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6 **ARIZONA GENERAL STREAM ADJUDICATION**  
7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
8 **IN AND FOR THE COUNTY OF MARICOPA**

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. **W1-11-2786**

13 **ORDER INITIATING CONTESTED**  
14 **CASE AND SCHEDULING INITIAL**  
15 **CONFERENCE HEARING**

16 **CONTESTED CASE NAME:** *In re Anthony S. and Patricia J. Halula*

17 **HSR INVOLVED:** San Pedro Hydrographic Survey.

18 **DESCRIPTIVE SUMMARY:** The Clerk of Maricopa County Superior Court is directed  
19 to initiate W1-11-2786. Parties who wish to pursue this case are ordered to attend an initial  
20 conference hearing scheduled for **Tuesday, April 29, 2025, at 10:30 am.**

21 **NUMBER OF PAGES:** 12

22 **This order opens a case to determine legal rights to use water.**

23 **This case is NOT being initiated because of any improper water use.**

24 **Failure to participate may result in dismissal of water rights.**

25 The State of Arizona is currently undergoing a General Stream Adjudication to  
26 determine water rights and create an accurate, enforceable record of those rights. In  
27 Arizona, surface water, and water pumped from some wells,<sup>1</sup> belong to the general public.  
28 An enforceable right to use this “appropriable” water may be acquired after review and

<sup>1</sup> Arizona law includes wells that may be pumping surface water in the General Stream Adjudication and subject to all requirements for surface well use.

1 approval by Arizona’s General Stream Adjudication Court. This Court has been instructed  
2 to evaluate claims to use water in much of the state of Arizona and to determine the date  
3 of first use, amount, and type of water use. This process, the “general stream  
4 adjudication,” is currently evaluating **COCHISE COUNTY PARCEL No. 208-08-004.**

5 This order opens a case to determine rights to use water on the parcels listed above,  
6 which the Cochise County Assessor has identified as owned by **Halula Properties LLC.**  
7 Any current landowner who intends to pursue any potential water rights associated with  
8 this case must attend the initial status conference scheduled for **Tuesday, April 29, 2025,**  
9 **at 10:30 am.** Interested Parties **MUST** attend the scheduled initial conference if they plan  
10 to pursue potential water rights. Failure to appear at the initial conference could result in  
11 the dismissal of the case and the loss of water rights associated with the property. The  
12 conference will be held virtually using the Court Connect program. Instructions for Court  
13 Connect are attached as Attachment A.

#### 14 15 **SUMMARY OF CASE**

16 Arizona Department of Water Resources (“ADWR”) records indicate that Anthony  
17 S. Halula filed Statement of Claimant 39-6361 in 1980, claiming irrigation and domestic  
18 water uses on Section 21 of Township 14S, Range 20E. The filing of a Statement of  
19 Claimant declares an individual’s intent to claim a water right and begins the process of  
20 pursuing that water right with the Court.

21 ADWR investigated the claimed water use and issued Watershed File Report No.  
22 113-14-AA-008 in 1991. After the Watershed File Report was issued, the public was  
23 allowed an opportunity to object to the findings in the report if they believed that there  
24 were errors or insufficient documentation. This case will determine water rights existing  
25 on the parcels mentioned above and resolve the objections to the Watershed File Report.

26 The Court recognizes that there has been a long delay between the filing of the  
27 initial documents and the initiation of this case. Nonetheless, current landowners may  
28 still obtain water rights. Below is a summary of the water use(s) found on the property at

the time of the Report:

Use	Associated SOC	Source	Place of Use
Domestic	39-6361	Groundwater	SESWNW21 Township 14S, Range 20E

ADWR public records do not contain any assignments of the Statements of Claimant listed in the Watershed File Report nor do landowners appear to have filed any additional Statements of Claimant since 1991.

If a property owner provides proof of the existence of a water right on their property, the court can recognize an enforceable water right in a “Final Decree.” Ariz. Rev. Stat. § 45-257(B). Landowners must present the following in order to acquire a water right:

- A. Earliest evidence of water use on their property.
- B. An accurate Statement of Claimant in their name. Current landowners may fulfill this requirement by either filing a new statement of claimant or obtaining an assignment or amendment of a preexisting statement of claimant.
- C. A basis of right accurately describing the claimed use, e.g. a statement of claim, decree, stockpond registration, or water rights certificate.

## **OBJECTING PARTIES**

Objectors to a potential water right must present the Court with a specific statement objecting to specific potential water right attributes. Ariz. Rev. Stat. § 45-256(B). At the initial conference, objectors shall state their objections with specificity. The following entities have filed objections in this contested case: the Gila River Indian Community, San Carlos Apache Tribe, Tonto Apache Tribe, the Yavapai-Apache Nation, the United States, and Salt River Project.

Copies of objections in this case can be found under the respective case name and number on the following website:

1 <http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/what>  
2 [sNew.asp](#)

3 **ATTACHMENTS TO THIS ORDER:**

4 Attachment A: Instructions on how to appear virtually or telephonically at the  
5 **Tuesday, April 29, 2025, at 10:30 am** initial conference.

6 Attachment B: Additional information and resources on the process for determining  
7 water rights in Arizona

8 Attachment C: Copy of WFR No. 113-14-AA-008.

9 Attachment D: ADWR Water-Use Map.

10 Attachment E: Map showing relevant tax parcels and current ownership.

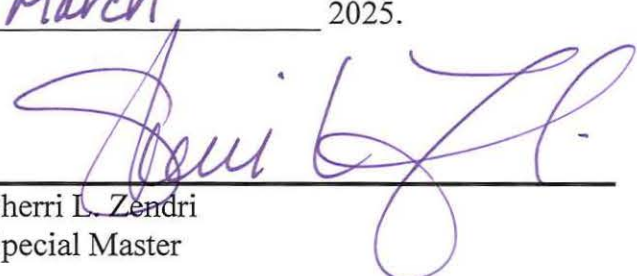
11 Attachment F: Initial Court Approved Mailing List

12  
13 **IT IS ORDERED** initiating contested case W1-11-2786, *In re Anthony S. and Patricia*  
14 *J. Halula*, and scheduling an initial conference hearing for **Tuesday, April 29, 2025, at**  
15 **10:30 am**. The initial Court-approved mailing list for this case shall include all parties  
16 listed on Attachment F to this order. Any document filed in this case must be served on  
17 all parties listed on the Court-Approved Mailing List. The list may be modified only by  
18 Court order. Anyone who would like to receive courtesy copies of minute entries and  
19 orders may request inclusion on an email list by sending a request to:

20 ***emily.natale@jbazmc.maricopa.gov.***

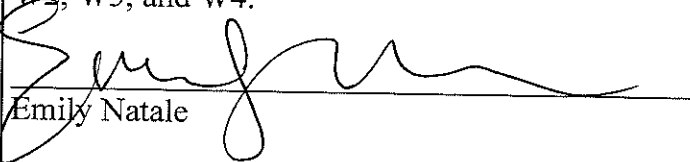
21 If parties have questions regarding this Order or any of the attachments, please  
22 contact the Office of the Special Master, at (602) 372-4115. Please note that staff can only  
23 answer administrative questions and cannot provide legal advice.

24 Signed this 26th day of March 2025.

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28 Sherri L. Zendri  
Special Master

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On March 26, 2025, the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to all persons listed on the Court-approved mailing list for this contested case, a copy of which is attached, and to all persons listed on the Court-approved mailing list for W1, W2, W3, and W4.

  
Emily Natale

## ATTACHMENT A



### **Court Connect Hearing Notice for In re Anthony S. and Patricia J. Halula**

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 Anthony S. and Patricia J. Halula**

**Contested Case No. W1-11-2786**

**Start Date/Time: Tuesday, April 29, 2025, at 10:30 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](#)

## **ATTACHMENT B**

### **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 (both surface and groundwater) 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 C**  
**Watershed File Report**



AS OF 10/11/91

LAND OWNER	WATERSHED FILE REPORT NUMBER
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HALULA, ANTHONY S. & PATRICIA J.	U 113-14-AA-008

PHOTO ID - 14-8 (85)                      QUAD 1 - WILDHORSE MOUNTAIN

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 TWP RGE	CLAIM DATE	DIVERSION LOCATION SECTION TWP RGE
36-0028517		IRRIGATION DOMESTIC		SWNW21 140S 200E	< 1919	SWNW21 140S 200E
39-0006361	QUE.RECD	IRRIGATION DOMESTIC		SWNW21 140S 200E	1909	

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
36-0028517	IRRIGATION DOMESTIC	INCIDENTAL DOMESTIC		DM001
39-0006361	IRRIGATION DOMESTIC	INCIDENTAL DOMESTIC		DM001

U S E S

PWR #	LOCATION SECTION TWP RGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
DM001	SESWNW21 140S 200E		GROUNDWATER : ZONE 1		NO	

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
DM001	39-0006361	36-0028517		GROUNDWATER : ZONE 1 OF THE 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
DM001							SEE VOLUME 1 - GENERAL ASSESSMENT

E X P L A N A T I O N

FILINGS AND DECREES  
FILING 39-6361 - A UNIFORM QUESTIONNAIRE WAS RECEIVED WHICH PROVIDED INFORMATION ON WATER USE AND DIVERSION LOCATIONS.

USES AND RESERVOIRS  
DM1 - DOMESTIC WATER USE INCLUDES IRRIGATION TOTALING LESS THAN ONE-HALF ACRE WITHIN GROUNDWATER ZONE 1 OF THE SAN PEDRO RIVER.

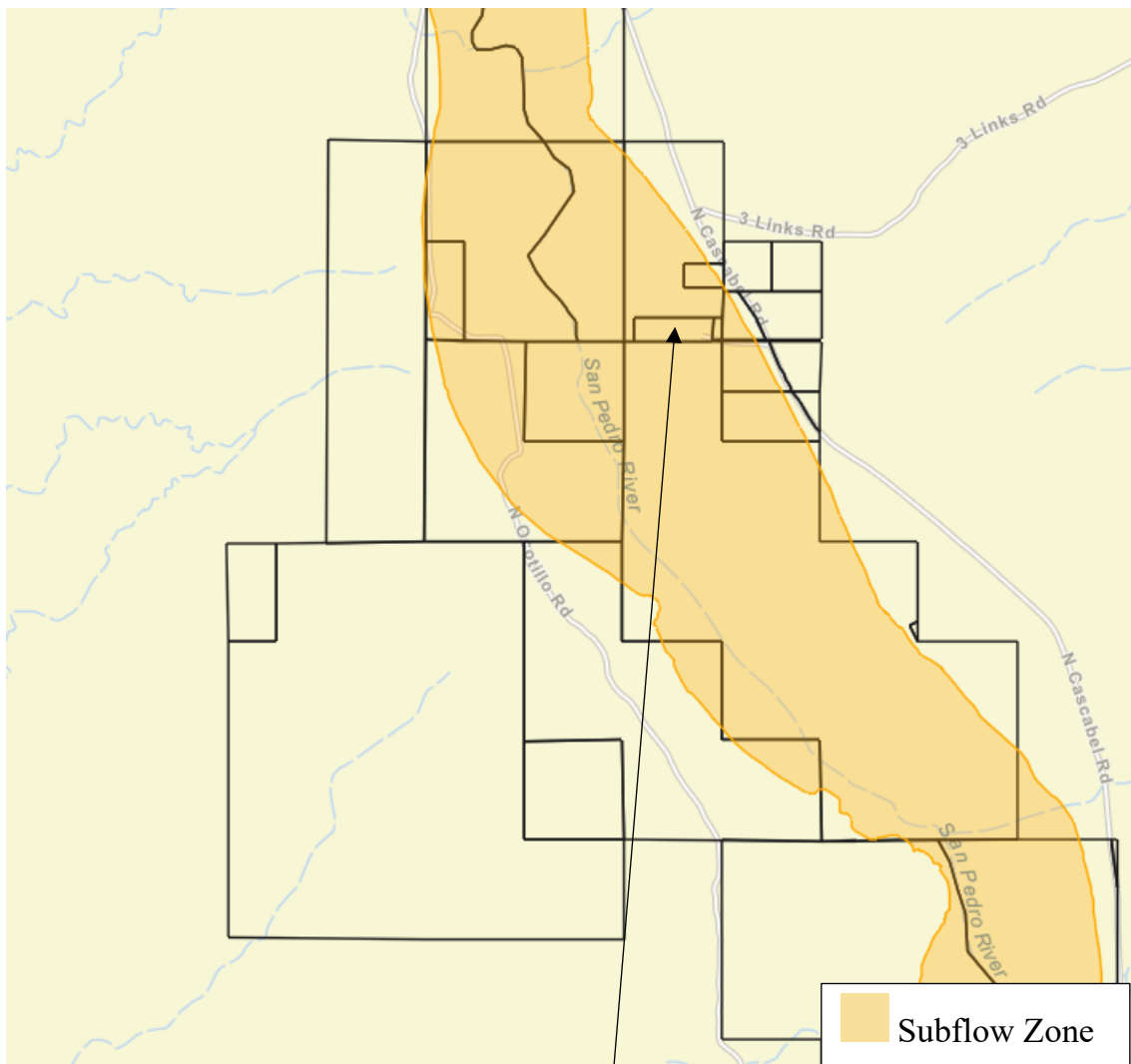
DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS  
A COMMENT WAS RECEIVED FROM THE LAND OWNER WHICH VERIFIED LAND OWNERSHIP.

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**ATTACHMENT E**  
**Map of Relevant Tax Parcels**



**208-08-004**  
**Halula Properties LLC**

**ATTACHMENT F**  
**Initial Court-Approved Mailing List**

Arizona Department of Water Resources  
Karen J. Nielsen  
1110 West Washington, Suite 310  
Phoenix, AZ 85007

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Tempe, AZ 85281

Clerk of the Superior Court  
Maricopa County  
Attn: Water Case  
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Phoenix, AZ 85003

Susan B. Montgomery, Robyn Interpreter,  
Montgomery & Interpreter PLC  
3301 E Thunderbird Road  
Phoenix, AZ 85032

Special Master Sherri Zendri  
Superior Court of Arizona  
201 W. Jefferson Street  
Courtroom 301  
Phoenix, AZ 85003

Gila River Indian Community  
Javier Ramos and Michael Carter  
Office of the General Counsel  
P.O. Box 97  
Sacaton, AZ 85147

Alexander B. Ritchie  
San Carlos Apache Tribe  
Office of the Attorney General  
PO Box 40  
San Carlos, AZ 85550

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Akin Gump Straus Hauer & Feld LLP  
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Washington, DC 20006

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Salmon, Lewis & Weldon  
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Phoenix, AZ 85016

Laura Boyer & Maggie Woodward  
United States Dept. of Justice - ENRD  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044

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c/o The Law Office of Nolan Q. Reidhead  
7530 N La Cholla Blvd  
Tucson, AZ 85741