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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

Civil No. W1-11-1233

**[PROPOSED] ORDER APPROVING
STIPULATION, WITHDRAWAL OF
OBJECTIONS, AND PROPOSED WATER
RIGHT ABSTRACTS FOR CHARLES T.
CLEVELAND**

CONTESTED CASE NAME: *IN
RE CHARLES T. CLEVELAND*

CONTESTED CASE NAME: *In re Charles T. Cleveland*

The Court, having reviewed the Motion for Approval of Stipulation, Withdrawal of Objections and Proposed Water Right Abstracts for Charles T. Cleveland (“Motion”) filed in Contested Case No. W1-11-1233, *In re Charles T. Cleveland*, and good cause appearing:

IT IS ORDERED:

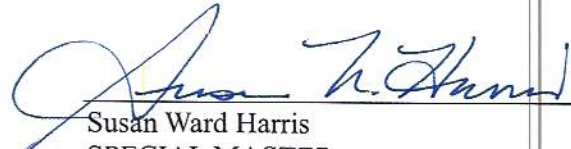
1. The Motion is GRANTED.
2. The objections to Watershed File Report 111-24-ACD-001 are withdrawn without precedent in any other contested case in the adjudication proceedings. All objections to the San Pedro HSR, including all objections to all Watershed File Reports and Zone 2 Well Reports contained in the HSR, other than objections to WFR 111-24-ACD-001, and all issues raised under those objections, including without limitation any factual or legal issues substantially similar to those objections, are preserved.
3. Statement of Claimant No. 39-175134 is dismissed.

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4. The proposed domestic and stockwatering water right abstracts and maps attached as Appendix A are approved. The abstracts and maps shall be included in a Catalog of Proposed Water Rights created pursuant to § 15 of the Rules for Proceedings before the Special Master.

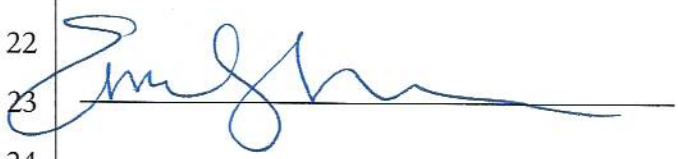
5. Each party to the Motion shall bear their own costs and attorneys' fees incurred in this matter.

SIGNED this 20th day of March, 2023.



Susan Ward Harris
SPECIAL MASTER

ORIGINAL of the foregoing delivered to the Clerk of the Maricopa County Superior Court on the 20 day of March, 2023, for filing and distribution to all persons listed on the Court-Approved Mailing List for Case No. W1-11-1233 dated February 16, 2023



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EXHIBIT A

**ABSTRACT OF WATER RIGHT
San Pedro Watershed**

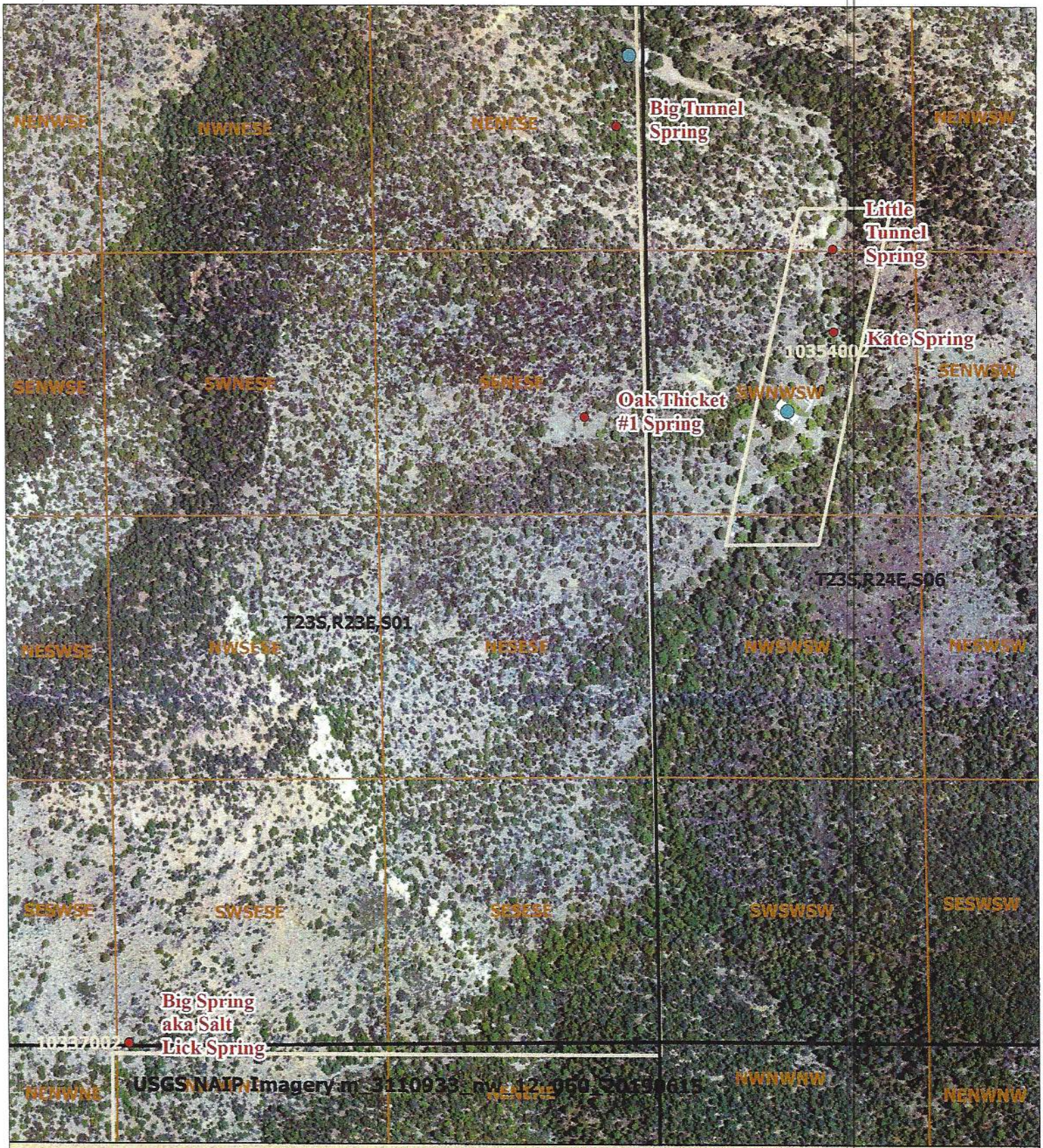
CLEVELAND DOMESTIC USE		
1.	Proposed Water Right.	111-24-ACD-001-DM001
2.	Owner of Right.	Charles T. Cleveland
3.	Landowner.	Charles T. Cleveland
4.	Statement of Claimant No.(s).^A	39-175133
5.	Statement of Claimant Name(s).	Charles T. Cleveland
6.	Lessee or Permittee.	None
7.	Basis of Right.	36-106415 (Big Tunnel Spring) 36-106417 (Kate Spring) 36-106418 (Little Tunnel Spring)
8.	Beneficial Use.	Domestic
9.	Priority Date.	12/29/1916
10.	Quantity.	2.00 AFA (1.00 AFA for each dwelling – <i>see</i> the places of use below).
11.	Places of Use.^B	<p><u>The Rock House</u> NE ¼ NE ¼ SE ¼ Sec. 1, Township 23 South, Range 23 East <u>GPS Coordinates:</u> 31° 27' 32.68578385" N 109° 57' 10.63812902" W</p> <p><u>The Main House</u> SW ¼ NW ¼ SW 1/4, Sec. 6, Township 23 South, Range 24 East <u>GPS Coordinates:</u> 31° 27' 24.10021398" N 109° 57' 06.34566539" W</p> <p>Both in the Gila and Salt River Base and Meridian, Cochise County, Arizona</p>
12.	Points of Diversion.^C	<u>Big Tunnel Spring (Serves the Rock House)</u> NE ¼ NE ¼ SE ¼ Sec. 1,

CLEVELAND DOMESTIC USE	
	<p>Township 23 South, Range 23 East <u>GPS Coordinates: 31° 27' 31" N 109° 57' 11" W</u></p> <p><u>Kate Spring (Serves the Main House)</u> SW ¼ NW ¼ SW ¼ Sec. 6, Township 23 South, Range 24 East <u>GPS Coordinates: 31° 27' 26" N 109° 57' 05" W</u></p> <p><u>Little Tunnel Spring (Serves the Main House)</u> SW ¼ NW ¼ SW ¼ Sec. 6, Township 23 South, Range 24 East <u>GPS Coordinates: 31° 27' 28" N 109° 57' 05" W</u></p> <p>All in the Gila and Salt River Base and Meridian, Cochise County, Arizona</p>
13. Source of Water.	<p>Big Tunnel Spring Kate Spring Little Tunnel Spring</p>

^A As noted in the WFR, numerous statements of claimant were filed with the State Land Department by Mr. Cleveland's predecessors, including Statement of Claimant Nos. 39-0000352, 39-0000353, 39-0000354, 39-0000355, 39-0000356, 39-0000357, 39-0000358, 39-0000359, 39-0000360 and 39-0000361. Some of the springs identified in those statements of claimant were small springs that were used solely for wildlife purposes. In order to clarify the water uses benefitting Mr. Cleveland's property (known as Oak Thicket Ranch), new statements of claimant were filed with the Arizona Department of Water Resources, using current claim forms and updated GPS and historical information.

^B See the attached map.

^C See the attached map.



● Springs	 Section
● Domestic	 QQQ
 APN	

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Miles

Contested Case No. W1-11-1233
 In re Charles T. Cleveland
 Claimant: Charles T. Cleveland
 Watershed File No. 111-24-ACD-001

**ABSTRACT OF WATER RIGHT
San Pedro Watershed**

Cleveland Stockwatering Use		
1.	Proposed Water Right.	111-24-ACD-001-SW001 ^A
2.	Owner of Right.	Charles T. Cleveland
3.	Landowner.	Charles T. Cleveland
4.	Statement of Claimant No.(s).^B	39-175135
5.	Statement of Claimant Name(s).	Charles T. Cleveland
6.	Lessee or Permittee.	None
7.	Basis of Right.	36-106414 (Big Spring aka Salt Lick Spring) 36-106415 (Big Tunnel Spring) 36-106416 (Oak Thicket #1 Spring)
8.	Beneficial Use.	Stockwatering
9.	Priority Date.	12/29/1916
10.	Quantity.	Reasonable Use
11.	Places of Use.^C	<p><u>Big Spring AKA Salt Lick Spring</u> SW ¼ SE ¼ SE ¼ Sec. 1, Township 23 South, Range 23 East <u>GPS Coordinates: 31° 27' 09" N 109° 57' 25" W</u></p> <p><u>Big Tunnel Spring</u> NE ¼ NE ¼ SE ¼ Sec. 1, Township 23 South, Range 23 East <u>GPS Coordinates: 31° 27' 31" N 109° 57' 11" W</u></p> <p><u>Oak Thicket #1 Spring</u> SE ¼ NE ¼ SE ¼ Sec. 1, Township 23 South, Range 23 East <u>GPS Coordinates: 31° 27' 24" N 109° 57' 12" W</u></p> <p>All in the Gila and Salt River Base and Meridian, Cochise County, Arizona</p>

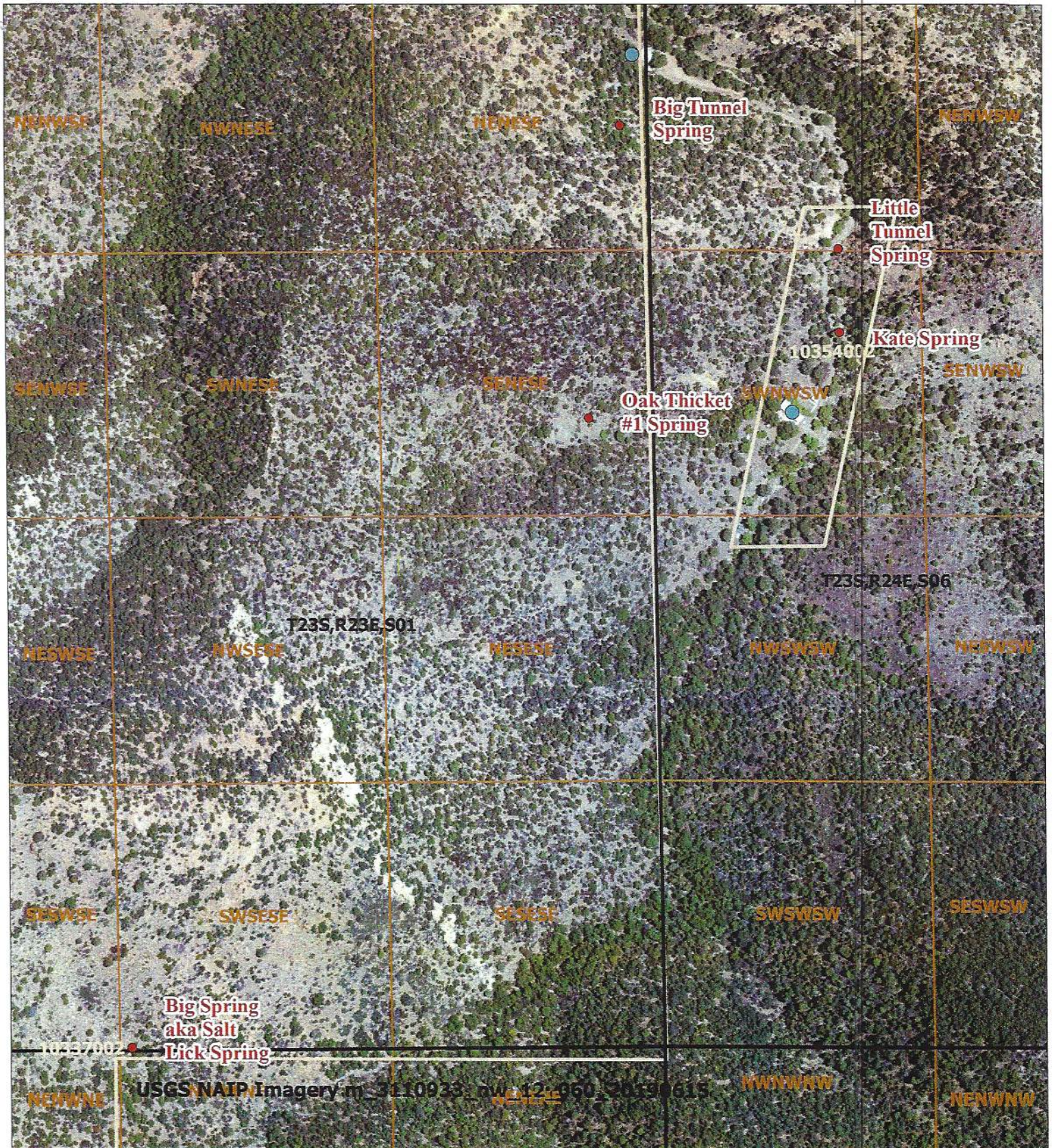
Cleveland Stockwatering Use	
12.	<p>Point of Diversion. ^D</p> <p><u>Big Spring AKA Salt Lick Spring</u> SW ¼ SE ¼ SE ¼ Sec. 1, Township 23 South, Range 23 East <u>GPS Coordinates:</u> 31° 27' 09" N 109° 57' 25" W</p> <p><u>Big Tunnel Spring</u> NE ¼ NE ¼ SE ¼ Sec. 1, Township 23 South, Range 23 East <u>GPS Coordinates:</u> 31° 27' 31" N 109° 57' 11" W</p> <p><u>Oak Thicket #1 Spring</u> SE ¼ NE ¼ SE ¼ Sec. 1, Township 23 South, Range 23 East <u>GPS Coordinates:</u> 31° 27' 24" N 109° 57' 12" W</p> <p>All in the Gila and Salt River Base and Meridian, Cochise County, Arizona</p>
13.	<p>Source of Water.</p> <p>Big Spring (aka Salt Lick Spring) Big Tunnel Spring Oak Thicket #1 Spring</p>


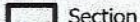

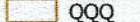

^A Although a stockwatering use (SW) designation is not listed in the WFR, the WFR references multiple statements of claimant that claim stockwatering in the adjudication. Stockwatering continues to be a beneficial use on Mr. Cleveland's property and should be considered a potential water right.


^B As noted in the WFR, numerous statements of claimant were filed with the State Land Department by Mr. Cleveland's predecessors, including Statement of Claimant Nos. 39-0000352, 39-0000353, 39-0000354, 39-0000355, 39-0000356, 39-0000357, 39-0000358, 39-0000359, 39-0000360 and 39-0000361. Some of the springs identified in these statements of claimant were small springs that were used solely for wildlife purposes. In order to clarify the water uses benefitting Mr. Cleveland's property (known as Oak Thicket Ranch), new statements of claimant were filed with the Arizona Department of Water Resources, using current claim forms and updated GPS and historical information.

^C See the attached map.

^D See the attached map.



	Springs		Section
	Domestic		QQQ
	APN		

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Contested Case No. W1-11-1233
 In re Charles T. Cleveland
 Claimant: Charles T. Cleveland
 Watershed File No. 111-24-ACD-001

Court Approved Mailing List
In re Charles T. Cleveland, Contested Case No. W1-11-1233
W1-11-1233 (13 Names)
Prepared by the Special Master
3/20/2023

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