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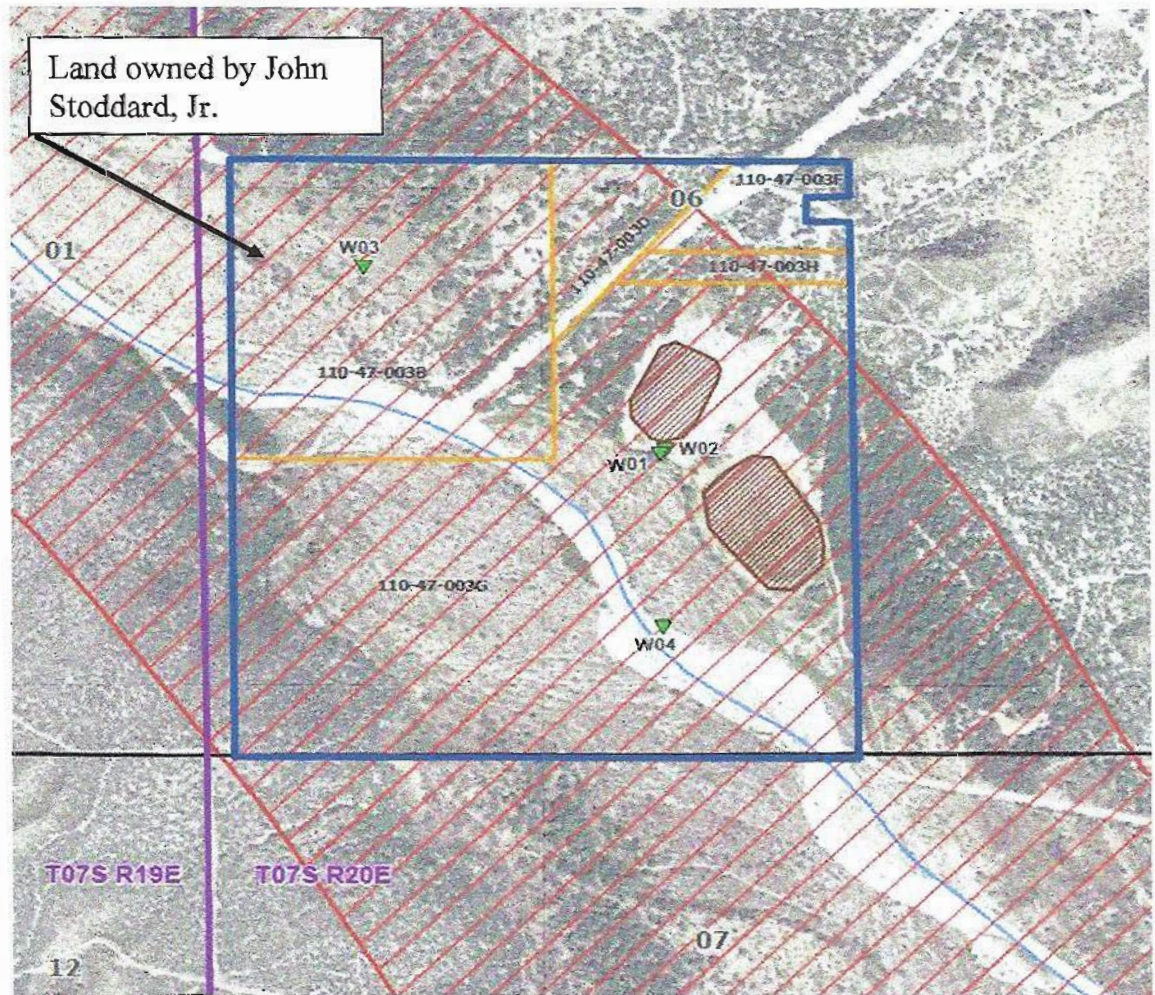
IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO USE WATER IN THE GILA RIVER SYSTEM AND SOURCE	W-1, W-2, W-3, W-4 (Consolidated) Contested Case No. W1-11-3394 ORDER TO SHOW CAUSE AND ORDER SETTING A TELEPHONIC STATUS CONFERENCE
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CONTESTED CASE NAME: <i>In re W. H. Claridge</i>
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report
DESCRIPTIVE SUMMARY: John Stoddard Jr. shall show cause for a reason to not dismiss claims for water rights for tax parcel 110-47-003B. Telephonic status conference set regarding claims filed by the Larson Education Trust on April 15, 2021 at 2:00 p.m.
NUMBER OF PAGES: 5
DATE OF FILING: March 4, 2021

On November 2, 2020, the Arizona Department of Water Resources (“ADWR”) filed Amended Watershed File Report 115-05-ADC-001 (“Report”). It distributed copies of the Report to all persons on the court-approved mailing list for the general adjudication of the Gila River System and Source.

1 Arizona Department of Water Resources located four wells on the property included
2 within the boundaries of the Report and determined that the four wells that provide the claimed
3 source of water are located in the subflow zone. See figure 1 below. In the Report, ADWR
4 described the water uses it found on the property during its most recent inspection and analyzed
5 the claims for water rights made in four Statements of Claimant: 39-3975, 39-3993, 39-3995,
6 and 39-3996.



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24 **Figure 1.** Land included in the area investigated by ADWR in the amended Watershed File
25 Report 115-05-ADC-001 is outlined in dark blue. The subflow zone is marked by the series of
26 parallel red lines.

1 **Statement of Claimant 39-3975**

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3 According to the Graham County Assessor, John Stoddard Jr. owns tax parcel 110-47-
4 003B. The prior landowner filed Statement of Claimant 39-3975 to assert rights to water
5 primarily for mining and domestic use from a well that the prior landowner referred to as Mill
6 #2 located on that land. The well is labelled by ADWR on *figure 1* as W03. Mr. Stoddard did
7 not file either an assignment or an amendment of Statement of Claimant 39-3975. Arizona
8 Department of Water Resources reported that it was unable to reach Mr. Stoddard to verify his
9 residence or domestic water use.
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11 Mr. Stoddard has not appeared at any proceedings in this case or attended any
12 meetings organized by ADWR to allow the claimants and the objectors to discuss the claims
13 for water rights and objections. Accordingly, it does not appear that Mr. Stoddard has an
14 interest in asserting a right to water for use on tax parcel 110-47-003B. As set forth below,
15 Mr. Stoddard will be given an additional opportunity to appear and state whether he has any
16 interest in pursuing rights to use water on tax parcel 110-47-003B.
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19 **Statements of Claimant 39-3993, 39-3995, and 39-3996**

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21 W. H. Claridge filed Statement of Claimant 39-3993 claiming rights to water pumped
22 from a well he described as Mill #1. Although he claimed 160 acre feet of water for irrigation
23 as the sole use of the water on the first page of the form, he expanded that use to include livestock,
24 mining, domestic, and farming on the second page of the form. Based on the final paragraph
25 of the form, Mr. Claridge appeared to regard the statement included on the second page as the
26 description of his water use. Mr. Claridge took a similar approach to the filing of Statements
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1 of Claimant 39-3995 and 39-3996 for water rights to water pumped from Mill Well #4 and an
2 undesignated well. In each case, he claimed 160 acre-feet for water for irrigation on the first
3 page of the form and expanded the uses on the second page of the form.

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5 Mr. Larson filed an assignment of the three Statements of Claimant, which was signed
6 by Sylvia Claridge, as trustee. Mr. Larson subsequently filed four amendments to each
7 Statement of Claimant. In his amendments to Statement of Claimant 39-3996, Mr. Larson
8 identified the relevant well as Mill Well #3. In each amended Statement of Claimant, Mr. Larson
9 claimed three acre-feet of water for domestic use, 32 acre-feet for irrigation, three acre-feet for
10 stockwatering, and 20 acre-feet of water. Each amended Statement of Claimant represents more
11 than a 60 percent reduction in the amount of water originally claimed by Mr. Claridge. Mr.
12 Larson also claimed a priority date of 1897, which is six years earlier than the date claimed in
13 the original Statements of Claimant.

14 When ADWR originally investigated the claims, it found that water from the well, Mill
15 #1, had been used in the past for irrigation and stockwatering, but was not in operation at the
16 time of the investigation. It found that one of the wells provided water for a domestic use¹ and
17 the remaining two wells were not in use. During the inspection necessitated by the amended
18 Statements of Claimant, ADWR determined that Mill #1 is equipped with a gear pump and could
19 be operated by a tractor or heavy equipment, but the well was not currently in operation. It also
20 concluded that Mill #3 could provide water for maintenance of the capped tailings piles on the
21 property if they were damaged. As to the fourth well, ADWR concluded that Mill #4 could be
22 outfitted to pump and convey water, but it was not currently in operation. Finally, ADWR
23 found no irrigation, domestic, stock or mining uses on the property.

24 Thus, based on the amended filings and the Report, it is appropriate to determine at this
25 stage whether Mr. Larson intends to pursue claims for water rights and, if so, determine whether
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27 ¹ In the Report, ADWR states that Mill #2 (diversion well 03) is the well to which a potential
28 domestic use was assigned.

1 additional notice is required to claimants in this adjudication, and set dates for filing objections
2 to the Report.

3 Based on the foregoing,

4 **IT IS ORDERED** that John Stoddard Jr. shall appear telephonically on **April 15, 2021**
5 at 2:00 p.m. to provide good reasons that Statement of Claimant 39-3975 should not be
6 dismissed and no further proceedings undertaken with respect to water rights for tax parcel
7 110-47-003B. Failure to appear will result in the dismissal of Statement of Claimant 39-3975.
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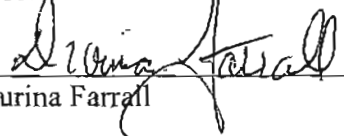
9 **IT IS FURTHER ORDERED** setting a telephonic Status Conference to establish
10 procedures and deadlines with respect to amended Watershed File Report 115-05-ADC-001.

11 The Status Conference shall be held on **April 15, 2021** at 2:00 p.m.

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13 Instructions for telephonic appearance:
14 Dial: 602-506-9695 (local)
15 1-855-506-9695 (toll free long distance)
16 Dial Participant Pass Code 357264#

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18 
19 SUSAN WARD HARRIS
20 Special Master

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22 On March 4, 2021, the original of the foregoing was
23 delivered to the Clerk of the Maricopa County Superior
24 Court for filing and distributing a copy to all persons
25 listed on the Court-approved mailing list for this contested
26 case.

27 
28 Durina Farrall