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9
10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
11 **IN AND FOR THE COUNTY OF MARICOPA**
12

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. W1-11-3395

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

25 Special Master Susan Ward Harris

26 **CONTESTED CASE NAME:** *In re Karen C. LeCount*

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

DESCRIPTIVE SUMMARY: The Arizona Department of Water Resources (“ADWR”) provides its report on the meeting between the claimants and objectors that took place on January 7, 2020.

NUMBER OF PAGES: Six

DATE OF FILING: January 14, 2020

Pursuant to the Minute Entry Order in this matter filed September 24, 2019, ADWR held a meeting between the claimants and objectors in this case on October 3,

1 2019. On October 8, 2019, ADWR filed a meeting report addressing the results of the
2 meeting and scheduled a follow-up meeting on January 7, 2020. Pursuant to Rule
3 8.02[1][c], ADWR hereby files its Meeting Report for the January 7, 2020 meeting. A
4 copy of ADWR's Meeting Report is being posted to ADWR's web site at:
5 <https://new.azwater.gov/adjudications>.

6 7 **MEETING DETAILS**

8 The meeting took place at the ADWR offices located at 1110 W. Washington
9 Street, Phoenix, Arizona 85007 on January 7, 2020 at 9:00 am.

10 Present at the meeting were Glen Buettner, James Meza, Becky Eden, Cera Lange
11 and Kimberly Parks representing ADWR, Mark McGinnis, Rodney Held, and Tim
12 Skarupa representing the Salt River Project ("SRP"), and the claimants, Matt and Anna
13 Magoffin.

14 Attending telephonically were Luke Christian representing the Tonto Apache
15 Tribe, Rhett Billingsly representing ASARCO, John Burnside representing BHP Copper,
16 and Laurel Herrmann representing the San Carlos Apache Tribe.

17 Jay Tomkus, representing the Yavapai-Apache Nation, was unable to attend the
18 meeting but let me know that the Nation is willing to review any stipulations or abstracts
19 in an effort to resolve the objections. The United States, the Gila River Indian
20 Community, and Richard Holcomb were not present.

21 22 **MEETING OUTCOMES**

23 The Magoffins may need additional time to sort out their claims and determine the
24 status of any Statements of Claimant (SOCs or 39s) that may apply to those claims. It
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26

1 appears that there are two SOC's that apply to the Magoffins' water uses in Watershed File
2 Report 115-05-DA-001: 39-6486 and 39-12022. 39-12022 contains claims for water use
3 for both State Land and Magoffin land. During the meeting, the Magoffins let the parties
4 know that the Arizona State Land Department (ASLD) contacted them about various
5 claims for water rights on State Land. The Magoffins and ASLD are in the process of
6 sorting through the claims but had not finished their discussions prior to the meeting.
7 ASLD did not participate in the meeting and is not on the Court-Approved Mailing List
8 for this case.

9 The Magoffins also indicated that they recently purchased additional land for
10 which they intend to pursue new water right claims. There also appear to be a number of
11 stockponds and wells on the property for which the Magoffins have either not filed a
12 claim or are in the process of filing claims.

13 In an effort to assist the claimants and objectors in their discussions, ADWR has
14 searched our database for claims and filings by the Magoffins or associated with any land
15 owned by the Magoffins or near the land owned by the Magoffins. The results of those
16 searches appear in the tables below. Note that this may not be a complete list of the
17 claims that the Magoffins intend to pursue.

18
19 Statements of Claimant (mapped to lands owned by the Magoffin Family Trust)
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SOC Filings	Source	Filing Date	Name	Well Registration
39-12022	Well	1/4/1985	Magoffin Family Trust	55-604311
39-17715	Well	2/22/2013	Cavender	55-578417
39-2140	Well	12/28/1979	Cavender	55-613295 55-613296

				55-613297
39-6478	Well	7/7/1980	Kaibab Industries	Unknown
39-6486	Well	7/7/1980	Magoffin Family Trust	55-604311
39-6487	Well	7/7/1980	Kaibab Industries	Unknown

Surface Water Filings (mapped to lands owned by the Magoffin Family Trust)

Surface Water Filing	Source	Filing Date	Name
33-87761	Squaw Creek	2/10/1983	Magoffin Family Trust
33-78566	Squaw Creek	2/10/1983	Magoffin Family Trust
38-72582	Aravaipa (Tailwater Tank)	1/19/1979	Magoffin Family Trust
36-105936	Aravaipa	11/26/19	Magoffin Family Trust
38-96717	Aravaipa	10/22/2019	Magoffin Family Trust
38-96721	Aravaipa	10/22/2019	Magoffin Family Trust

Statements of Claimant (filed by Magoffin Family Trust but ADWR is unclear as to whether these claims pertain to Magoffin land, State Land, or other property)

SOC Filings	Source	Filing Date	Name	Associated Filings
39-17821	Lower Long Branch Hollow (stockpond)	8/3/2015	Magoffin Family Trust	38-88369 33-43443
39-17861	Long Hollow (Tank)	8/18/2015	Magoffin Family Trust	36-105696

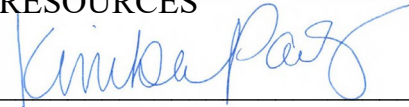
1 The following is a list of Surface Water filings filed by the Magoffins that may apply to
2 land the Magoffins are leasing from the State of Arizona:

3 33-43442	36-72577	38-27572
4 36-105696	36-72578	38-72586
5 36-43446	38-27563	38-72587
6 36-72566	38-27564	3R-2389
7 36-72567	38-27565	3R-2390
8 36-72573	38-27566	3R-2391
9 36-72574	38-27567	3R-2392
10 36-72575	38-27568	3R-2393
11 36-72576	38-27569	

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All of the objecting parties represented at the meeting indicated that they would be willing to work to resolve the objections in this case once they have more information on the claims.

DATED this 14th day of January, 2020.

ARIZONA DEPARTMENT OF WATER
RESOURCES


Kimberly R. Parks, Deputy Counsel

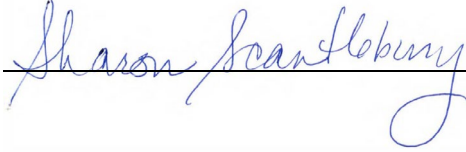
ORIGINAL of the foregoing sent by first-class mail on January 14, 2020, to:
Clerk of the Maricopa Superior Court
Attn: Water Case

1 601 W. Jackson Street
2 Phoenix, Arizona 85003

3 **COPIES** of the foregoing sent by
4 first-class mail on January 14, 2020, to:

5 Special Master Susan Ward-Harris
6 Maricopa County Superior Court
7 Central Court Building
8 201 West Jefferson Street, Suite 3A
9 Phoenix, AZ 85003-2205

10 **COPIES** of the foregoing sent by
11 first-class mail on January 14, 2020 to all
12 parties on the court-approved mailing list
13 for Contested Case No. W1-11-3395.

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