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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. **W1-11-002687**

**ORDER INITIATING CONTESTED  
CASE AND SETTING DEADLINES**

CONTESTED CASE NAME: *In re ASLD – Kellogg*  
HSR INVOLVED: San Pedro Hydrographic Survey.  
DESCRIPTIVE SUMMARY: The Clerk of the Maricopa County Superior Court is directed to initiate W1-11-002687. Arizona State Land Department shall file with the Special Master a statement declaring the claims that it intends to pursue no later than **June 29, 2026**, and draft abstracts no later than **August 31, 2026**.  
NUMBER OF PAGES: 7

**General Explanation**

This order opens a case to determine rights to use water on land owned by the Arizona State Land Department ("ASLD").

In this case, ASLD filed statement of claimant ("SOC") 39-13913. The Arizona Department of Water Resources ("ADWR") investigated the claims and prepared watershed file report ("WFR") 113-12-038, published in the San Pedro River Hydrographic Survey Report ("HSR"). A copy of the WFR is attached as Attachment A. A map illustrating the area investigated in the WFR is attached as Attachment B. The

1 WFR describes a stock watering use.

2 After ADWR issued the WFR, objections were filed to the findings made in the  
3 WFR by ASLD, the Gila River Indian Community, Tonto Apache Tribe San Carlos  
4 Apache Tribe, and Yavapai-Apache Nation.

5 **Claimant and Landowners**

6 WFR 113-12-038 lists the Arizona State Land Department ("ASLD") as the owner  
7 of the land investigated. ASLD records indicate that the property investigated currently  
8 comprises ASLD parcel 05-2390. The public records of ADWR do not contain any  
9 assignments of the SOC listed in the WFR. Further, neither the state nor lessees appear  
10 to have filed any additional SOCs since the issuance of the HSR.

11 **IT IS ORDERED:**

12 **1. Case Initiation.** This order initiates contested case W1-11-002687.

13 **2. Declaration.** ASLD shall review all SOCs relevant to this contested case and  
14 declare to the Court no later than **June 29, 2026**, the claims that it intends to  
15 pursue in this contested case.

16 **3. Draft Abstracts.** ASLD shall file draft abstracts for claims eligible for summary  
17 adjudication by **August 31, 2026**. The Parties shall file any comments to the  
18 draft abstracts by **September 14, 2026**.

19 **4. Parties.** The litigants in this contested case are the claimant and current  
20 landowner, any lessees, and all parties who filed objections to the watershed  
21 file report. The objectors are the Gila River Indian Community, Tonto Apache  
22 Tribe San Carlos Apache Tribe, and Yavapai-Apache Nation.

23 **5. Objections.** Copies of objections filed to this case can be found under the  
24 respective case names and numbers on the following website:  
25 <http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudi>  
26 [cation/whatsNew.asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudi).

27 **6. Court Approved Mailing List.**

28 **A.** The initial Court Approved Mailing List for this case shall include all persons

1 listed on Attachment C to this order. The list may be modified only by filing  
2 a motion with the Special Master. Litigants are responsible for using the  
3 current Court Approved Mailing List.

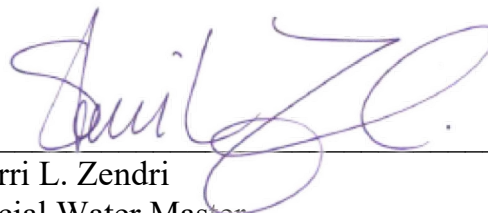
4 **B.** A copy of any pleading filed with the Clerk of the Maricopa County Superior  
5 Court in this case shall be served upon each person listed on the Court  
6 Approved Mailing List.

7 **C.** Claimants wishing to be added or removed from the mailing list shall file a  
8 motion with the Special Master. Parties allowed to intervene will be  
9 automatically added to the Court Approved Mailing List.

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

12 **E.** Claimants who would like to receive courtesy copies of minute entries and  
13 orders may request inclusion on an email list by sending a request to  
14 emily.natale@jbazmc.maricopa.gov.

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16 Signed this 28th day of April 2026.

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Sherri L. Zendri  
Special Water Master

22 On April 28, 2026 the original of the foregoing  
23 was delivered to the Clerk of the Maricopa  
24 County Superior Court for filing and distributing  
25 a copy to all persons listed on the Court-  
26 approved mailing list for this contested case,  
27 a copy of which is attached, and to all  
28 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 REPORT NUMBER	LESSEE/ALLOTTEE	LEASE-PERMIT ID
SLD	113-12-038	KELLOGG, D.E.	05-2390-2

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 LOCATION SECTION	TWNP	RNGE
36-0100061		STOCK REC/FISH/WLDLF	.37	SW05	120S	180E	1884	SW05	120S	180E
39-0013913		STOCK	.37	NESW05 NWSW05 SWSW05	120S	180E	1884	NESW05 NWSW05 SWSW05	120S	180E

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
36-0100061	STOCK WILDLIFE	STOCK INCIDENTAL		SW001
39-0013913	STOCK WILDLIFE	STOCK INCIDENTAL		SW001

U S E S

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
SW001	SWSWSW05	120S	180E		SURFACE WATER		NO	INSTREAM USE

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	39-0013913	36-0100061	1884 FILING	36-100061	SURFACE WATER: SAN PEDRO RIVER

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

E X P L A N A T I O N

USES AND RESERVOIRS

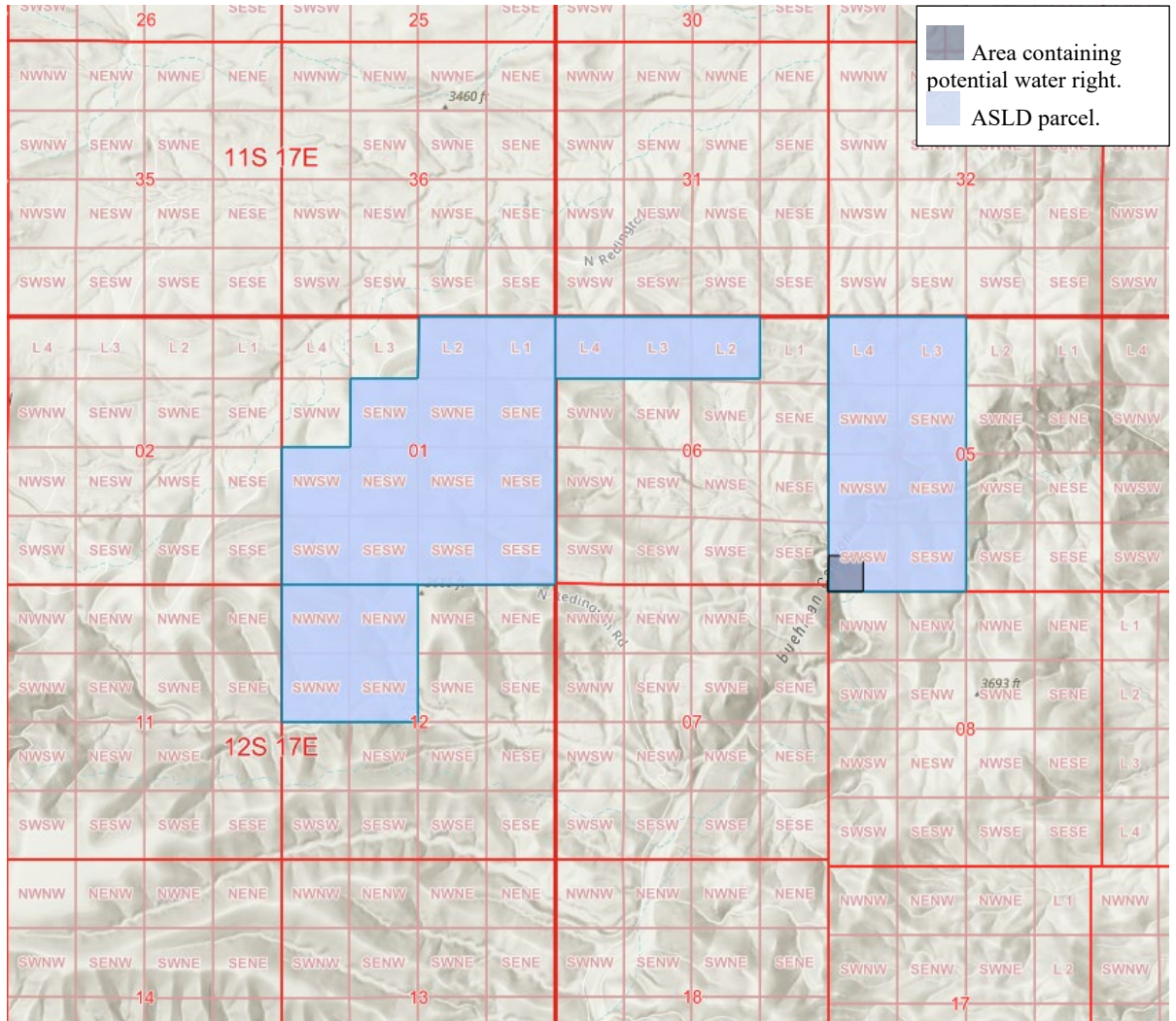
SW1 - INSTREAM STOCKWATERING AND WILDLIFE USES FROM BUEHMAN CANYON.

DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS

A COMMENT WAS RECEIVED FROM THE LAND OWNER ON THE DISPOSITION OF FILING 39-13913.

# ATTACHMENT B

## Map Illustrating Area Investigated in WFR



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**ATTACHMENT C**

**Initial Court-Approved Mailing List**

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Maricopa County  
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