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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. W1-11-3377

23 **ARIZONA DEPARTMENT OF WATER**
24 **RESOURCES' NOTICE OF FILING**
25 **REPORT RE REVIEW OF DRAFT**
26 **WATER RIGHTS ABSTRACTS**

(Special Master Susan Ward-Harris)

27 **CONTESTED CASE NAME:** *In re Arizona Chapter of the Nature Conservancy –*
28 *Salazar - Tapia Ditch*

29 **HSR INVOLVED:** San Pedro River Watershed Hydrographic Survey Report

30 **DESCRIPTIVE SUMMARY:** The Arizona Department of Water Resources (“ADWR”) provides notice of filing its report concerning ADWR’s review of certain abstracts associated with the Salazar-Tapia Ditch.


31 **NUMBER OF PAGES:** Three and eight-page attachment

32 **DATE OF FILING:** May 21, 2018

1 Pursuant to the Special Master's Order dated April 19, 2018, ADWR hereby
2 provides notice of filing the attached report. This report concerns ADWR's review of the
3 draft abstracts attached to the Special Master's Order for certain water rights associated
4 with the Salazar-Tapia Ditch claimed by The Nature Conservancy. As directed by the
5 Special Master, ADWR's report includes GPS coordinates for the wells identified in the
6 abstracts. A copy of ADWR's report is attached hereto and is being posted to ADWR's
7 web site.

8 **DATED** this 21st day of May 2018.

9 ARIZONA DEPARTMENT OF WATER
10 RESOURCES

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

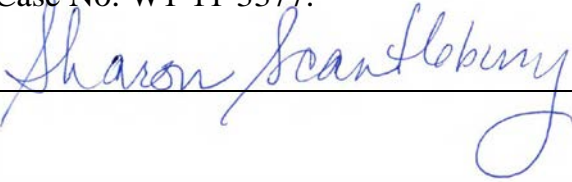
15 **ORIGINAL** of the foregoing notice
16 and attachment sent by first-class mail
17 on May 21, 2018 to:

18 Clerk of the Maricopa Superior Court
19 Attn: Water Case
20 601 W. Jackson Street
21 Phoenix, Arizona 85003

22 **COPY** of the foregoing notice and
23 attachment sent by first-class mail
24 on May 21, 2018, to:

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

1 **COPIES** of the foregoing notice and
2 attachment sent by first-class mail on
3 May 21, 2018 to all parties on the
4 court-approved mailing list for Contested
5 Case No. W1-11-3377.

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ATTACHMENT

ARIZONA DEPARTMENT OF WATER RESOURCES' REPORT

In Re Arizona Chapter of the Nature Conservancy - Salazar-Tapia Ditch Contested Case No. W1-11-3377 Gila River General Stream Adjudication

REVIEW OF DRAFT WATER RIGHTS ABSTRACTS

Pursuant to the Special Master's Order dated April 19, 2018, ADWR reviewed the draft abstracts attached to the referenced order to confirm the accuracy of the legal descriptions of the proposed water rights. In addition, ADWR collected and is hereby providing the GPS coordinates for the wells that serve as the sources of water for the listed uses.

The table below displays the legal descriptions of the places of use and points of diversion for the draft abstracts attached to the April 19, 2018 order. ADWR's comments are provided for each abstract and include GPS coordinates, based on NAD 83 datum, for the associated well, as appropriate. If a portion of the legal description is in question, that portion is shown in *underline italics*.

TABLE

Proposed Water Right No:	Place of Use:	Point of Diversion:	ADWR Comment
115-05-AB-001-IR001	SESW 21 T6S R19E	<u>SESW 21</u> T6S R19E	The filings have been assigned to the Nature Conservancy, however the Graham County Assessor records indicate the land is owned by Salazar Family Church, LLC. The abstract lists the Salazar-Tapia Ditch as the point of diversion. The Watershed File Report (WFR) indicates the diversion for the Salazar-Tapia Ditch is located in the SENWNE 28 T6S, R19E, not the SESW 21 T6S R19E as reported in the Abstract.
115-05-AC-003-IR001	SE SENWNE 1 T7S R19E SESE 36 T6S R19E SESW 36 T6S R19E SWSE 36 T6S R19E	SENWNE 1 T7S R19E	IR001 can be found in much of the NWNE 1 T7S R19E, not strictly the SENWNE. The legal description of the point of diversion is correct. The GPS coordinates of the well are: 32.858883 degrees North and 110.355171 degrees West.

Proposed Water Right No:	Place of Use:	Point of Diversion:	ADWR Comment
115-05-AC-003-IR002	SE NWNE 1 T7S R19E SESW 36 T6S R19E SWSE 36 T6S R19E	SEWNE 1 T7S R19E	IR002 can be found in much of the NWNE 1 T7S R19E, not strictly the SENWNE. The legal description of the point of diversion is correct. The GPS coordinates of the well are: 32.858883 degrees North and 110.355171 degrees West.
115-05-AC-003-IR003	NWSE 36 T6S R19E SESW 36 T6S R19E SWSE 36 T6S R 19E	NW NESW 36 T6S R19E	The legal description of the place of use should also include the NESW and SESE of 36 T6S R19E. The diversion facility is listed as Claridge Ditch, which is incorrect. This PWR is served by the same well as IR001 and IR002 (see above). The legal description of the point of diversion provided in this abstract is associated with well W4 described in the WFR. Well W4 is actually located in the SWNESW 36 T6S R19E. Its GPS coordinates are: 32.866214 degrees North and 110.361968 degrees West. The WFR states that well W4 also serves IR001 and IR002.

Proposed Water Right No:	Place of Use:	Point of Diversion:	ADWR Comment
115-05-AC-004-IR001	SWNW 27 T6S R19E NWSW 27 T6S R19E	SESW 27 T6S R19E	No comments.
115-05-AB-001-DM001	SESW 21 T6S R19E	<u>SESW</u> 21 T6S R19E	The filings have been assigned to the Nature Conservancy, however the Graham County Assessor records indicate the land is owned by Salazar Family Church, LLC. The GPS coordinates of the well are: 32.890952 degrees North and 110.40984 degrees West. That location is in the SWSWSE 21 T6S R19E.
115-05-AC-003-DM001 (1 of 3)	<u>SWNW 36</u> T6S R19E	SWNW 36 T6S R19E	Based on the WFR and ADWR's current analysis, the place of use is located in the SENE 35 T6S R19E. The point of diversion is correctly described and the GPS coordinates are: 32.87064 degrees North and 110.366515 degrees West.

Proposed Water Right No:	Place of Use:	Point of Diversion:	ADWR Comment
115-05-AC-003-DM001 (2 of 3)	NESW 25 T6S R19E SWSW 25 T6S R19E	NESW 25 T6S R19E SWSW 25 T6S R19E	Based on ADWR's analysis, the place of use includes the SESW 25 T6S R19E, rather than the SWSW 25. The well is located in the NWSW 25 T6S R19E and its GPS coordinates are: 32.879977 degrees North and 110.364136 degrees West.
115-05-AC-003-DM001 (3 of 3)	NESE 35 T6S R19E SENE 35 T6S R19E	NESE 35 T6S R19E	The place of use located in the SENE 35 T6S R19E is contained within abstract 115-05-AC-003-DM001 (1 of 3) above. The GPS coordinate for the well serving this place of use is: 32.868252 degrees North and 110.368287 degrees West.
115-05-AC-004-DM001	SW 27 T6S R19E	SW 27 T6S R19E	Based on ADWR's May 2018 site investigation, neither a domestic use nor a well were identified within WFR 115-05-AC-004.

Proposed Water Right No:	Place of Use:	Point of Diversion:	ADWR Comment
115-05-AC-005-DM002	SENE 28 T6S R19E	SENE 28 T6S R19E	The abstract states that this domestic use is served by the Nature Conservancy/West Ditch, the diversion for which is located in the NWSW 27 T6S R19E. The GPS coordinate for the well serving this place of use is: 32.883319 degrees North and 110.40244 degrees West.

Proposed Water Right No:	Place of Use:	Point of Diversion:	ADWR Comment
1 15-05-AC-005-DM003	SESW 27 T6S R19E NENE 34 T6S R19E <u>SESE</u> 27 T6S R19E	SESW 27 T6S R19E	Based on current imagery, ADWR believes the legal description of the third place of use listed in this abstract should be changed to SWSE 27 T6S R19E. The GPS coordinate for the well serving the first place of use listed in the abstract is: 32.878085 degrees North and 110.396107 degrees West. GPS coordinates for wells serving the second and third places of use were not collected during the site visit. GPS coordinates estimated from imagery for wells serving the second and third places of use are: 32.875 degrees North and 110.386 degrees West; and 32.877 degrees North and 110.389 degrees West, respectively.