

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
9 *Attorney for ADWR*

R. Lee Leininger
U.S. Department of Justice
ENRD- NRS
999 18th St., South Terrace, Suite 370
Denver, CO 80202
Telephone: (303) 844-1364
Email: Lee.leininger@usdoj.gov
Attorney for the United States

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

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. W1-11-2709

**THE UNITED STATES AND ARIZONA
DEPARTMENT OF WATER
RESOURCES' JOINT REPORT**

Special Master Susan Ward Harris

CONTESTED CASE NAME: *In re Jack K. Hughes, et al.*

DESCRIPTIVE SUMMARY: The United States and The Arizona Department of Water Resources (“ADWR” or “Department”) provide notice of filing a joint report on the status of the United States’ instream flow application as requested by the Court in the Minute Entry Order dated October 19, 2020.

NUMBER OF PAGES: Four

DATE OF FILING: November 9, 2020

1 Pursuant to the Minute Entry Order filed October 19, 2020, the United States and
2 ADWR hereby jointly submit their report on the status of the United States' instream flow
3 application.

4 On October 16, 2020, ADWR had a meeting with representatives from the Bureau
5 of Land Management ("BLM") to discuss the status of Application to Appropriate Public
6 Water No. 33-96126 ("ISF Application"). As discussed in the meeting, BLM is reviewing
7 its previously filed instream flow assessment report supporting the ISF Application.
8 Specifically, BLM is evaluating the quantification analysis, and the use of river discharge
9 measurements taken after the filing of the ISF Application, with the expectation that the
10 supplemental data will be useful in the claim evaluation. The BLM does not see a need
11 for collecting new data or new resource evaluation at this time. Once the supplemental
12 data is submitted, ADWR will review the instream flow assessment report to determine if
13 it meets ADWR's requirements and will inform BLM of any deficiencies ADWR finds.

14 Once the ISF Application is found to be correct and complete, ADWR will move
15 forward with processing the ISF Application. Further processing may include re-noticing
16 the ISF Application on ADWR's website for 60 days. If no protests are filed on the ISF
17 Application, ADWR estimates that the issuance of a permit to appropriate public water for
18 instream flow purposes will take approximately thirty (30) days. If the BLM has the
19 required number of years of stream flow data to proceed to certification, they can
20 immediately file an Application for Certificate of Water Right for Instream Flow
21 Purposes.

22
23 As of November 6, 2020, the BLM has not filed the instream flow assessment
24 report or provided ADWR with any updated flow measurements. The BLM expects to
25 submit this information to ADWR no later than November 24, 2020.
26


1 The original of this report is being filed with the Clerk and is being posted to
2 ADWR's web site at: <https://new.azwater.gov/adjudications>.

3
4
5 **DATED** this 9th day of November, 2020.

6
7 ARIZONA DEPARTMENT OF WATER
8 RESOURCES

9 
10 _____
11 Kimberly R. Parks, Deputy Counsel

12 THE UNITED STATES

13 
14 _____ for
15 R. Lee Leininger, Attorney for the United States

16 **ORIGINAL** of the foregoing sent by
17 first-class mail on November 9, 2020, to:

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

22 **COPIES** of the foregoing sent by
23 first-class mail on November 9, 2020, to:

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

1 **COPIES** of the foregoing sent by
2 first-class mail on November 9, 2020
3 to all parties on the court-approved
4 mailing list for Contested Case No. W1-11-2709.

5 *Sharon Scantlebury*
6 _____
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26