressed the results of another March 26,
5 2018 meeting between ADWR, the claimants and objectors in contested case W1-11-3315
6 (*In re Young*). The lands involved in this contested case and the *Young* case were
7 originally homesteaded by William Row. In both cases, counsel for the San Carlos
8 Apache Tribe and the Tonto Apache Tribe ("Tribes") raised an issue concerning whether
9 there was a complete chain of title from the original landowner to the current landowner.

10 By emails dated April 23, 2018, Harold Young (a claimant in the *Young* case)
11 provided ADWR with chain of title information and 25 photographs of the land involved
12 in that case to establish proof of irrigation. Thereafter, ADWR forwarded the documents
13 provided by Mr. Young to the objectors in this case and in the *Young* case with a request
14 to contact ADWR by May 4, 2018 regarding whether a follow-up meeting would be
15 necessary. ADWR received only one response. By email dated May 3, 2018, counsel for
16 the Salt River Project ("SRP") indicated that the additional information did not change
17 SRP's position in these two contested cases. SRP is willing to stipulate for settlement
18 purposes to ownership and irrigation on the subject lands.

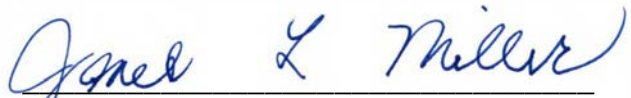
19 Recently, counsel for the Tribes raised the chain of title issue in contested case
20 W1-11-3318 (*In re Bowers*), which also involved land originally homesteaded by William
21 Row. ADWR met with the claimants and objectors in the *Bowers* case on May 1, 2018,
22 and counsel for Gila River Indian Community ("GRIC") indicated that the GRIC agreed
23 with the position taken by the Tribes. After the May 1, 2018 meeting, on May 3, 2018,
24 counsel for the Tribes filed a statement of position regarding the chain of title pursuant to
25 Order filed by the Special Master on April 12, 2018. No other objector filed a statement
26

1 of position after the meeting with ADWR on that issue or any other issue. ADWR filed a
2 Meeting Report on May 8, 2018 in which ADWR requested that the objectors identify,
3 within 30 days of the date of the report (June 7, 2018), any additional data that they
4 believe would be necessary to resolve the issues in the case.

5 ADWR believes that until the chain of title issue is resolved in this contested case,
6 settlement does not appear to be possible. Resolution of that issue would also affect the
7 possibility of settlement in the *Young* case and the *Bowers* case.

8 **DATED** this 18th day of May 2018.

9 ARIZONA DEPARTMENT OF WATER
10 RESOURCES

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

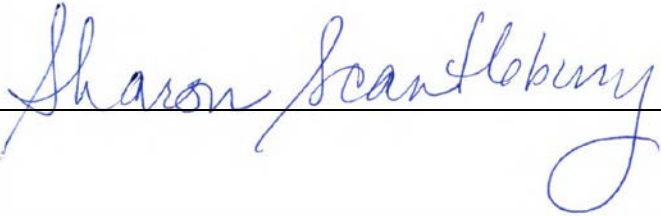
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15 **ORIGINAL** of the foregoing sent by
16 first-class mail on May 18, 2018, to:

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

20 **COPY** of the foregoing sent by
21 first-class mail on May 18, 2018, to:

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

1 **COPIES** of the foregoing sent by
2 first-class mail on May 18, 2018 to
3 all parties on the court-approved mailing list
4 for Contested Case No. W1-11-3315.

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