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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. **W1-11-1483**

**ORDER FOR ADDITIONAL
INVESTIGATION AND SETTING
STATUS CONFERENCE**

CONTESTED CASE NAME: *In re Lee E. and Sharie H. Taylor*
HSR INVOLVED: San Pedro Hydrographic Survey.
DESCRIPTIVE SUMMARY: This order requests additional investigation by the Arizona Department of Water Resources and sets a status conference for **Tuesday, February 18, 2025, at 10:00 am.**
NUMBER OF PAGES: 5

On October 8, 2024, the Special Master held an initial conference in this contested case. At the initial conference Arizona Department of Water Resources (“ADWR”) was ordered to meet with the current property owners in this contested case no later than November 22, 2024, and to provide a status report to the Court regarding what was discussed at that meeting. ADWR conducted an in-person meeting on November 12, 2024, and filed a status report on December 6, 2024. The ADWR status

1 report included a map to clarify what parcels were included within the investigation
2 area of Watershed File Report (“WFR”) #112-14-DAD-002 and indicated that Cochise
3 County Parcels #208-10-014B and #208-10-014C were investigated in WFR#112-14-
4 DAD-002 and should be included in this contested case. The map of WFR #112-14-
5 DAD-002 included in the San Pedro Hydrographic Survey Report (“HSR”) does appear
6 to include both parcels.

7 However, the HSR also includes another WFR, #112-14-DA-001, with a
8 described investigation area as NENWNW Section 28 T15S R20E, which coincides
9 with Parcel #208-10-014C. Furthermore, the landowners for WFR 112-14-DA-001
10 were Ellen O’Hearn and James Coston, who were the owners of Parcel #208-10-014C
11 at the time of the WFR investigation according to tax records in the ADWR files. There
12 is no map of WFR, #112-14-DA-001 included in the HSR. The contested case number
13 for WFR# 112-14-DA-001 is W1-11-1440, which has not yet been initiated.

14
15 **IT IS ORDERED** that ADWR shall investigate both WFRs #112-14-DA-001
16 and #112-14-DAD-002 and file a clarifying report by **January 13, 2025**. In the event
17 both WFRs investigated the same parcel, ADWR shall provide a suggested resolution.

18
19 This case involves withdrawal of water within the “subflow zone” - water that
20 flows underground but exists so close to, or reacts so directly with, a surface stream that
21 the water is actually a part of that surface stream and not a separately distinguishable
22 groundwater source. In 1993, the Arizona Supreme Court agreed that subflow should be
23 regulated as surface water; therefore, wells located within the subflow zone are
24 presumed to be pumping surface water. Parties who wish to pursue water rights in a
25 subflow zone must comply with all requirements for appropriable waters and present to
26 the Court a Statement of Claimant (“SOC”) claiming a water right as well as legal
27 evidence of that right, or “basis or right.” All water rights claims must be paired with
28 the appropriate basis of right, e.g. a statement of claim, prior judicial decree, or water

1 rights certificate.

2 **IT IS ORDERED** setting a status conference for **Tuesday, February 18, 2025,**
3 **at 10:00 am.** to discuss the results of ADWR's investigation and determine if additional
4 parties should be included in this contested case. Additionally, at the status conference
5 Ms. Snow shall update the Court on her progress updating SOC's to reflect current water
6 usage and obtaining a legal basis of right for her water uses.

7
8 The conference will be held using the Court Connect program. Instructions for
9 Court Connect are attached as Attachment B. If you receive this Order by email, click
10 on the red box "Join Court Connect Hearing" on the attached instructions to make an
11 appearance. If you do not receive this Order by email, log into the Court Connect
12 program on the internet by typing <https://tinyurl.com/specialwatermaster>. If you do not
13 have access to the internet, you may attend telephonically using the telephone number
14 and access code included in the instructions for Court Connect.

15 Signed this 13th day of December 2024.

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19 Sherri L. Zendri
20 Special Water Master

21
22 On December 13, 2024 the original of
23 the foregoing was delivered to the Clerk of the
24 Maricopa County Superior Court for filing and
25 distributing a copy to all persons listed on the
26 Court-approved mailing list for this contested
case, a copy of which is attached.

27 Emily Natale
28

ATTACHMENT A

**Court Approved Mailing List
W1-11-1483 In re Lee E. and Sharie H. Taylor**

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Clerk of the Superior Court
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ATTACHMENT B



Court Connect Hearing Notice for In re Lee E. and Sharie H. Taylor

This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.

All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.

Participants: Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

Case Name: In re Lee E. and Sharie H. Taylor

Contested Case No. W1-11-1483

Start Date/Time: Tuesday, February 18, 2025, at 10:00 am.

JOIN COURT CONNECT HEARING

Dial-in Information: +1 917-781-4590

Private Dial-in Information: for privacy purposes, you can block your phone number by dialing *67 +1 917-781-4590

Dial-in Access Code: 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)