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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

Contested Case No. W1-11-2665

ORDER GRANTING MOTION FOR  
SUMMARY JUDGMENT AND ISSUING  
DRAFT ABSTRACTS

CONTESTED CASE NAME: *In re Redfield Canyon State Claims*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.  
DESCRIPTIVE SUMMARY: United States' motion for summary judgment granted. Direction to the Arizona Department of Water Resources to map legal descriptions included in proposed abstracts for water rights for instream use.  
NUMBER OF PAGES: 7  
DATE OF FILING: October 31, 2018

In 1999 the United States Bureau of Land Management obtained three Certificates of Water Rights for instream flow rights from Arizona Department of Water Resources: 94371, 94372 and 95454. The instream flows are located on the west side of the Galiuro Mountains

1 within Bass Canyon, Hot Springs Canyon and Wildcat Canyon. Subsequently, the United States  
2 filed Statements of Claimant 39-7290, 39-13619, and 39-13620 to assert water rights to the  
3 instream flows. On September 12, 2018, the United States filed a motion for summary judgment  
4 to declare that the United States is entitled to water rights for instream flows based on instream  
5 flow claim nos. 33-94371, 33-94372 and 33-95454, the Statements of Claimant and the  
6 Certificates of Water Rights. Arizona State Land Department filed a motion stating that it did  
7 not oppose the entry of judgment in favor of the United States. No other responses were received.  
8

9 Draft abstracts, attached as Attachment A, based on watershed file report 113-13-007,  
10 have been prepared with water right characteristics consistent with the Certificates of Water  
11 Rights issued to the United States. After the Arizona Department of Water Resources has  
12 reviewed and mapped the potential water rights described in the draft abstracts, the abstracts, with  
13 any necessary revisions, will be distributed to the parties for proposed corrections.  
14

15 **IT IS ORDERED** granting the United States' Motion for Summary Judgment.

16 **IT IS FURTHER ORDERED** that the Arizona Department of Water Resources shall  
17 review the draft abstracts to verify conformance of the abstracts to the Certificates of Water  
18 Rights for instream flow and shall file a report no later than November 30, 2018 setting forth any  
19 suggested corrections to the proposed abstracts. The report shall be accompanied by a map of the  
20 reaches identified in the proposed abstracts.  
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25 SUSAN WARD HARRIS  
26 Special Master  
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1 On October 31, 2018, the original of the  
2 foregoing was delivered to the Clerk of  
3 the Maricopa County Superior Court for  
4 filing and distributing a copy to all  
5 persons listed on the Court-approved  
6 mailing list for this contested case.

*Barbara Brown*

Barbara Brown

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# ATTACHMENT A

## Abstract of Water Right San Pedro Watershed

<b>1. Proposed Water Right No:</b>	113-13-007-WL001
<b>2. Owner of Water Right:</b>	United States
<b>3. Landowner:</b>	United States
<b>4. Statement of Claimant No.:</b>	39-4870 39-13619
<b>5. Statement of Claimant Name:</b>	United States
<b>6. Lessee or Permittee:</b>	None
<b>7. Basis of Right:</b>	Application and Permit No. 33-94372 Certificate No. 94372
<b>8. Beneficial Use:</b>	Instream use for wildlife and recreation. There shall be no interference with the natural flow of Aravaipa Creek
<b>9. Priority Date:</b>	December 31, 1988
<b>10. Quantity:</b>	1805.7 acre feet annually
<b>11. Place of Use:</b>	SENE 36 T12S R20E, SWNE 36 T12S R20E, NWNE 36 T12S R20E, NENW 36 T12S R20E, SESW 25 T12S, R20E, SWSW 25 T12S R20E, NWNW 36 T12S R20E, SWSW 25 T12S R20E, NWNE 35 T12S R20E, NENW 35 T12S R20E, SESW 26 T12S R20E, SWSW 26 T12S R20E, SESE 27 T12S R20E, NESE 27 T12S R20E, NWSE 27 T12S R20E, SWSE 27 T12S R20E, SESW 27 T12S R20E, NWNW 34 T12S R20E, NENE 33 T12S R20E, SENE 33 T12S R20E, SWNE 33 T12S R20E, NWSE 33 T12S R20E, NESW 33 T12S R20E, SWSW 33 T12S R20E, SESE 32 T12S R20E, SWSE 32 T12S R20E as shown on attached map
<b>12. Point of Diversion:</b>	Water will not be diverted from the natural channel of Hot Springs Canyon.
<b>13. Source of Water:</b>	Hot Springs Canyon

**Abstract of Water Right  
San Pedro Watershed**

<b>1. Proposed Water Right No:</b>	113-13-007-WL002
<b>2. Owner of Water Right:</b>	United States
<b>3. Landowner:</b>	United States
<b>4. Statement of Claimant No.:</b>	39-4870 39-13620
<b>5. Statement of Claimant Name:</b>	United States
<b>6. Lessee or Permittee:</b>	None
<b>7. Basis of Right:</b>	Application and Permit No. 33-94371 Certificate No. 94371
<b>8. Beneficial Use:</b>	Instream use for wildlife and recreation. There shall be no interference with the natural flow of Bass Canyon
<b>9. Priority Date:</b>	December 31, 1988
<b>10. Quantity:</b>	1159.5 acre feet annually
<b>11. Place of Use:</b>	SESW 20 T12S R21E, SESW 29 T12S R21E, SWNW 31 T12S R21E, SENE 36 T12S R20E as shown on the attached map
<b>12. Point of Diversion:</b>	Water will not be diverted from the natural channel of Bass Canyon.
<b>13. Source of Water:</b>	Bass Canyon
<b>14. Name of Facility:</b>	Bass Canyon

**Abstract of Water Right  
San Pedro Watershed**

<b>1. Proposed Water Right No:</b>	113-13-007-WL003
<b>2. Owner of Water Right:</b>	United States
<b>3. Landowner:</b>	United States
<b>4. Statement of Claimant No.:</b>	39-7290
<b>5. Statement of Claimant Name:</b>	United States
<b>6. Lessee or Permittee:</b>	None
<b>7. Basis of Right:</b>	Application and Permit No. 33-95454 Certificate No. 95454
<b>8. Beneficial Use:</b>	Instream use for wildlife and recreation. There shall be no interference with the natural flow of Aravaipa Creek
<b>9. Priority Date:</b>	June 6, 1990
<b>10. Quantity:</b>	47.6 acre feet annually
<b>11. Place of Use:</b>	SWSE 24 T12S R20E, NWNE 25 T12S R20E, SWNE 25 T12S R20E, NWSE 25 T12S R20E, NESW 25 T12S R20E, SESW 25 T12S R20E, SWSW 25 T12S R20E as shown on the attached map
<b>12. Point of Diversion:</b>	Water will not be diverted from the natural channel.
<b>13. Source of Water:</b>	Wildcat Canyon
<b>14. Name of Facility:</b>	Wildcat Canyon