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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

**W1-00-001234** (Consolidated)  
Contested Case No. **W1-11-002200**

**ORDER INITIATING CONTESTED  
CASE AND SETTING DEADLINES**

CONTESTED CASE NAME: *In re Forest Service – Wilbur*  
HSR INVOLVED: San Pedro Hydrographic Survey.  
DESCRIPTIVE SUMMARY: The Clerk of the Maricopa County Superior Court is directed to initiate W1-11-002200. The United States Forest Service shall file with the Special Master a statement declaring the claims that it intends to pursue later than **June 29, 2026**, and file draft abstracts no later than **July 31, 2026**. Comments to the abstracts must be filed no later than **August 14, 2026**.  
NUMBER OF PAGES: 12

**General Explanation**

This order opens a case to determine rights to use water on land owned by the United States. In this contested case, Charles Zimmerman filed statements of claimant (“SOC”) 39-474 through 478, 39-480, 39-482, 39-485; Jerry F. Wilbur filed SOCs 39-12134 through 12138, 39-12140 through 12142, 39-12144, and 39-12156; the United States Forest Service (“USFS”) filed SOCs 39-8044, 39-8074, 39-8279, and 39-12377; and the Arizona State Land Department filed SOC 39-7616. The Arizona Department of Water Resources (“ADWR”) investigated the claims and prepared watershed file report

1 (“WFR”) 112-18-007, published in the San Pedro River Hydrographic Survey Report  
2 (“HSR”). A copy of the WFR is attached as Attachment A. A map illustrating the area  
3 investigated in the WFR is attached as Attachment B. The WFR describes multiple stock  
4 watering uses in the “Fourr” allotment within the Coronado National Forest.

5 After ADWR issued the WFR, objections were filed to the findings made in the  
6 WFR by the City of Phoenix, the Gila River Indian Community, San Carlos Apache  
7 Tribe, Tonto Apache Tribe, Yavapai-Apache Nation, Salt River Project, and the USFS.

### 9 **Claimant and Landowners**

10 WFR 112-18-007 lists the USFS as the owner of the land investigated. USFS  
11 records indicate that the property investigated currently comprises the “Fourr” allotment  
12 within the Coronado National Forest. A map depicting the allotment is attached as  
13 Attachment C. ADWR public records document the assignment of SOCs filed by Jerry  
14 F. Wilbur and Charles Zimmerman to the H/H Safford Ranch, LLC after the publication  
15 of the WFR. Neither the USFS nor lessees appear to have filed any additional SOCs since  
16 the issuance of the HSR.

### 18 **IT IS ORDERED:**

- 19 **1. Case Initiation.** This order initiates contested case W1-11-002200.
- 20 **2. Declaration.** USFS shall review all SOCs relevant to this contested case and  
21 declare to the Court no later than **June 29, 2026**, the claims that it intends to  
22 pursue in this contested case.
- 23 **3. Draft Abstracts.** USFS shall file draft abstracts for claims eligible for summary  
24 adjudication no later than **July 31, 2026**. The parties shall file any comments  
25 to the draft abstracts by **August 14, 2026**.
- 26 **4. Parties.** The litigants in this contested case are the current landowner, lessees,  
27 and all parties who filed objections to the watershed file report. The objectors  
28 are the City of Phoenix, the Gila River Indian Community, San Carlos Apache

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Tribe, Tonto Apache Tribe, Yavapai-Apache Nation, the USFS and the Salt River Project.

**5. Objections.** Copies of objections filed to this case can be found under the respective case names and numbers on the following website: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp>.

**6. Court Approved Mailing List.**

A. The initial Court Approved Mailing List for this case shall include all persons listed on Attachment D to this order. The list may be modified only by filing a motion or notice with the Special Master. Litigants are responsible for using the current Court-approved mailing list.

B. A copy of any pleading filed with the Clerk of the Maricopa County Superior Court in this case shall be served upon each person listed on the Court Approved Mailing List.

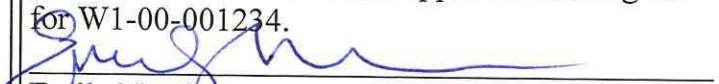
C. The Clerk of the Court will send copies of all minute entries and orders issued in this case to the parties listed on the Court Approved Mailing List.

D. Claimants who would like to receive courtesy copies of minute entries and orders may request inclusion on an email list by sending a request to [emily.natale@jbazmc.maricopa.gov](mailto:emily.natale@jbazmc.maricopa.gov).

Signed this 21<sup>st</sup> day of May, 2026.  
  
\_\_\_\_\_  
Sherri L. Zendri  
Special Water Master

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On May 21, 2026, the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to all persons listed on the Court-approved mailing list for this contested case, a copy of which is attached, and to all persons listed on the Court-approved mailing list for W1-00-001234.

  
Emily Natale

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**ATTACHMENT A**  
**Watershed File Report**

LAND OWNER	WATERSHED FILE	LESSEE/ALLOTTEE	LEASE-PERMIT ID
-----	REPORT NUMBER	-----	-----
FS - CORONADO	112-18-007	WILBUR INVESTMENT COMPANY	FOURR

A P P L I C A B L E F I L I N G S A N D D E C R E E S

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION SECTION	LOCATION TWNP	RNGE
33-0085889	CERTIF.	STOCK	.20	NE19	170S	230E	1980	NE19	170S	230E
		REC/FISH/WLDF	.10							
36-0004838		STOCK	.29	NESWSW02	170S	220E	1884	SWNWNW17	170S	230E
		REC/FISH/WLDF		SWSW03	170S	220E				
				SWNESE11	170S	220E				
36-0012396		STOCK	1.00	NWNW16	170S	230E	1890	NWNW16	170S	230E
		REC/FISH/WLDF								
36-0080614		STOCK	4.00	SWSW18	170S	230E	1910	SWSW18	170S	230E
36-0080616		STOCK	3.50	NWNE16	170S	230E	1900	NWNE16	170S	230E
36-0080617		STOCK	3.50	SENE16	170S	230E	1890	SENE16	170S	230E
36-0080618		STOCK	4.00	NESW16	170S	230E	1890	NESW16	170S	230E
36-0080619		STOCK	6.50	SWSW08	170S	230E	1918	SESW08	170S	230E
36-0080620		STOCK	3.00	NENW09	170S	230E	1918	NENW09	170S	230E
36-0080621		STOCK	3.00	NWNW20	170S	230E	1915	NWNW20	170S	230E
39-0000474		STOCK	2.85	NENW09	170S	230E	1918	NENW09	170S	230E
		REC/FISH/WLDF	.15							
39-0000475		STOCK	6.17	SESW08	170S	230E	1918	SESW08	170S	230E
		REC/FISH/WLDF	.33							
39-0000476		STOCK	3.80	NESW16	170S	230E	1890	NESW16	170S	230E
		REC/FISH/WLDF	.20							
39-0000477		STOCK	3.32	SENE16	170S	230E	1890	SENE16	170S	230E
		REC/FISH/WLDF	.18							
39-0000478		STOCK	3.32	NWNE16	170S	230E	1900	NWNE16	170S	230E
		REC/FISH/WLDF	.18							
39-0000480		STOCK	3.80	SWSW18	170S	230E	1910	SWSW18	170S	230E
		REC/FISH/WLDF	.20							
39-0000482		DOMESTIC	6.00	NENE13	170S	230E	1876	NWNW17	170S	230E
		STOCK	3.50							
		REC/FISH/WLDF	.50							
39-0000485		STOCK	2.85	NWNW20	170S	230E	1915	NWNW20	170S	230E
		REC/FISH/WLDF	.15							
39-0007616	AMENDED	STOCK	.26	NWSWSW02	170S	220E	1884	SWNWNW17	170S	230E
		REC/FISH/WLDF	.03	SWSW03	170S	220E				
				SWNESE11	170S	220E				
39-0008044		STOCK	.20	NWNE19	170S	230E	1890	NWNE19	170S	230E
		REC/FISH/WLDF	.10							
39-0008074		STOCK	.70	NWNW16	170S	230E	1890	NWNW16	170S	230E
		REC/FISH/WLDF	.30							
39-0008279		STOCK	.32	NWSW09	170S	230E	1960	NWSW09	170S	230E
		REC/FISH/WLDF	.14							
39-0012134	QUE . RECD	STOCK	3.00	NENW09	170S	230E	1918	NENW09	170S	230E
39-0012135	QUE . RECD	STOCK	6.50	SESW08	170S	230E	1918	SESW08	170S	230E
39-0012136	QUE . RECD	STOCK	4.00	NESW16	170S	230E	1890	NESW16	170S	230E
39-0012137	QUE . RECD	STOCK	3.50	SENE16	170S	230E	1890	SENE16	170S	230E
39-0012138	QUE . RECD	STOCK	3.50	NWNE16	170S	230E	1900	NWNE16	170S	230E
39-0012140	QUE . RECD	STOCK	4.00	SWSW18	170S	230E	1910	SWSW18	170S	230E
39-0012141	QUE . RECD	STOCK	6.45	SESWNE16	170S	230E	1918	SESWNE16	170S	230E
39-0012142		DOMESTIC	3.23	17	170S	230E	1876	17	170S	230E
		STOCK	9.66							
39-0012144	QUE . RECD	STOCK	3.00	NWNW20	170S	230E	1915	NWNW20	170S	230E
39-0012156		STOCK	16.13	SENESE08	170S	230E	1938	SENESE08	170S	230E
		REC/FISH/WLDF								
39-0012377		DOMESTIC	1.00	NENENE18	170S	230E		NENENE18	170S	230E
		STOCK	.32							
		REC/FISH/WLDF	.14							

D W R A N A L Y S I S O F F I L I N G S A N D D E C R E E S

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
33-0085889	STOCK	SPRING		SWO06
	WILDLIFE	SPRING		
36-0004838	STOCK	SPRING	SO1	SWO08
	WILDLIFE	SPRING		

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
36-0012396	STOCK WILDLIFE	SPRING SPRING		SW004
36-0080614	STOCK	SPRING		SW006
36-0080616	STOCK	SPRING		SW003
36-0080617	STOCK	SPRING		SW004
36-0080618	STOCK	SPRING		SW005
36-0080619	STOCK	SPRING		SW001
36-0080620	STOCK	SPRING		SW002
36-0080621	STOCK	SPRING		SW007
39-0000474	STOCK WILDLIFE	SPRING SPRING		SW002
39-0000475	STOCK WILDLIFE	SPRING SPRING		SW001
39-0000476	STOCK WILDLIFE	SPRING SPRING		SW005
39-0000477	STOCK WILDLIFE	SPRING SPRING		SW004
39-0000478	STOCK WILDLIFE	SPRING SPRING		SW003
39-0000480	STOCK WILDLIFE	SPRING SPRING		SW006
39-0000482	DOMESTIC STOCK WILDLIFE	NOT APPLICABLE CATALOGUED WELL CATALOGUED WELL		
39-0000485	STOCK WILDLIFE	SPRING SPRING		SW007
39-0007616	STOCK WILDLIFE	SPRING SPRING		SW008
39-0008044	STOCK WILDLIFE	SPRING SPRING		SW006
39-0008074	STOCK WILDLIFE	SPRING SPRING		SW004
39-0008279	STOCK WILDLIFE	CATALOGUED WELL CATALOGUED WELL		
39-0012134	STOCK	SPRING		SW002
39-0012135	STOCK	SPRING		SW001
39-0012136	STOCK	SPRING		SW005
39-0012137	STOCK	SPRING		SW004
39-0012138	STOCK	SPRING		SW003
39-0012140	STOCK	SPRING		SW006
39-0012141	STOCK	CATALOGUED WELL		
39-0012142	DOMESTIC STOCK	NONE CATALOGUED WELL		
39-0012144	STOCK	SPRING		SW007
39-0012156	STOCK WILDLIFE	CATALOGUED WELL CATALOGUED WELL		
39-0012377	DOMESTIC STOCK WILDLIFE	NOT APPLICABLE CATALOGUED WELL CATALOGUED WELL		

D I V E R S I O N S

DIV #	LOCATION			DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
	SECTION	TWNP	RNGE		
SO1	SWNWNW17	17OS	23OE	FOURR CANYON SPRING	SURFACE WATER: SAN PEDRO RIVER SHARED

U S E S

PWR #	LOCATION			SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
	SECTION	TWNP	RNGE					
SW001	SWSESW08	17OS	23OE		SURFACE WATER		NO	FOURR CNY MINE SHAFT
SW002	NWNENW09	17OS	23OE		SURFACE WATER		NO	JORDAN CANYON SPRING
SW003	NWNWNE16	17OS	23OE		SURFACE WATER		NO	MINERS SPRING
SW004	NWSENW16	17OS	23OE		SURFACE WATER		NO	CAVE SPRING
SW005	SWNESW16	17OS	23OE		SURFACE WATER		NO	HIDDEN SPRING
SW006	SWSWSW18	17OS	23OE		SURFACE WATER		NO	LITTLE SPRING
SW007	SENWNW20	17OS	23OE		SURFACE WATER		NO	MINE SHAFT SPRING
SW008	SWNWNW17	17OS	23OE		SURFACE WATER		NO	FOURR CANYON SPRING

\*\* WATER FROM SO1 IS SHARED WITH THESE ADDITIONAL FILES:  
 112-18-13

P W R S U M M A R Y

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE* DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
SW001	39-0000475 39-0012135	36-0080619	1918 FILING 36-80619	SURFACE WATER: SAN PEDRO RIVER
SW002	39-0000474 39-0012134	36-0080620	1918 FILING 36-80620	SURFACE WATER: SAN PEDRO RIVER
SW003	39-0000478 39-0012138	36-0080616	1900 FILING 36-80616	SURFACE WATER: SAN PEDRO RIVER
SW004	39-0000477 39-0008074 39-0012137	36-0012396 36-0080617	1890 36-12396 & 36-80617	SURFACE WATER: SAN PEDRO RIVER
SW005	39-0000476 39-0012136	36-0080618	1890 FILING 36-80618	SURFACE WATER: SAN PEDRO RIVER
SW006	39-0000480 39-0008044 39-0012140	33-0085889 36-0080614	1910 FILING 36-80614	SURFACE WATER: SAN PEDRO RIVER
SW007	39-0000485 39-0012144	36-0080621	1915 FILING 36-80621	SURFACE WATER: SAN PEDRO RIVER
SW008	39-0007616	36-0004838	1884 FILING 36-4838	SURFACE WATER: SAN PEDRO RIVER
NONE	39-0000482 39-0008279 39-0012141 39-0012142 39-0012156 39-0012377	NONE		

Q U A N T I T I E S O F U S E

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
SW001							SEE VOLUME 1 - GENERAL ASSESSMENT
SW002							SEE VOLUME 1 - GENERAL ASSESSMENT
SW003							SEE VOLUME 1 - GENERAL ASSESSMENT
SW004							SEE VOLUME 1 - GENERAL ASSESSMENT
SW005							SEE VOLUME 1 - GENERAL ASSESSMENT
SW006							SEE VOLUME 1 - GENERAL ASSESSMENT
SW007							SEE VOLUME 1 - GENERAL ASSESSMENT
SW008							SEE VOLUME 1 - GENERAL ASSESSMENT

E X P L A N A T I O N

FILINGS AND DECREES

FILINGS 39-482 & 39-12377 - CLAIM DOMESTIC, STOCKWATERING, AND WILDLIFE WATER USES. THE CLAIMED DOMESTIC WATER USE DOES NOT APPLY TO THIS PROPERTY.  
 FILING 39-12142 - CLAIMS DOMESTIC AND STOCKWATERING USES. NO DOMESTIC USE WAS FOUND AT THE CLAIMED LOCATION.  
 FILINGS 39-12134 THROUGH 39-12138, 39-12140, 39-12141 & 39-12114 - UNIFORM QUESTIONNAIRES WERE RECEIVED WHICH REFLECT INFORMATION PREVIOUSLY PROVIDED IN THE ORIGINAL STATEMENTS OF CLAIMANT.

DIVERSIONS

S1 - FOURR CANYON SPRING PROVIDES WATER FOR STOCKWATERING AND WILDLIFE USES.

USES AND RESERVOIRS

SW1 - STOCKWATERING AND WILDLIFE USES FROM FOURR CANYON MINE SHAFT SPRING.  
 SW2 - STOCKWATERING AND WILDLIFE USES FROM JORDAN CANYON SPRING.  
 SW3 - STOCKWATERING AND WILDLIFE USES FROM MINERS SPRING.  
 SW4 - STOCKWATERING AND WILDLIFE USES FROM CAVE SPRING.

- SW5 - STOCKWATERING AND WILDLIFE USES FROM HIDDEN SPRING.
- SW6 - STOCKWATERING AND WILDLIFE USES FROM LITTLE SPRING.
- SW7 - STOCKWATERING AND WILDLIFE USES FROM MINE SHAFT SPRING.
- SW8 - STOCKWATERING AND WILDLIFE USES FROM FOURR CANYON SPRING.

SHARED USES AND DIVERSIONS

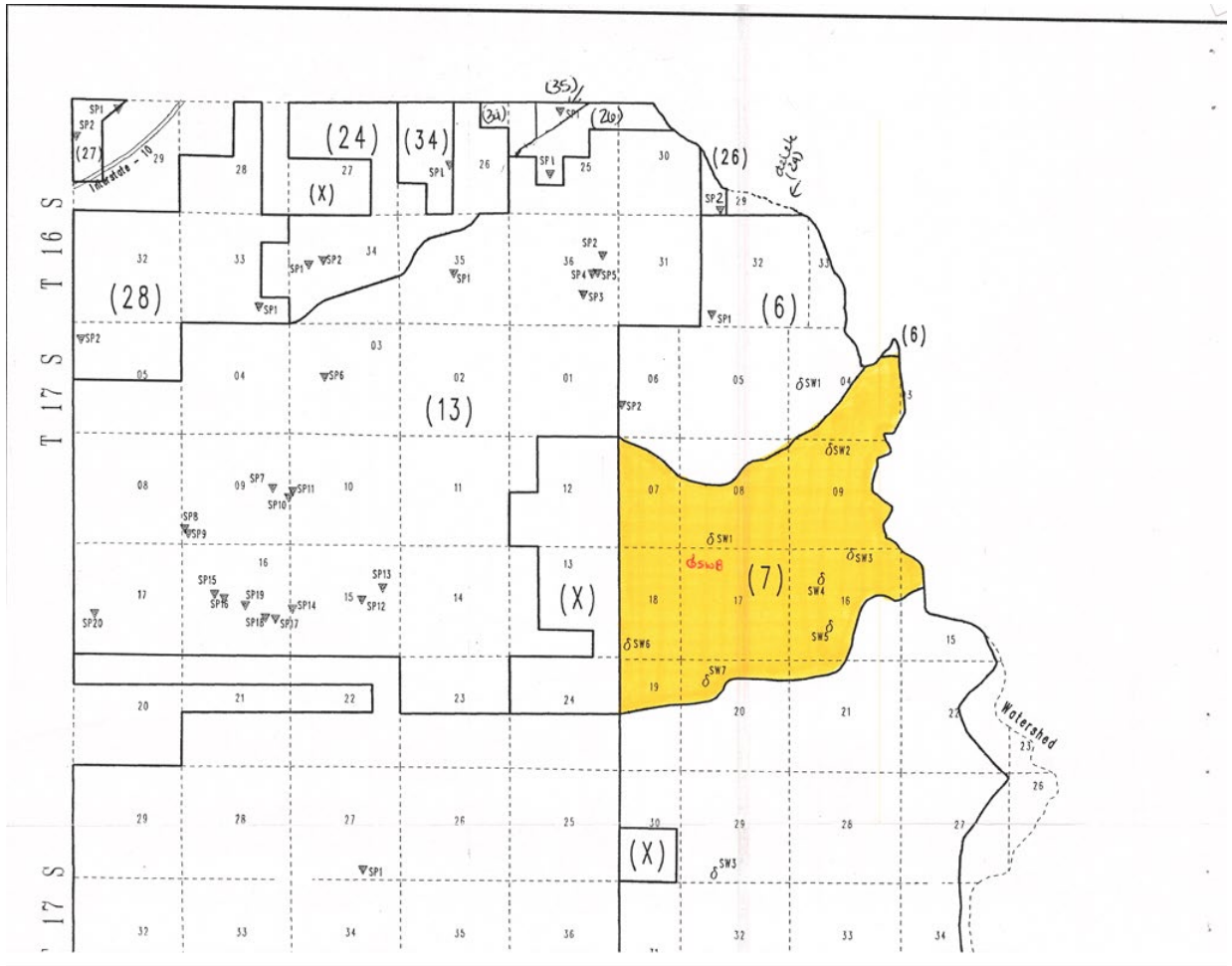
- S1 - FOURR CANYON SPRING IS SHARED WITH W.F.R. #112-18-13.

DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS

A COMMENT WAS RECEIVED WHICH INDICATED THAT FOURR CANYON SPRING WAS SHARED WITH W.F.R. #112-18-13. A DIVERSION S1 AND POTENTIAL WATER RIGHT SW8 WERE CREATED TO REFLECT THIS SHARED USE.

**ATTACHMENT B**

**Map Illustrating Area Investigated in WFR**

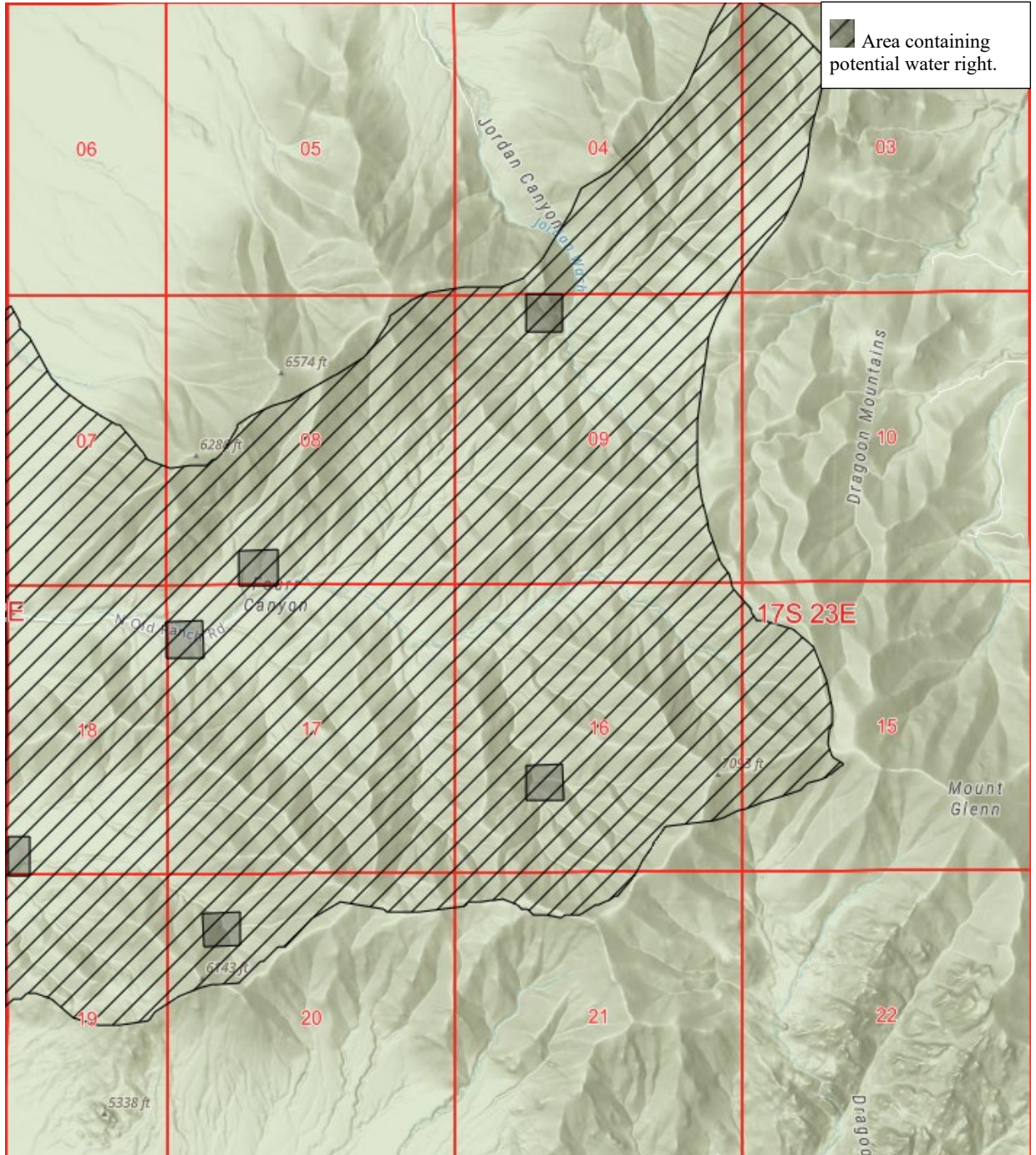


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**ATTACHMENT C**

**Allotment Map**

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**ATTACHMENT D**

**Initial Court-Approved Mailing List**

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Arizona Department of Water Resources  
Karen J. Nielsen  
1110 West Washington, Suite 310  
Phoenix, AZ 85007

Charles L. Cahoy, Asst. City Attorney  
Phoenix City Attorney's Office  
200 W. Washington 13th Flr.  
Phoenix, AZ 85003

Clerk of the Superior Court  
Maricopa County  
Attn: Water Case  
601 West Jackson St.  
Phoenix, AZ 85003

Special Master Sherri Zendri  
Superior Court of Arizona  
201 W. Jefferson Street  
Courtroom 301  
Phoenix, AZ 85003

David Jacobs, Kevin Crestin, &  
Eric Wilkins  
Arizona Attorney General Natural Resources  
Section  
2005 North Central Phoenix, AZ 85004

Mark Widerschein  
United States Dept. of Justice – ENRD  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044

Josh Edelstein - Phoenix Field Solicitor  
Office of the Solicitor  
U.S. Department of the Interior  
Sandra Day O'Connor US Courthouse  
401 W. Washington St., Ste. 404, SPC 44  
Phoenix, AZ 85003

A. Ritchie, J. Sutton, B. Velasco  
San Carlos Apache Tribe  
Office of the Attorney General  
PO Box 40  
San Carlos, AZ 85550

Mark McGinnis, Michael Foy,  
Katrina Wilkinson, Kathryn Ust  
Salmon, Lewis & Weldon  
2850 E. Camelback Rd. Suite 300  
Phoenix, AZ 85016

Joe P. Sparks & Laurel A. Hermann  
The Sparks Law Firm, P.C.  
7503 First Street  
Scottsdale, AZ 85251-4573

Jeremiah Weiner  
Rosette, LLP.  
120 S. Ash Avenue, Suite 201  
Tempe, AZ 85281

Susan B. Montgomery & Robyn Interpreter  
Montgomery & Interpreter PLC  
3301 E Thunderbird Road  
Phoenix, AZ 85032

Gila River Indian Community  
Javier Ramos and Michael Carter  
Office of the General Counsel  
P.O. Box 97  
Sacaton, AZ 85147

Merrill C. Godfrey & Brette A. Pena  
Akin Gump Straus Hauer & Feld LLP  
2001 K Street, N.W.  
Washington, DC 20006

Jerry F. Wilbur  
PO Box 340  
Dragoon, AZ 85609

Safford Ranches LLC  
c/o Elise M. Townsend  
6741 Corsair Ave.  
Prescott, AZ 86301

Charles Zimmerman  
Box 184  
Dragoon, AZ 85609