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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. **W1-11-3112**

13 **CASE MANAGEMENT ORDER FOR**  
14 **CLAIMANT TO FILE REMAINING**  
15 **DOCUMENTS**

and

16 **ORDER FOR ARIZONA DEPARTMENT**  
17 **OF WATER RESOURCES TO FILE**  
18 **REVISED WATERSHED FILE REPORT**  
19 **AND DRAFT ABSTRACT**

20 **CONTESTED CASE NAME:** *In re Floyd D. and Flossie M. Bostick*

21 **HSR INVOLVED:** San Pedro Hydrographic Survey

22 **DESCRIPTIVE SUMMARY:** This is an order for the Claimant to file remaining  
23 documents by **December 2, 2024**, and for Arizona Department of Water Resources to  
24 file a revised watershed file report and draft abstract, or a status report regarding  
25 processing, by **February 3, 2025**.

26 **NUMBER OF PAGES:** 5

27 On September 19, 2024, Robert Floyd was ordered to file with the Court by  
28 October 11, 2024, a written statement explaining his failure to appear at the September  
October 11, 2024, status conference. On September 30, 2024, the Court received a letter from Mr.  
Floyd. There is no indication the Floyd letter was also sent to all the other parties to this  
case; therefore, it is included with this order as Attachment I.

1 Mr. Floyd's letter to the Court indicates certain health conditions that have made  
2 attendance at the status conferences difficult, and requests that the Court allow his son in-  
3 law, Mark Leinhos, to represent him during future hearings. Mr. Leinhos may attend the  
4 status conferences to assist Mr. Floyd but may not make any legal decisions on Mr. Floyd's  
5 behalf. Future online status conferences will be limited; however, in the event an online  
6 or in person status conference is required, Mr. Floyd must notify the Court prior to the  
7 conference if he will be unable to attend.

8 Mr. Floyd's letter also indicated that he has been actively working with the Arizona  
9 Department of Water Resources (ADWR) to submit all the required documentation. A  
10 review of the filings thus far:

- 11 • Well registration (55-630186) – Completed
- 12 • Application for Permit to Appropriate (33-97065) – Completed
- 13 • Statement of Claim – in process
- 14 • Statement of Claimant (different from a Statement of Claim) – not submitted

15 Objectors to this contested case are the United States, ASARCO, the Gila River  
16 Indian Community, San Carlos Apache Tribe, Tonto Apache Tribe, the Yavapai-Apache  
17 Tribe, the Camp Verde Reservation, and the Salt River Project. Copies of the filed  
18 objections can be found at:

19 [https://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/doc](https://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/docs/W1-11-3112-Combined-Objections.pdf)  
20 [s/W1-11-3112-Combined-Objections.pdf](https://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/docs/W1-11-3112-Combined-Objections.pdf).

21 To address the objections, Mr. Floyd should include as much information as  
22 possible in his documents regarding location of the well and the quantity of water used.

23 **IT IS ORDERED** that Mr. Floyd will submit to ADWR a Statement of Claimant  
24 application by **December 2, 2024**.


25 **IT IS FURTHER ORDERED** that ADWR complete processing Mr. Floyd's  
26 documents and file a revised watershed file report (WFR) and draft abstract with as much  
27 information as is available, by **February 3, 2025**. If ADWR is unable to complete  
28

1 processing of Mr. Floyd's documents, a status report explaining the reason for the delay  
2 and a revised deadline shall be submitted by **February 3, 2025**.

3 **IT IS FURTHER ORDERED** that parties will have thirty (30) days from the date  
4 of the filing of the revised WFR to file objections to the WFR, or comments on the draft  
5 abstract. Additionally, if previous objections to the earlier WFR are still applicable, those  
6 objections should be reiterated. The Court will assume previous objections are resolved  
7 with the revised WFR unless specifically stated otherwise by an objector.

8 Once a revised WFR, draft abstract and all comments/objections have been  
9 received and reviewed by the Court, a separate order will be administered regarding the  
10 next steps. If there are any procedural questions, please contact the Office of the Special  
11 Water Master at (602) 372-4115.

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13  
14 Signed this 3<sup>rd</sup> day of October 2024

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18 Sherri L. Zendri  
19 Special Water Master  
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22 On October 3, 2024 the original  
23 of 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 lists for W1-11-3112.

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28 Emily Natale

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**Attachment I**

RECEIVED

SEP 30 2024

In re: Floyd D. and Flossie M. Bostwick

Water Master of the  
Superior Court  
SHERRI ZENDRI

September 26, 2024

Contested Case No: W1-11-3112

FROM: Robert R Floyd

TO: Special Water Master, Sherri Zendri

**WRITTEN STATEMENT TO THE COURT**

I would like to express my apologies to the court for missing the Status Conference on September 10, 2024. I was at the time incapacitated due to the side effects of treatment for stage 4 cancer. I certainly meant no disrespect towards the Court whatsoever, and I ask that the court allow my son in-law, Mark Leinhos, to represent me during any future hearings during which I may be unable to attend because of health reasons. We will do our best to schedule future cancer treatments in such a way as to minimize the likelihood of a conflict due to side effects of the cancer medications. I should have attended the conference and I will not miss another meeting. I thank the Court for giving me a second chance twice.

Before the hearing, the completed Application for Permit to Appropriate Public Water (to establish basis of right) had been submitted and should now be in the hands of ADWR for processing. I also thank the members of the ADWR who helped me process this correctly.

Statement of Claim was submitted to the Arizona Department of Water Resources in August.

Quantity of water usage is estimated based on the ADWR application to be 0.2 acre feet annually (180 gallons/day, 65,700 gallons annually) as calculated for single person domestic use only. While I have no information about current usage, I anticipate that estimate will exceed actual usage. I live alone and have no intentions of significant agricultural or industrial use, nor any irrigation needs.

Robert R. Floyd

