

The Verde Valley Independent & Camp Verde Bugle

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Water worries

Adjudication update packs
auditorium with curious residents

By **RAQUEL HENDRICKSON**

The Verde Independent

CAMP VERDE - More than 300 people showed up to hear water-rights experts talk about the ongoing state adjudication, and most stayed to hear individual questions get answered on the complex issues.

The decades-old court case has seen some activity in the past year and has become of growing interest as Arizona water sources have faded due to the prolonged drought.

The Town of Camp Verde and

Yavapai-Apache Nation hosted attorneys and a GIS expert from Arizona Department of Water Resources Monday, Sept. 19, in the Phillip England Center for the Performing Arts.

They talked about surface water rights, watersheds, what constitutes surface water and how to file water-rights claims.

Attorneys Steve Wene of Moyes, Sellers & Hendricks and Susan Montgomery of Montgomery &

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A crowd of more than 300 people showed up at the Phillip England Center for the Performing Arts to hear water-rights experts talk about the ongoing state water adjudication process and how to file claims. (VVN/Raquel Hendrickson)

WATER WORRIES

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Interpreters have updated the town council for years about the state's General Stream Adjudication process. Town Manager Russ Martin said they felt it was a good idea to share information with the broader community.

Gila River General Stream Adjudication

Starting in the 1970s, a water-rights court case involving thousands of claimants has been working its way through Maricopa County Superior Court. The case involves the Gila and all its contributing sources, and the Verde River watershed is among those sources, Montgomery explained.

Wene said surface water law is set as "first in time, first in right." That means a downstream user with a prior claim must be able to receive their water before those upstream can access a share.

Federal water rights also play



Susan Montgomery

a part, with implied rights for Native American reservations, national forests and military bases, he said.

Besides the Verde River situation, the court also worked through the claims on the San Pedro Watershed, which took an enormous amount of time.

"What took so long in the San Pedro were the number of objections," Montgomery said. "This case has had a limited number of objections."



Steve Wene

That, she said, could mean much smoother sailing.

"Our goal is to get the adjudication moving," said Joe Holland, the GIS expert from ADWR.

Keep tabs on the judiciary at SuperiorCourt.Maricopa.gov/SuperiorCourt/GeneralStream-Adjudication/gila.asp.

What to know

Landowners with potential water rights can file statements of claim and statements of

claimant, Wene said.

Property owners can see if their well is in a subflow zone on the ADWR website, where they can search by name, address or well number. Get more information about what records are available at New.azwater.gov/news/articles/2022-03-08.

Montgomery pointed out that a cursory glance at a location may show a well on a property that is in the subflow zone, but the well itself is not within the zone on closer GIS inspection.

Holland said it is important for well owners to become familiar with some of the "alphabet soup" of the water conversation at the state level.

That includes PWR (potential water rights), HSR (hydrographic survey reports), POD (point of diversion) and POU (point of use). Holland said if property has both a POD and a POU, it has PWR.

ADWR is more or less in an advisory role and not a litigant in the adjudication. It has created processes for

determining water distribution and water rights.

Salt River Project, on the other hand, has been a driving force in the court case. SRP was not a part of Monday's conversation but did co-sponsor its informational booklet.

According to Maricopa County Superior Court information, "On April 26, 1974, the Salt River Valley Water Users' Association (SRP) filed a petition with the Arizona Land Department to determine the water rights in the Salt River Watershed above Granite Reef Dam but excluding the Verde River Watershed. On February 24, 1976, SRP filed a similar petition to determine the water rights to the Verde River and its tributaries Oak Creek, Beaver Creek, West Clear Creek, and the East Verde River."

The Town of Camp Verde is posting the full video of the Monday event on its website.

Martin said it may also be time for other Verde Valley communities to have similar informational meetings.