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**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. W1-11-1350

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

Special Master Susan Ward Harris

CONTESTED CASE NAME: *In re Edgar and Lorraine Dinwiddie*

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

DESCRIPTIVE SUMMARY: The Arizona Department of Water Resources (“ADWR”) provides the meeting report as requested by the Court in the Minute Entry Order filed June 21, 2022.

NUMBER OF PAGES: Six

DATE OF FILING: July 29, 2022

1 Pursuant to the Minute Entry Order filed June 21, 2022, ADWR hereby files its
2 Meeting Report pursuant to Rule 8.02[1][c], addressing the results of the meeting between
3 ADWR personnel and the claimants and objectors for the above contested case. A copy of
4 ADWR's Meeting Report is being posted to ADWR's website at:
5 <https://new.azwater.gov/adjudications>.

6 **MEETING DETAILS**

7 The meeting took place via video conference on July 25, 2022 at 10:00 a.m.
8 Participating in the meeting were Mike Hilstrom, Kome Akpolo, Millicent Heffner, and
9 Kimberly Parks representing ADWR; Michael Foy, James Meza, and Rodney Held
10 representing the Salt River Project ("SRP"); Christina Jovanovic representing ASARCO;
11 Joe Sparks and Laurel Herrmann representing the San Carlos Apache Tribe; Richard
12 Palmer representing the Tonto Apache Tribe; Lee Leininger representing the United
13 States; the homeowner, Lupita Ramirez Dinwiddie along with some family members and
14 a friend; and Spanish interpreter Rachel Hernandez, who was retained by ADWR to assist
15 in this meeting.

16 The Yavapai Apache Nation and the Gila River Indian Community did not
17 participate in the meeting; however, counsel for the Gila River Indian Community
18 indicated that the Community would be willing to review any documentation provided by
19 the claimant and any stipulation proposed by the claimant and other objecting parties.

20 **MEETING OUTCOMES**

21 This case involves claims for water use within Cochise County parcel 104-41-001
22 which ADWR addressed in Watershed File Report (WFR) 111-24-CBC-006 as part of the
23 1991 Hydrographic Survey Report (HSR) for the San Pedro River Watershed. Ms. Lupita
24 Ramirez Dinwiddie attended the meeting and indicated that the land is currently owned by
25 Keith Dinwiddie and Guadalupe Ramirez Durazo; she also indicated that Mr. Dinwiddie
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1 and Ms. Durazo own property adjacent to the property within the WFR boundary. Neither
2 Mr. Dinwiddie nor Ms. Durazo attended the meeting, and it is unclear whether Ms. Lupita
3 Dinwiddie has been authorized to make claims for water rights on their behalf.

4 In 1980, Edgar and Lorraine Dinwiddie filed Statements of Claimant (SOCs) 39-
5 5363, 39-5364, 39-5365, 39-5366, and 39-5367 claiming water rights for irrigation,
6 stockwatering, and domestic uses. There have been no claims filed by the current
7 landowners or by Ms. Lupita Dinwiddie, and the existing claims have not been assigned
8 into their names.

9 In the 1991 HSR, ADWR found potential water rights for stockponds, domestic,
10 and irrigation uses on the property and four wells serving as the source of water for those
11 uses. Based on the information from the well records, the previously identified wells
12 appear to be within the subflow zone of the San Pedro River. It is unclear whether the
13 previously identified wells are still operating or whether there are additional wells or
14 diversions providing water for the property.

15 Ms. Dinwiddie indicated that she wants to pursue water rights for domestic
16 irrigation, and stockwatering uses. Ms. Dinwiddie estimates that there are 20 dwellings or
17 buildings on the property and that approximately 15 of the buildings require water. There
18 are three families living on the property. Ms. Dinwiddie stated that she has approximately
19 800 acres of irrigated land some of which is located outside the WFR boundary. It is
20 unclear whether the land is currently being irrigated or whether it has been irrigated in the
21 recent past. Ms. Dinwiddie also stated that she is seeking a priority date between 1906
22 and 1912 and can provide documentation to support that date. Ms. Dinwiddie was not
23 prepared to discuss the quantity of water she is seeking for each type of use but will
24 attempt to determine a quantity within the coming weeks.

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1 Ms. Dinwiddie also indicated that she has an upcoming meeting with The Nature
2 Conservancy and the Bureau of Land Management, but she was unable to discuss the
3 subject matter of the meeting.

4 To assist the parties in their discussions, ADWR prepared a draft map of the area,
5 which was displayed on screen for those parties attending by video conference. Ms.
6 Dinwiddie agreed to designate the irrigated fields, dwellings, and wells or diversions on
7 the map and to email the edited map to ADWR and the other parties.

8 The parties discussed whether Ms. Dinwiddie would be able to provide historical
9 information (if available) showing prior water use on the property to support a priority
10 date earlier than 1919 or other evidence of a perfected water right. The parties suggested
11 several resources that Ms. Dinwiddie might use to locate historical information. The
12 parties also suggested the types of documents, such as surveys or cattle brand registration
13 records, that could provide evidence of irrigated acreage or numbers of stock on the land.
14 Ms. Dinwiddie agreed to provide documentation to the parties.

15 After the meeting, ADWR provided Ms. Dinwiddie with a blank abstract of water
16 right form, links to locate documents, such as the existing SOCs, objections filed in this
17 case, and existing well records, as well as a draft map for Ms. Dinwiddie to edit and
18 circulate to the parties via email. With permission, ADWR included counsel for the
19 objecting parties on the email to facilitate the exchange of information between Ms.
20 Dinwiddie and the other parties.

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

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NEXT STEPS

Ms. Dinwiddie needs additional time to determine the quantity of water she intends to claim, gather documentation, and to meet with The Nature Conservancy and the Bureau of Land Management. The parties have requested that the Court set a status conference in 60 days to allow Ms. Dinwiddie to provide the Court and parties an update on her meeting with The Nature Conservancy and Bureau of Land Management and to address the status of any new, amended, or assigned SOCs and land ownership status. The parties may require a second meeting to further discuss Ms. Dinwiddie’s claims.

DATED this 29th day of July, 2022.

ARIZONA DEPARTMENT OF WATER
RESOURCES



Kimberly R. Parks, Deputy Counsel
Kome Akpolo, Deputy Counsel

1 **ORIGINAL** of the foregoing sent by
2 first-class mail on July 29, 2022, to:

3 Clerk of the Maricopa Superior Court
4 Attn: Water Case
5 601 W. Jackson Street
6 Phoenix, Arizona 85003

6 **COPIES** of the foregoing and attachment
7 sent by first-class mail on July 29, 2022, to:

8 Special Master Susan Ward Harris
9 Maricopa County Superior Court
10 Central Court Building
11 201 West Jefferson Street, Suite 3A
12 Phoenix, AZ 85003-2205

12 **COPIES** of the foregoing and attachment
13 sent by first-class mail on July 29, 2022 to all
14 parties on the court-approved mailing list
15 for Contested Case No. W1-11-1350.

16 *Lizette Fuentes*
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