

SUPERIOR SPECIAL MASTER OF ARIZONA  
MARICOPA COUNTY

June 19, 2025

CLERK OF THE SPECIAL MASTER  
A. Parmar  
Deputy

SPECIAL WATER MASTER  
SHERRI ZENDRI

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)

FILED: July 2, 2025

In re: Arthur Verdugo Jr.  
Contested Case No. W1-11-2397

and

In re: Roy and Helen M. Verdugo  
Contested Case No. W1-11-2396

**MINUTE ENTRY**

Courtroom 301 – Central Court Building

11:00 a.m. This is the time set for a Status Conference to receive an update from the property owners regarding their progress with ADWR and their Statements of Claimant and Basis of Right Forms before the Special Water Master Sherri Zendri.

The following parties/attorneys appear virtually through Court Connect:

- Property Owner, Patricia A. Garcia, is present on her own behalf (assisted by her son, George Garcia Jr.)
- Property Owner, Arthur Verdugo Jr. (of Arthur Verdugo Jr. Properties LLC and Arthur and Olivia Verdugo Living Trust) is present on his own behalf
- Property Owners, Gilda Marquez and Carlos Marquez, are present on their own behalf
- Michael Carter on behalf of the Gila River Indian Community (“GRIC”)
- Susan Montgomery on behalf of the Yavapai Apache Nation and observing for the Pascua Yaqui Tribe
- Mark McGinnis on behalf of the Salt River Project (“SRP”)

- John Burnside on behalf of BHP Copper
- Laura Boyer on behalf of the United States Department of Justice
- Joe Sparks on behalf of the San Carlos Apache Tribe
- Katya Lancero Norris observing on behalf of the Navajo Nation
- Garrett Perkins observing on behalf of the St. David Irrigation District
- Karen Nielsen on behalf of the Arizona Department of Water Resources (“ADWR”)
- Rhett Billingsley on behalf of American Smelting and Refining Company (“ASARCO”)

A record of the proceedings is made digitally in lieu of a court reporter.

**LET THE RECORD REFLECT** that the Special Master shares a parcel map in Court Connect and explains why these cases are being held at the same time. The Special Master calls for any comments from the parties.

Discussion is held regarding the use and location of the wells. Mr. Verdugo adds that they did share well number one with Mrs. Garcia and the Marquez family until they got their own well. Mr. Verdugo states that well number four was not shared. George Garcia Jr. states that well number four was shared between the Vargas family and Garcia family. Mr. Verdugo states that well number two is used but well number three is the windmill that is not being used at this time. Mr. Garcia Jr. states that there is a fifth well just above the “X” on lot number four of the Special Master’s map.

The Special Master has reviewed what has been filed and notes that the parties did a good job with their Statements of Claimants. The Special Master explains that the next step will be providing the basis of right. For water being used prior to June 1919, a water rights registration will need to be filed. Water not being used prior to June 1919 will need either a stockpond registration or permit to use appropriable water. The parties are advised that they may contact ADWR for help on locating the appropriate form and general questions, but they cannot provide any legal advice.

Mr. Garcia Jr. explains a quick deed claim was provided with their filing and in that property deed water rights and manmade wells are included. The Special Master clarifies that a quick claim is a transfer of whatever rights, but the claim makes no statement of what specific water rights existed.

Mrs. Marquez notes that they also included their deeds and inquires if the Special Master has received those documents. The Special Master affirms she has received the paperwork for the Marquez family as well.

Ms. Garcia states that her well was first registered in 1926. She explains that the wells were used before that time but not registered.

The Special Master explains that if the parties can provide any information/documentation that demonstrates use prior to June 1919, it is possible that they

may not need to obtain the permit. If the parties are not able to demonstrate use before June 1919, they will need to work with ADWR to obtain a permit.

Discussion is held regarding permits and the function of the retainer.

Mr. Marquez asks if a permit is required for each well. The Special Master explains that each well drawing water will require a permit unless the parties can demonstrate pre June 1919 use. If the windmill is not being used or drawing water, there wouldn't be requirement for a permit.

Mr. Marquez asks if everyone in the San Pedro basin is being required to obtain permits. The Special Master explains that eventually yes, but they are focusing on wells prior to 1991 at the moment.

The Special Master proposes scheduling another hearing 90 days out for the parties to work on how they want to provide the basis of right and resolve objections. During this time, the Special Master expects the parties to either complete the required documentation for the permits or provide ADWR with the documentation for use prior to June 1919.

No objections are stated to the Special Master's proposal.

**IT IS ORDERED** setting a Status Conference to obtain an update from the property owners regarding their basis of right and whether any objections remain for **Thursday, September 18, 2025, at 10:30 a.m.** The status conference will be held using the Court Connect program. Instructions for Court Connect are attached as Attachment A. If you receive this Order by email, click on the red box "Join Court Connect Hearing" on the attached instructions to make an appearance. If you do not receive this Order by email, log into the Court Connect program on the internet by typing <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend telephonically using the telephone number and access code included in the instructions for Court Connect.

11:46 a.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court-approved mailing list.

**LATER:**

**IT IS ORDERED** that the Arizona Department of Water Resources shall file with the Court by **August 1, 2025**, an updated map that includes all parcels and wells for both contested cases W1-11-2396 and W1-11-2397.

Claimants are reminded that to obtain a water right, *both* a Statement of Claimant that claims a water right, *and* a Basis of Right providing evidence of a legal right to the water claimed on the Statement of Claimant must be presented to the Special Master. If a claimant can prove the water they are claiming was put to beneficial use prior to June 12,

1919, they can file a statement of claim registering their claimed water right. Note that a statement of **claim** is a different document than a statement of **claimant**. Federal land entry case files (e.g. homestead proofs and affidavits) may be useful for proving historical water use. Some resources for finding land entry filings are listed below:

- Federal land patents may be found here:  
<https://glorerecords.blm.gov/search/default.aspx>
- Pre-1908 homestead proofs may be accessed from a physical FamilySearch location. See <https://locations.familysearch.org/en/search> for more information.
- Any other land entry case files can be ordered using the following form:  
<https://www.archives.gov/forms/pdf/natf-84.pdf>.

If a claimant cannot prove the water was beneficially used prior to June 12, 1919, the claimant must file an application for a permit to appropriate.

To contact ADWR regarding the following:

- Statements of claimant application and processing - 1-866-246-1414
  - Email: [smitchell@azwater.gov](mailto:smitchell@azwater.gov)
  - website: <https://www.azwater.gov/adjudications>
- Groundwater Well Registration – (602) 771-8527
  - Email: [wells@azwater.gov](mailto:wells@azwater.gov)
  - website: <https://www.azwater.gov/permitting-wells>
- Surface Water Permitting (Basis of Rights) – (602) 771-8621
  - Email: [surfacewater@azwater.gov](mailto:surfacewater@azwater.gov)
  - website: <https://www.azwater.gov/surface-water/surface-water-overview>

To contact the Office of the Special Water Master please call (602) 372-4115.

To review objections that have been filed regarding this contested case please see the following:

W1-11-2396

<https://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/docs/W1-11-2396-Objections.pdf>

W1-11-2397

<https://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/docs/W1-11-2397-Objections.pdf>

## Attachment A



### **Court Connect Hearing Notice for In re Arthur Verdugo Jr. & In re: Roy and Helen M. Verdugo**

*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 video conference 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 Arthur Verdugo Jr. & In re Roy and Helen M. Verdugo

**Contested Case No.** W1-11-2397 and W1-11-2396

**Start Date/Time:** Thursday, September 18, 2025, at 10:30 a.m.

**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>