

1 Kimberly R. Parks (Bar No. 032828)
2 Arizona Department of Water Resources
3 Legal Division
4 P.O. Box 36020
5 Phoenix, Arizona 85067
6 Telephone: 602-771-8472
7 Fax: 602-771-8687
8 krparks@azwater.gov

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

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

Contested Case No. W1-11-3239

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

Special Master Susan Ward Harris

CONTESTED CASE NAME: *In re Manuela Franco*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: The Arizona Department of Water Resources ("ADWR") provides the Meeting Report as requested by the Court in the Minute Entry Order dated February 11, 2020.

NUMBER OF PAGES: Four

DATE OF FILING: June 16, 2020

1 Pursuant to the Minute Entry Order in this matter dated February 11, 2020, ADWR
2 hereby files its Meeting Report pursuant to Rule 8.02[1][c], addressing the results of the
3 second meeting between ADWR personnel and the claimant and objectors for the above
4 contested case. A copy of ADWR's Meeting Report is being posted to ADWR's web site.

5 **MEETING DETAILS**

6 The meeting was scheduled to take place at the ADWR offices located at 1110 W.
7 Washington Street, Phoenix, Arizona 85007 on June 9, 2020 at 11:00 am; however, due to
8 COVID-19 concerns, ADWR requested that all parties participate in the meeting
9 telephonically.

10 Participating in the meeting were Glen Buettner, Michael Hilstrom, Joseph
11 Holland, and Kimberly Parks representing ADWR, the landowners Frank and Anna
12 Estrada and Helidoro Lerma, Mark McGinnis, Tim Skarupa, and Katrina Wilkinson
13 representing the Salt River Project ("SRP"), Laurel Herrmann representing the San Carlos
14 Apache Tribe, Richard Palmer representing the Tonto Apache Tribe, Brad Pew
15 representing ASARCO, and John Burnside representing BHP Copper.

16 Manuela Franco, the United States, and the Gila River Indian Community were not
17 represented at the meeting.

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19 **MEETING OUTCOMES**

20 Manuela Franco filed Statement of Claimant ("SOC") 39-12960 claiming domestic
21 use and irrigation use on the subject parcels as reported in Watershed File Report
22 ("WFR") 114-04-DBC-006. The property has been subdivided since the time of the
23 Hydrographic Survey Report ("HSR") for the San Pedro River watershed. ADWR
24 believes that Helidoro Lerma and Roberto Chavez own parcel 300-53-030A, and Frank
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1 and Anna Estrada own parcel 300-53-030B. As of the date of the meeting, SOC 39-12960
2 (Franco) had not been assigned.

3 In January 2020, Frank and Anna Estrada filed SOC 39-18082 claiming domestic
4 use in the amount of 2 acre-feet per annum. SOC 39-18082 lists a well (registry # 55-
5 807769) as the source of water but does not mention the earlier rights claimed on the
6 property. Mr. Estrada briefly mentioned a dispute with the Francos regarding the
7 Franco's intent to claim water rights to the property. The Francos were not represented at
8 the meeting.

9 Ms. Lerma indicated that they are not currently using water on the property but
10 plan to use water for domestic purposes in the future. Ms. Lerma stated that she and Mr.
11 Chavez do not intend to pursue water rights at this time.

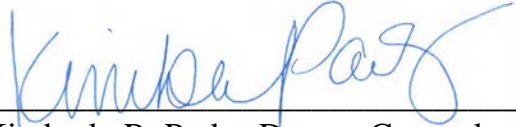
12 The objecting parties discussed the priority date being claimed by the Estradas and
13 whether there is documentation to support an earlier priority date. Counsel for the San
14 Carlos Apache Tribe will email the Estradas historical documentation for their review.
15 The parties suggested that the Estradas should prepare a *de minimis* abstract for domestic
16 use and file it with the Court for summary adjudication.

17 18 **NEXT STEPS**

19 ADWR will provide the Estradas with a blank abstract form and a copy of the
20 Court-Approved Mailing List for this case. The Estradas plan to prepare a draft abstract
21 for domestic use and will mail a copy of the draft abstract to all the parties on the Court-
22 Approved Mailing List within 45 days. The parties request that the Court schedule a status
23 conference within 60 days. Ms. Lerma and Mr. Chavez intend to participate in the status
24 conference and will be prepared to explain their position to the Court.
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1 **DATED** this 16th day of June, 2020.

2 ARIZONA DEPARTMENT OF WATER
3 RESOURCES

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6 Kimberly R. Parks, Deputy Counsel

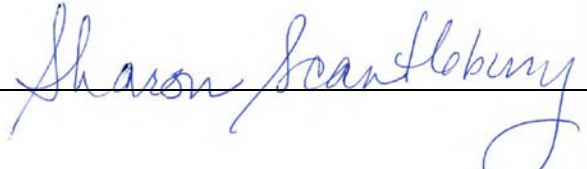
7 **ORIGINAL** of the foregoing sent by
8 first-class mail on June 16, 2020, to:

9 Clerk of the Maricopa Superior Court
10 Attn: Water Case
11 601 W. Jackson Street
12 Phoenix, Arizona 85003

13 **COPY** of the foregoing sent by
14 first-class mail on June 16, 2020, to:

15 Special Master Susan Ward-Harris
16 Maricopa County Superior Court
17 Central Court Building
18 201 West Jefferson Street, Suite 3A
19 Phoenix, AZ 85003-2205

20 **COPIES** of the foregoing sent by
21 first-class mail on June 16, 2020 to
22 all parties on the court-approved mailing list
23 for Contested Case No. W1-11-3239.

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