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6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
7 IN AND FOR THE COUNTY OF MARICOPA
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9 IN RE THE GENERAL
10 ADJUDICATION OF ALL RIGHTS
11 TO USE WATER IN THE GILA
12 RIVER SYSTEM AND SOURCE

W-1, W-2, W-3, W-4 (Consolidated)

Contested Case No. **W1-11-2746**

13 **ORDER INITIATING CONTESTED**
14 **CASE AND SETTING DEADLINES TO**
15 **FILE DOCUMENTS**

16 CONTESTED CASE NAME: *In re ASLD – H. Clifford Dobson Jr. and Carolyn R.*
17 *Dobson II*

18 HSR INVOLVED: San Pedro Hydrographic Survey.

19 DESCRIPTIVE SUMMARY: The Clerk of Maricopa County Superior Court is directed
20 to initiate W1-11-2746. Arizona State Land Department shall file a statement confirming
21 which claims they intend to pursue by **July 7, 2025**, and draft abstracts by **September 8,**
22 **2025.**

23 NUMBER OF PAGES: 12

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

26 In this case, Rex C. Ellsworth and Arizona State Land Department ("Claimants")
27 filed Statements of Claimant ("SOCs") 39-6131, 39-6134, 39-7488–94, and 39-1335
28 which contain multiple stock watering and fish and wildlife claims. The Arizona

Department of Water Resources (“ADWR”) investigated the claims and prepared Watershed File Report (“WFR”) 113-13-013, published in the Final San Pedro Watershed Hydrographic Survey Report (1991) (“HSR”). A copy of the WFR is attached as Attachment B. The WFR describes the following water uses:

| Use | Quantity | Location |
|----------------|----------|---------------------|
| Stockpond | 48.4 AF | NESWNE28 T13S, R21E |
| Stock watering | N/A | SWSWNE36 T13S R20E |
| Stock watering | N/A | SWSENE36 T13S R20E |
| Stock watering | N/A | SENESE36 T13S R20E |
| Stock watering | N/A | NWNWSW28 T13S R20E |
| Stock watering | N/A | NWSWSE31 T13S R21E |
| Stock watering | N/A | SWSWSE31 T13S R21E |

After ADWR issued the WFR, objections were filed to the findings made in the WFR by ASLD, Gila River Indian Community, San Carlos Apache Tribe, Tonto Apache Tribe, Yavapai-Apache Nation, and H. Clifford Dobson Jr. and Carolyn R. Dobson.

Claimant and Landowners

WFR 113-13-013 lists the Arizona State Land Department ("ASLD") as the owner of the property investigated. C-Spear LLC, and Klump Rances LLC are identified as lessees. A map depicting the approximate places of use identified in the WFR is attached as Attachment C. The public records of ADWR do not contain any assignments of the SOC listed in the WFR. Further, landowners do not appear to have filed any additional SOC's since the issuance of the 1991 HSR.

To obtain a decreed water right, a property owner must present to the Court an SOC claiming a water right and evidence of that right. This evidence may include the relevant WFR. Alternatively, the property owners may settle with objectors. If either the property owner proves to the Court the existence of a water right on their property or

1 enters into a valid settlement approved by the Court, the court will recognize enforceable
2 water rights in a “Final Decree.” Ariz. Rev. Stat. § 45-257(B).

3
4 **IT IS ORDERED:**

5 **1. Case Initiation.** This order initiates contested case W1-11-2746. This case will
6 resolve claims to use appropriable water asserted in Statement(s) of Claimant 39-
7 6131, 39-6134, 39-7488–94, and 39-1335 and objections that were filed to
8 Watershed File Report No. 113-13-013.

9
10 **2. Statement of Confirmation.** ASLD shall review all SOC's relevant to this
11 contested case and provide a statement to the Court by **July 7, 2025**, confirming
12 which claims they intend to pursue. Stockpond claims may be stayed until the
13 Court has resolved the issue of broad legal importance in *In re Fred and Carol*
14 *Telles*, W1-11-1511.

15 **3. Draft Abstracts.** ASLD shall file draft abstracts for its stock watering claims
16 by **September 8, 2025**. The Parties shall file any comments to the draft abstracts
17 by **September 29, 2025**.

18
19 **4. Parties.** The litigants in this contested case are the current landowner, lessees,
20 and all parties who filed objections to the Watershed File Report. The objectors
21 are ASLD, Gila River Indian Community, San Carlos Apache Tribe, Tonto
22 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/GeneralStreamAdjudicati](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)
26 [on/whatsNew.asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp).

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1 On June 5, 2025, the original of
2 the foregoing was delivered to the Clerk of the
3 Maricopa County Superior Court for filing and
4 distributing a copy to all persons listed on the
5 Court-approved mailing list for this contested
6 case, a copy of which is attached, and to all
7 persons listed on the Court-approved mailing list
8 for W1, W2, W3, and W4.

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Emily Natale

ATTACHMENT A

General Background on the Water Rights Determination Process in Arizona

A general stream adjudication is a judicial proceeding to determine the quantity and priority of all water rights in a river system. Arizona is undertaking general stream adjudications of both the Gila River and the Little Colorado River systems. A river system includes surface water flowing “in streams or other natural channels,” groundwater sufficiently connected to that surface water, and water subject to claims by the federal government. Ariz. Rev. Stat. § 45-251(7). Recognizing and respecting water rights and the priority of such rights is important in Arizona where times of drought or water scarcity can occur.

All cases begin with the filing of a “Statement of Claimant,” (“SOC”) in which a property owner makes a claim for a right to use surface water on their property. Ariz. Rev. Stat. § 45-254(A). This person is the “claimant.” The SOC contains, among other characteristics, a description of the source and quantity of the water used, the location of use, the location from which the water was diverted, and the date when the water was first put to use. *Id.* § 45-254(C).

After the property owner files the SOC, the Arizona Department of Water Resources (“ADWR”) prepares a “Watershed File Report,” (“WFR”) in which ADWR investigates the claims in the SOC and recommends water rights associated with the property. *Id.* § 45-256(B). ADWR compiles all WFRs for a watershed into a comprehensive Hydrographic Survey Report (“HSR”) and publishes the report for public review and comment. In response, other claimants in the Adjudication may file “objections” disputing the information or recommendations in the WFR. The individuals who file objections are called “objectors.”

This “contested case”, one of thousands in the Gila River System, will evaluate claims asserted in specific Statements of Claimant while considering objections to the WFR that reported ADWR’s initial inspection of those claims.

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ATTACHMENT B
Watershed File Report



| LAND OWNER | WATERSHED FILE REPORT NUMBER | LESSEE/ALLOTTEE | LEASE-PERMIT ID |
|------------|---------------------------------|--|-----------------|
| SLD | 113-13-013 | DOBSON, JR., H. CLIFFORD & CAROLYN R. | 05-82580 |

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 |
|---------------|---------------|------------------------|--------------------|--|---------------|--|
| 36-0005289 | | STOCK REC/FISH/WLDF | .55 | S2NE36 130S 200E SENW36 130S 200E N2NW36 130S 200E | 1884 | S2NE36 130S 200E SENW36 130S 200E N2NW36 130S 200E |
| 36-0005290 | | STOCK REC/FISH/WLDF | .55 | SENE36 130S 200E | 1884 | SENE36 130S 200E |
| 36-0005291 | | STOCK REC/FISH/WLDF | .55 | NWSW31 130S 200E S2SW31 130S 200E SWSE31 130S 200E | 1884 | NWSW31 130S 200E S2SW31 130S 200E SWSE31 130S 200E |
| 36-0005292 | | STOCK REC/FISH/WLDF | .55 | SWNEO3 140S 210E SENWO3 140S 210E NESWO3 140S 210E | 1884 | SWNEO3 140S 210E SENWO3 140S 210E NESWO3 140S 210E |
| 36-0005293 | | STOCK REC/FISH/WLDF | .55 | SWNE36 130S 200E | 1884 | SWNE36 130S 200E |
| 36-0005294 | | STOCK REC/FISH/WLDF | .55 | NESE36 130S 200E | 1884 | NESE36 130S 200E |
| 36-0005295 | | STOCK REC/FISH/WLDF | .55 | SWSE31 130S 210E | 1884 | SWSE31 130S 210E |
| 36-0005565 | | STOCK REC/FISH/WLDF | 48.40 | SWNE28 130S 210E | 1884 | SWNE28 130S 210E |
| 36-0068614 | | STOCK | 3.07 | SWSE31 130S 210E | 1919 | SWSE31 130S 210E |
| 36-0068623 | | STOCK | 10.74 | SENW36 130S 200E | 1919 | SENW36 130S 200E |
| 39-0006131 | | STOCK | 10.74 | SENW36 130S 200E | 1919 | SENW36 130S 200E |
| 39-0006134 | | STOCK | 3.07 | SWSE31 130S 210E | 1919 | SWSE31 130S 210E |
| 39-0007488 | AMENDED | STOCK REC/FISH/WLDF | .50 .05 | S2NE36 130S 200E N2NW36 130S 200E SENW36 130S 200E | 1853 | S2NE36 130S 200E N2NW36 130S 200E SENW36 130S 200E |
| 39-0007489 | AMENDED | STOCK REC/FISH/WLDF | .50 .05 | SENE36 130S 200E | 1853 | SENE36 130S 200E |
| 39-0007490 | AMENDED | STOCK REC/FISH/WLDF | .50 .05 | NENW36 130S 200E | 1884 | NENW36 130S 200E |
| 39-0007491 | AMENDED | STOCK REC/FISH/WLDF | .50 .05 | NWNW36 130S 200E | 1884 | NWNW36 130S 200E |
| 39-0007492 | AMENDED | STOCK REC/FISH/WLDF | .50 .05 | SWNW36 130S 200E | < 1853 | SWNW36 130S 200E |
| 39-0007493 | AMENDED | STOCK REC/FISH/WLDF | .50 .05 | NESE36 130S 200E | < 1883 | NESE36 130S 200E |
| 39-0007494 | AMENDED | STOCK REC/FISH/WLDF | .50 .05 | SWSE31 130S 210E | 1884 | SWSE31 130S 210E |
| 39-0013335 | | STOCK REC/FISH/WLDF | 48.40 | SWNE28 130S 210E | 1884 | SWNE28 130S 210E |

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 |
|---------------|-------------------------------|----------------------|--------------------------|------------------------|
| 36-0005289 | STOCK WILDLIFE | STOCK INCIDENTAL | | SW003 |
| 36-0005290 | STOCK WILDLIFE | SPRING SPRING | | SW004 |
| 36-0005291 | STOCK WILDLIFE | STOCK INCIDENTAL | | SW003 |
| 36-0005292 | STOCK WILDLIFE | STOCK INCIDENTAL | | SW003 |
| 36-0005293 | STOCK WILDLIFE | SPRING SPRING | | SW001 |
| 36-0005294 | STOCK WILDLIFE | SPRING SPRING | | SW005 |
| 36-0005295 | STOCK WILDLIFE | SPRING SPRING | | SW002 |
| 36-0005565 | STOCK WILDLIFE | STOCK INCIDENTAL | | SW006 |
| 36-0068614 | STOCK | SPRING | | SW002 |
| 36-0068623 | STOCK | SPRING | | SW001 |

| FILING NUMBER | USES CLAIMED OR REFERENCED | USES FOUND BY DWR | APPLIES TO DIVERSIONS | APPLIES TO PWR NUMBERS |
|---------------|----------------------------|-------------------|-----------------------|------------------------|
| 39-0006131 | STOCK | SPRING | | SW001 |
| 39-0006134 | STOCK | SPRING | | SW002 |
| 39-0007488 | STOCK | SPRING | | SW004 |
| | WILDLIFE | SPRING | | |
| 39-0007489 | STOCK | STOCK | | SW003 |
| | WILDLIFE | INCIDENTAL | | |
| 39-0007490 | STOCK | STOCK | | SW003 |
| | WILDLIFE | INCIDENTAL | | |
| 39-0007491 | STOCK | STOCK | | SW003 |
| | WILDLIFE | INCIDENTAL | | |
| 39-0007492 | STOCK | SPRING | | SW001 |
| | WILDLIFE | SPRING | | |
| 39-0007493 | STOCK | SPRING | | SW005 |
| | WILDLIFE | SPRING | | |
| 39-0007494 | STOCK | SPRING | | SW002 |
| | WILDLIFE | SPRING | | |
| 39-0013335 | STOCK | STOCK | | SPOO1, SW006 |
| | WILDLIFE | INCIDENTAL | | |

U S E S

| PWR # | LOCATION SECTION | TWNP | RNGE | SUPPLIED BY DIVERSIONS | WATER SOURCES | PHOTO DATE | SOURCE CHANGE | FACILITY NAME |
|-------|------------------|------|------|------------------------|---------------|------------|---------------|----------------------|
| SW001 | SWSWNE36 | 13OS | 20OE | | SURFACE WATER | | NO | V.F. CANYON SPRING |
| SW002 | NWSWSE31 | 13OS | 21OE | | SURFACE WATER | | NO | DEL AHENTA SPRING |
| SW003 | SWSWSE31 | 13OS | 21OE | | SURFACE WATER | | NO | INSTREAM USE |
| SW004 | SWSENE36 | 13OS | 20OE | | SURFACE WATER | | NO | KELSEY CANYON SPRING |
| SW005 | SENESE36 | 13OS | 20OE | | SURFACE WATER | | NO | PAPA JOE SPRING |
| SW006 | NWNWSW28 | 13OS | 20OE | | SURFACE WATER | | NO | INSTREAM USE |

R E S E R V O I R S

| PWR # | LOCATION SECTION | TWNP | RNGE | SUPPLIED BY DIVERSIONS | WATER SOURCES | PHOTO DATE | RESERVOIR NAME | STORAGE PURPOSE |
|-------|------------------|------|------|------------------------|---------------|------------|----------------|-----------------|
| SPOO1 | NESWNE28 | 13OS | 21OE | | SURFACE WATER | 1984 | BUZZARD TANK | STOCKWATERING |

P W R S U M M A R Y

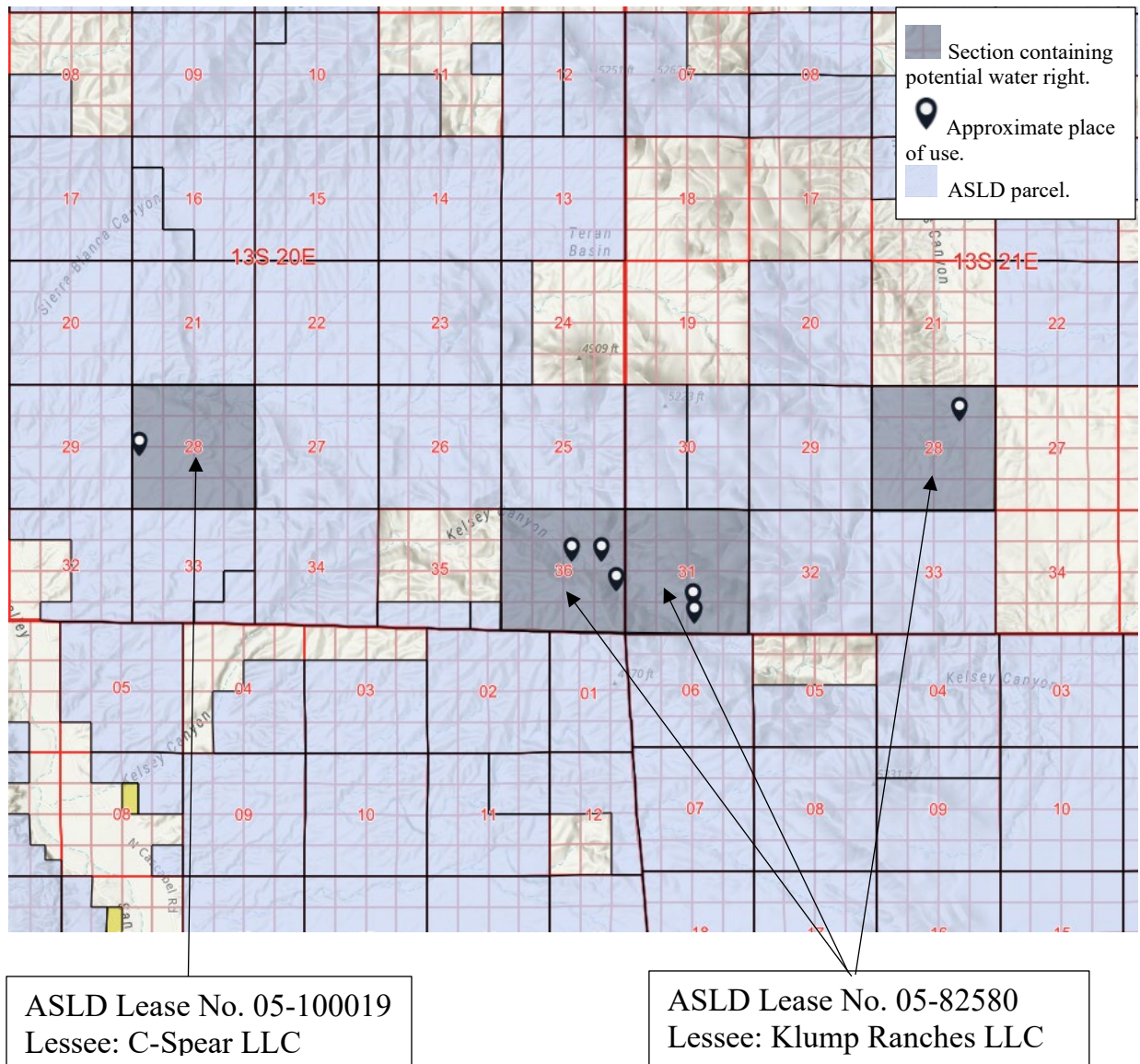
| PWR # | APPLICABLE ADJ FILINGS | APPLICABLE PRE FILINGS | *APPARENT FIRST USE DATE* DATE BASIS FOR DATE | WATER SOURCES AND CLASSIFICATIONS |
|-------|------------------------|------------------------|---|-----------------------------------|
| SPOO1 | 39-0013335 | NONE | 1984 1984 AERIAL PHOTO | SURFACE WATER: SAN PEDRO RIVER |
| SW001 | 39-0006131 | 36-0005293 | 1884 FILING 36-5293 | SURFACE WATER: SAN PEDRO RIVER |
| | 39-0007492 | 36-0068623 | | |
| SW002 | 39-0006134 | 36-0005295 | 1884 FILING 36-5294 | SURFACE WATER: SAN PEDRO RIVER |
| | 39-0007494 | 36-0068614 | | |
| SW003 | 39-0007489 | 36-0005289 | 1884 36-5289 & 36-5291 | SURFACE WATER: SAN PEDRO RIVER |
| | 39-0007490 | 36-0005291 | | |
| | 39-0007491 | 36-0005292 | | |
| SW004 | 39-0007488 | 36-0005290 | 1884 FILING 36-5290 | SURFACE WATER: SAN PEDRO RIVER |
| SW005 | 39-0007493 | 36-0005294 | 1884 FILING 36-5294 | SURFACE WATER: SAN PEDRO RIVER |
| SW006 | 39-0013335 | 36-0005565 | 1884 FILING 36-5565 | 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 |
|-------|---------------------|-------|-----------|-----|------------|------------------|-----------------------------------|
| SPOO1 | MAX. AREA/CAP | 4.3 | | | | 48.4 AF | |
| 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 |

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Arizona State Land Department Parcel Map



ATTACHMENT D

Initial Court-Approved Mailing List

| | |
|---|---|
| Arizona Department of Water Resources Karen J. Nielsen 1110 West Washington, Suite 310 Phoenix, AZ 85007 | Susan B. Montgomery, Robyn Interpreter, Montgomery & Interpreter PLC 3301 E Thunderbird Road Phoenix, AZ 85032 |
| Clerk of the Superior Court Maricopa County Attn: Water Case 601 West Jackson St. Phoenix, AZ 85003 | Gila River Indian Community Javier Ramos and Michael Carter Office of the General Counsel P.O. Box 97 Sacaton, AZ 85147 |
| Special Master Sherri Zendri Superior Court of Arizona 201 W. Jefferson Street Courtroom 301 Phoenix, AZ 85003 | Merrill C. Godfrey and Brette A. Pena Akin Gump Straus Hauer & Feld LLP 2001 K Street, N.W. Washington, DC 20006 |
| David Jacobs, Kevin Crestin, & Eric Wilkins Arizona Attorney General Natural Resources Section 2005 North Central Phoenix, AZ 85004 | Rex C. Ellsworth Star Route 35 Benson, AZ 85602 |
| Alexander B. Ritchie San Carlos Apache Tribe Office of the Attorney General PO Box 40 San Carlos, AZ 85550 | D. Brown, J. Brown, A. Brown G Perkins, B. Heiserman, B. Pew Brown & Brown Law Offices P.C. PO Box 1890 St. Johns, AZ 85936 |
| Joe P. Sparks and Laurel A. Hermann The Sparks Law Firm, P.C. 7503 First Street Scottsdale, AZ 85251-4573 | Klump Ranches LLC c/o Matthew W. Klump P.O. Box 448 Bowie, AZ 85605 |
| Jeremiah Weiner, Brett J. Stavin, Rosette, LLP. 120 S. Ash Avenue, Suite 201 Tempe, AZ 85281 | |

ATTACHMENT E



Court Connect Hearing Notice for In re ASLD – H. Clifford Dobson Jr. and Carolyn R. Dobson

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 ASLD – H. Clifford Dobson Jr. and Carolyn R. Dobson

Contested Case No. W1-11-2746

Start Date/Time: [REDACTED]

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](#)