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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. W1-11-3324

ORDER SETTING DATE FOR  
SUGGESTED CORRECTIONS OF  
PROPOSED WATER RIGHT FOR  
JOEL WILLIAM RUBIN AND  
SETTING DATE FOR FILING  
STIPULATED ABSTRACT OR  
STATUS REPORT

CONTESTED CASE NAME: *In re Joel William Rubin*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: Abstract for proposed water right for domestic use analyzed by Watershed File Report No. 115-04-006 distributed with a deadline of **April 20, 2020** to file suggested corrections. A stipulated abstract for water rights for Sandra Know and Kelly Glenn shall be filed by **March 20, 2020**, or the Tonto Apache Tribe shall file a status report about the current state of the review of the proposed abstract.

NUMBER OF PAGES: 6

DATE OF FILING: February 19, 2020

1 This case involves *de minimis* claims for water rights analyzed by Watershed File  
2 Report No. 115-04-006 included in the final hydrographic survey report for the San Pedro  
3 Watershed (“San Pedro HSR”) filed on November 20, 1991. In 1994, the Special Master issued  
4 a Memorandum Decision, Findings of Fact, and Conclusions of Law for Group 1 Cases  
5 involving Stockwatering, Stockponds, and Domestic Uses, dated November 14, 1994, amended  
6 February 23, 1995, approved and modified September 27, 2002 (“Decision”). The Decision  
7 established the procedures for adjudicating *de minimis* water rights for claims in the San Pedro  
8 watershed.  
9

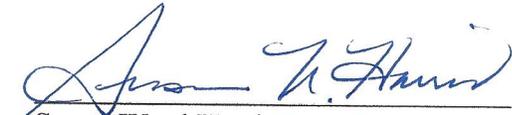
10 Once the proposed water right abstracts have been prepared, “the litigants will be  
11 provided an opportunity to suggest the correction of mistakes in the proposed abstracts.”  
12 Decision, p. 47. This proceeding is not a forum in which to relitigate the Decision, which was  
13 the subject of years of briefing and has now been affirmed for almost 18 years. Subsequently,  
14 this abstract will be included in a catalog of proposed water rights where it will be subject to a  
15 very limited set of objections and ultimately in a final decree.  
16

17 As required by the Decision, a proposed water right abstract has been prepared for a *de*  
18 *minimis* water right analyzed by Watershed File Report No. 115-04-006 which is attached as  
19 Appendix A.  
20

21 **IT IS ORDERED** that any suggested corrections to the proposed abstract shall be filed  
22 on or before **April 20, 2020**.

23 Salt River Project filed a Status Report on February 18, 2020, stating that a proposed  
24 abstract had been prepared for the water rights claimed by Sandra Knox and Kelly Glenn and  
25 distributed for review among those parties who filed objections to Watershed File Report No.  
26 115-04-006.  
27  
28

1           **IT IS FURTHER ORDERED** that a stipulated abstract for water rights for Sandra  
2 Know and Kelly Glenn along with a proposed form of order shall be filed by **March 20, 2020**  
3 unless no agreement has been reached in which case the Tonto Apache Tribe shall file a status  
4 report about the current state of the review of the proposed abstract.  
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9 Susan Ward Harris  
Special Master

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11 The original of the foregoing was delivered to the Clerk  
12 of the Maricopa County Superior Court on February 19,  
13 2020, for filing and distributing a copy to all persons  
14 listed on the Court approved mailing list for this  
15 Contested Case.  
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# APPENDIX A

115-04-006-DM001

## Abstract of Water Right San Pedro Watershed

<b>1. Proposed Water Right:</b>	115-04-ADC-006-DM001
<b>2. Owner of Right:</b>	Joel Rubin 88675 East Aravaipa Road Winkelman, AZ 85192
<b>3. Landowner:</b>	Joel Rubin
<b>4. Statement of Claimant No.(s):</b>	39-0002281
<b>5. Statement of Claimant Name(s):</b>	Joel W. Rubin
<b>6. Lessee or Permittee:</b>	None
<b>7. Basis of Right:</b>	10-1104274.1200
<b>8. Beneficial Use:</b>	Domestic
<b>9. Priority Date:</b>	June 27, 1892
<b>10. Quantity:</b>	2 AFA (2 homes: 1 AFA per home) Max rate of diversion: 35 gpm
<b>11. Place of Use*:</b>	NE SE SW Section 4 T07S R17E
<b>12. Point of Diversion*:</b>	55-903251 NE SE SW Section 4 T07S R17E
<b>13. Source of Water:</b>	Subflow of Aravaipa Creek
<b>14. GPS Coordinates for POD*:</b>	32°50'55.94"N, 110°36'52.11W

### Additional Information

\*See attached map.

# Rubin's New Well

32°50'55.94"N

110°36'52.11"W

Circa 2007

## Legend

32°50'55.94"N 110°36'52.11"W

32°50'55.94"N 110°36'52.11"W

El Arroyo Rd

Google Earth

