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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

W1-00-001234 (Consolidated)

Contested Case No. **W1-11-000075**

13 **ORDER FOR AMENDED WFR**

14 **CONTESTED CASE NAME:** *In re James F. Maloney and Patricia M. Matrecito*

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

16 **DESCRIPTIVE SUMMARY:** ADWR is ordered to re-evaluate the apparent first use
17 date reported in WFR #111-19-066 and file an amended WFR no later than **August 17,**
18 **2026.**

NUMBER OF PAGES: 3

19 On November 25, 2025, the Arizona Department of Water Resources (“ADWR”)
20 filed a draft abstract for potential water right #111-19-066-SP002, documented in
21 Watershed File Report (“WFR”) #111-19-066. On May 19, 2026, ADWR filed a status
22 report regarding the agency’s processing of assignments. Comments to the draft abstract
23 were timely filed by the San Carlos Apache Tribe (“Tribe”).

24 The Tribe comments that neither of these patents include any reference to the
25 existence or use of a stockpond. However, the stockpond in this contested case has a
26 capacity less than 15 acre-feet and is therefore eligible for summary adjudication.
27 Summary adjudication procedures for the San Pedro watershed determine priority dates
28 by “the apparent dates of first use listed in the potential water right section of the

1 watershed file report.”¹

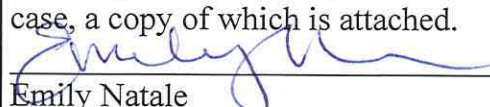
2 Statement of claimant #39-1579, supported by statement of claim #36-14379,
3 claims a priority date of June 4, 1915. This priority date corresponds to the date of a
4 patent attached to statement of claim 36-14379. The June 4, 1915, patent, however,
5 appears to be for “Lots 1 and 2 and the north half of the northeast quarter of Section 34,
6 Township 20 South, Range 17 East.” The stockpond being claimed in this contested case,
7 however, is located in Section 35, not Section 34. A second patent is attached to 36-
8 14379, which is dated March 9, 1916, for “Lots 1, 2, 3, and 4 and the north half of the
9 north half of Section 35, Township 20 South, Range 17 East.” The copies of both patents
10 appear to be credible.

11 **IT IS ORDERED** that no later than **August 17, 2026**, ADWR shall file an
12 amended WFR re-evaluating the apparent first use date reported in WFR #111-19-066.
13 ADWR shall consider the map attached to the draft abstract and the homestead patents
14 attached to statement of claim 36-14379.

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16 Signed this 20th day of July 2026

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19 Sherri L. Zendri
20 Special Water Master

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22 On July 20, 2026, the original of
23 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 list for this contested
27 case, a copy of which is attached.

28 
Emily Natale

¹ Memorandum Decision, Findings of Fact, and Conclusions of Law for Group 1 Cases Involving Stockwatering, Stockponds, and Domestic Uses at 42 (November 14, 1994).

Court Approved Mailing List
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