

1 Kimberly R. Parks, Deputy Counsel (Bar No. 032828)
2 Kome Akpolo, Deputy Counsel (Bar No. 032562)
3 Arizona Department of Water Resources
4 1110 W. Washington St., Suite 310
5 Phoenix, Arizona 85007
6 Telephone: (602) 771-8472
7 Fax: (602) 771-8687
8 krparks@azwater.gov
9 oakpolo@azwater.gov

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

12 IN THE GENERAL ADJUDICATION
13 OF ALL RIGHTS TO USE WATER IN
14 THE GILA RIVER SYSTEM AND
15 SOURCE

16 W-1 (Salt)
17 W-2 (Verde)
18 W-3 (Upper Gila)
19 W-4 (San Pedro)
20 (Consolidated)

21 Contested Case No. W1-106

22 **ARIZONA DEPARTMENT OF**
23 **WATER RESOURCES' NOTICE OF**
24 **PUBLICATION OF A TECHNICAL**
25 **REPORT CONCERNING *DE***
26 ***MINIMIS* DOMESTIC, STOCKPOND,**
AND STOCK AND WILDLIFE
WATERING USES IN THE VERDE
RIVER WATERSHED AND
COMMENCEMENT OF COMMENT
AND OBJECTION PERIOD

Special Master Susan Ward Harris

CONTESTED CASE NAME: *In re Subflow Technical Report, Verde River Watershed*

HSR INVOLVED: None

DESCRIPTIVE SUMMARY: The Arizona Department of Water Resources is filing a technical report with the court concerning small water uses for domestic, stockpond,

1 stockwatering and wildlife purposes, and their cumulative impact on surface water
2 outflow from the Verde River watershed. Comments and objections to the technical
3 report must be received by the court no later than **October 28, 2022**.

4 **NUMBER OF PAGES:** Six and five-page attachment

5 **DATE OF FILING:** August 29, 2022

6 **Section I. Purpose of Notice**

7 The Arizona Department of Water Resources (ADWR) is sending notice to certain
8 persons who are believed to be using water within Coconino, Gila, Maricopa and Yavapai
9 counties, and other interested persons. Persons receiving the notice have the opportunity
10 to review and provide comments or objections to the Technical Report that ADWR is
11 filing with the court presiding over the Gila River adjudication proceedings described at
12 the following website at:

13 www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication.

14 The Technical Report concerns water uses for domestic, stockpond, stockwatering
15 and wildlife purposes in the Verde River watershed within the boundaries of the Gila
16 River adjudication. A map of the boundaries of the Gila River adjudication and the Verde
17 River watershed may be found at <https://new.azwater.gov/adjudications> (ADWR's
18 website).

19 ADWR is sending notice to persons on the court-approved mailing list for this
20 contested case and for the Gila River adjudication, persons who filed a claim for a water
21 right in the Verde River watershed (known as a statement of claimant or SOC¹), and
22 certain persons who have not filed an SOC for a water right but who are believed to be
23 using water within the Verde River watershed.

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25 _____
26 ¹ Information regarding SOCs is described on ADWR's web site at:
<https://new.azwater.gov/adjudications>).

1 In the following sections, this notice describes the purpose of the Technical Report,
2 how to comment or object to the Technical Report, how to obtain or inspect copies of the
3 Technical Report, and ADWR's contact information. Also, attached to this notice is a
4 Comment and Objection Form (**Attachment A**), which must be used by those persons
5 who want to file comments or objections to the Technical Report. See Section III.

6 **Section II. Purpose of the Technical Report**

7 As directed by the Minute Entry Orders filed March 4, 2020 and June 14, 2022,
8 ADWR inventoried certain water uses for domestic, stockpond, stockwatering and
9 wildlife purposes within the Verde River watershed. The Technical Report describes
10 ADWR's methodologies for collecting water use data during its investigations and
11 ADWR's analysis of that data to identify those relatively small water uses that
12 collectively have only a minimal impact on surface water in the Verde River watershed,
13 also known as *de minimis* water uses.

14 After comments and objections to the Technical Report have been filed (see
15 Section III), the court will conduct proceedings to determine whether abbreviated
16 (shortened) adjudication procedures are appropriate for any of the water uses analyzed in
17 the Technical Report. The court may approve simplified procedures to determine water
18 right attributes (characteristics, such as quantity and priority date) for some or all of the
19 small water uses described in the Technical Report. If the court approves an expedited
20 process to determine water right attributes for any of the small water uses analyzed in the
21 Technical Report, those standards will be applied when ADWR issues future reports on
22 individual domestic, stockpond, stockwatering, and/or wildlife watering uses for the
23 Verde River watershed.

24 ADWR is preparing several preliminary hydrographic survey reports (HSRs) that
25 examine water resources and water uses in the Verde River watershed. The first of these
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1 reports will be filed no later than January 5, 2024. In the preliminary HSRs, ADWR will
2 propose water right attributes based on individual water uses for domestic, stockpond,
3 stockwatering and wildlife purposes, including those small water uses that the court has
4 determined are *de minimis*. In addition, ADWR will propose water right attributes for
5 non-*de minimis* domestic and stockpond uses and all other beneficial uses such as
6 irrigation and municipal uses. Persons using water within the Verde River watershed and
7 other interested persons will have the opportunity to file comments on the preliminary
8 HSRs. Those comments will be considered when ADWR prepares final HSRs in the
9 future.

10 **Section III. Comments and Objections to the Technical Report**

11 Persons who choose to file comments or objections to the Technical Report must
12 complete a Comment and Objection Form (“Form”). The original and two copies of the
13 Form must be sent to the Clerk of the Maricopa County Superior Court at the address
14 stated on the Form. Comments and objections must be *received* by the court no later than
15 **October 28, 2022**. Persons who file comments or objections will be notified later of
16 further court proceedings concerning the Technical Report. ADWR will post copies of
17 the comments and objections filed with the court on ADWR’s website. Copies of the
18 comments and objections also may be obtained by contacting ADWR. See Section V.

19 **IV. Copies of the Technical Report**

20 The Technical Report is being made available for downloading from ADWR’s web
21 site, under the Technical Reports section, at <https://new.azwater.gov/adjudications>. An
22 electronic version or a hard copy of the Technical Report may be purchased by contacting
23 ADWR. See Section V. Additional copies are available for inspection at the following
24 locations:
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Inspection Locations

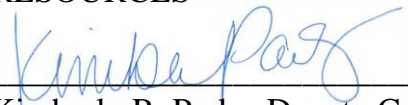
Arizona Department of Water Resources 1110 W. Washington Street, Suite 310 Phoenix, Arizona 85007	Clerk of Maricopa County Superior Court 601 W. Jackson Street Phoenix, Arizona 85003
Williams Public Library 113 S. 1 st Street Williams, Arizona 86046	Payson Public Library 328 N. McLane Road Payson, Arizona 85541
Chino Valley Public Library 1020 W. Palomino Road Chino Valley, Arizona 86323	Prescott Valley Public Library 7501 E. Civic Circle Prescott Valley, Arizona 86314

V. ADWR's Contact Information

Requests for copies of the Technical Report should be directed to ADWR at 602-771-8634, or 866-246-1414 (toll free). Due to the volume of calls that ADWR receives, it may be necessary to leave a message. ADWR will respond to calls as quickly as possible, which could take more than one business day. The deadline for comments or objections to be received by the court is **October 28, 2022**.

DATED this 29th day of August, 2022.

ARIZONA DEPARTMENT OF WATER
RESOURCES



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

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ORIGINAL of the Notice and two copies of the Technical Report hand delivered on August 29, 2022 to:

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

COPIES of the Notice and the Technical Report hand delivered on August 29, 2022 to:

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

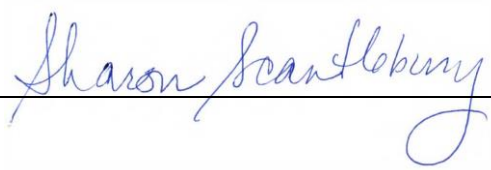
COPIES of the Notice are being posted on ADWR's web site and sent by first-class mail on August 29, 2022 to:

All parties on the court-approved mailing list for Contested Case No. W1-106 and the Gila River adjudication.

NOTICE of Publication, in the form of a flyer, was sent to all claimants in the Verde River watershed, and non-claimant water users in the Verde River watershed (**Attachment B**).

PRESS RELEASES containing information in the Notice are being published by the following newspapers:

The Arizona Republic (serving Coconino and Maricopa Counties), the Payson Roundup (serving Gila County) and the Daily Courier (serving Yavapai County)



ATTACHMENT A

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

IN 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. W1-106

**COMMENT OR OBJECTION TO
TECHNICAL REPORT CONCERNING
DE MINIMIS DOMESTIC,
STOCKPOND AND STOCK AND
WILDLIFE WATERING USES IN THE
VERDE RIVER WATERSHED**

Special Master Susan Ward Harris

COMMENTS OR OBJECTOR INFORMATION

Name (printed) _____

Mailing Address _____

Telephone No. _____

Statement of Claimant No. (if filed) _____

STATEMENT OF COMMENT OR OBJECTION

Please provide your comments or reasons for the objection below (or in a separate attachment) and complete the next page.

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CERTIFICATE OF SERVICE

On this ____ day of _____, 2022, I certify that the original Comment or Objection and two copies were sent by first class mail (or hand delivered) to:

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

If you mail your comment or objection to the court, please allow additional time for mailing, so that your objection will be received by the court by **October 28, 2022**.

Signature of Commenter/Objector or Representative

If this comment or objection is being submitted by a Representative of the Commenter/Objector, please provide the following information below or by attachment:

Name (printed) _____

Mailing Address _____

Telephone Number _____

ATTACHMENT B

ARIZONA DEPARTMENT OF WATER RESOURCES NOTICE OF PUBLICATION

On August 29, 2022, the Arizona Department of Water Resources (ADWR) released a Technical Report for inspection and comment. The Technical Report was filed with the Maricopa County Superior Court in the Gila River adjudication contested case W1-106, *In re Subflow Technical Report, Verde River Watershed*.

The purpose of the Technical Report is to identify small water uses for domestic (household), stockpond, stockwatering and wildlife purposes that collectively have only a minimal impact on surface water leaving the Verde River watershed, also known as *de minimis* water uses. These small uses may be eligible for a faster and more simplified adjudication process. If the court approves an expedited process to determine water right attributes (characteristics, such as quantity and priority date) for any of the small water uses analyzed in the Technical Report, those standards will be applied when ADWR issues future reports on individual domestic, stockpond, stockwatering, and/or wildlife watering uses for the Verde River watershed.

You are receiving this notice because you are either on the court approved mailing list for this contested case, a person or entity who filed a Statement of Claimant (SOC) claiming a water use in the Verde River watershed, or a person or entity that is believed to be using water in the Verde River watershed.

Persons and entities described above have the opportunity to review the Technical Report, available on ADWR's website and some local libraries in the Verde River watershed, and, if necessary, file comments or objections. Comments or objections must be filed on a Comment and Objection Form (available by contacting ADWR or on ADWR's website) and must be *received* by the court no later than **October 28, 2022**. Persons or entities who file comments or objections will be notified later of further court proceedings concerning the Technical Report.



VIEW:

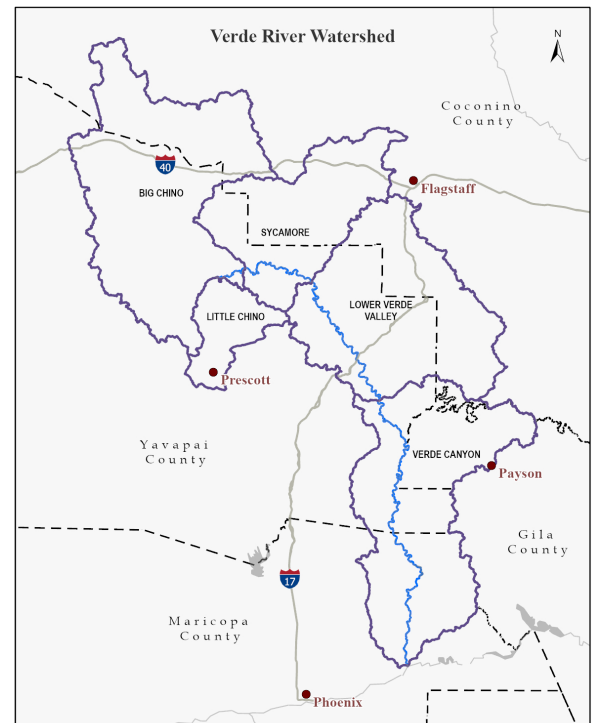
**THE REPORT, FAQs AND OTHER
INFORMATION, ONLINE AT**
<https://new.azwater.gov/adjudications>

FILE:

**COMMENTS OR OBJECTIONS ARE DUE
TO THE COURT NO LATER THAN
OCTOBER 28, 2022.**

CONTACT ADWR:

**866-246-1414 (TOLL FREE) OR
602-771-8634.**



This report does not analyze any individual water uses or claims. ADWR is preparing Hydrographic Survey Reports (HSRs) for the Verde River watershed that will address water rights and claims in more detail. The first HSR for the Verde River watershed will be filed January 2024.