

PLEASE ADDRESS ANY QUESTIONS OR CORRESPONDENCE TO
vvwu@live.com THANK YOU FOR YOUR CONTINUED SUPPORT!

VERDE VALLEY WATER USERS, INC. 2009 PRESIDENT'S REPORT

President's Report

While there has been limited adjudication activity in the Verde River Watershed, a major step has been completed in the San Pedro River Watershed with the publication of the "Subflow Zone Delineation Report for The San Pedro River Watershed." The report can be downloaded from the Department's web site at:

http://www.azwater.gov/AzDWR/StatewidePlanning/Adjudications/documents/SubFlow_Report/SubflowZoneDelineationReport_for_theSanPedroRiverWatershed.pdf

The narrative portion of the report provides a summary of the subflow issue and a description of the methodology used by the Arizona Department of Water Resources (ADWR) to delineate the subflow zone. This portion of the report is supported by numerous charts and figures which are unique to the San Pedro River Watershed, but provide insight into how ADWR will conduct the process when they come to the Verde River Watershed.

All of this takes considerable time making it difficult to predict when the adjudication will come to the Verde River Watershed. But, it provides the Verde Valley Water Users with time to continue our well monitoring studies and build our cash reserved in order to fund the experts needed to respond to the ADWR reports on behalf of our membership. However, this can only happen if we have the support of the surface and well water users in the Verde River Watershed. I encourage you to talk to your neighbors and explain the importance of their membership in the Verde Valley Water Users.

Thank you for your continued support.

Ray Wrobley
President

GENERAL DESCRIPTION OF ADJUDICATION PROGRAM

WHAT IS THE GENERAL STREAM ADJUDICATION?

The general stream adjudication is a judicial proceeding to determine or establish the extent and priority of water rights in the Gila River system. Claimants and water users are joined in these proceedings that will result in the Superior Court issuing a comprehensive final decree of water rights.

HOW DID THIS ADJUDICATION START?

The Gila River adjudication was initiated in the 1970s under the then-existing general adjudication procedures set forth in Arizona Revised Statutes sections 45-231 to 45-245. 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 above Granite Reef Dam (but excluding the Verde River). On February 24, 1976, SRP filed a similar petition for the Verde River and its tributaries. In April 1979, the Legislature amended the general adjudication procedures. Under their amendments, the Gila River Adjudication was transferred from the State Land Department to the Maricopa County Superior Court. Pursuant to the amended statutes, adjudication summonses were served upon all persons listed in the property tax assessments in each watershed and on all persons in the watershed who had, at any time, any kind of water rights filing on record with ADWR to file the appropriate Statement of Claimant. Additionally, ADWR conducts an annual search of its records to determine whether new water uses have been initiated within the adjudication areas, and sends new use summons by certified mail to those potential claimants.

WHO WILL BE AFFECTED BY THE GENERAL STREAM ADJUDICATION?

Any person or entity who uses water or has made a claim to use water, on property within the Gila River system, potentially may be affected. The Legislature has charged the Arizona Superior Court with quantifying and prioritizing validity of existing water rights claimed. The final court decree will establish the existence and ownership of claimed water rights, as well as important characteristics of the water rights including location of water uses, quantity of water used, and date of priority of the water rights.

HOW DO I FILE A STATEMENT OF CLAIMANT (SOC)?

Claims are asserted by filing the appropriate Court-approved Statement of Claimant form and submitting the required filing fee. There are four Statement of Claimant forms: Irrigation, Stockpond, Domestic, and Other water rights. The forms may be obtained from the Arizona Department of Water Resources (ADWR).

You may lose the right to use water of the river system and source if you fail to file a Statement of Claimant. This may happen even though you have received a permit, certificate, or other approval from ADWR. But a Statement of Claimant is not permission to use water. A person does not obtain a right to use water by filing a Statement of Claimant form. Rights to use water must be acquired in accordance with state or federal law.

SHOULD I FILE AN SOC IF I USE WATER FROM A WELL?

The adjudication process may include water uses from a well, depending upon the location of the well and other factors. ADWR encourages you to file an SOC so that any water right you may have will be part of the adjudication process.

HAS A STATEMENT OF CLAIMANT BEEN FILED ON MY PROPERTY?

You should check with ADWR to see if a Statement of Claimant has been filed or if the appropriate assignment(s) have been made to an original claim.

WHAT IS A HYDROGRAPHIC SURVEY REPORT?

By statute, ADWR is required to prepare and publish a comprehensive Hydrographic Survey Report (HSR) for each of the sub-watersheds within the adjudication. HSRs are multi-volume publications that involve intensive data collection and field inspection efforts by ADWR, including detailed information regarding land ownership, hydrology, and the factual basis for each SOC, and ADWR's recommendations regarding the water rights attributes for each individual water right claim or use investigated.

For each HSR, ADWR prepares a preliminary and a final draft. Generally, at least two to three years are required to prepare the preliminary HSR, with another year or more to review comments and prepare a final HSR. ADWR must provide notice of the filing of the preliminary HSR to each party and water user within the affected watershed, and notice of the final HSR to each party throughout the affected adjudication area. ADWR also prepares and publishes supplements to final HSRs as necessary to update information, and provides additional notice to the parties.

ADWR Contact Information • www.azwater.gov • 1-800-352-8488

VVWU and SEC RESEARCH PROGRAM

The Verde Valley Water Users (VVWU), the only water organization in the Verde Valley dedicated to protecting the water rights in the Verde Valley, has teamed with Southwestern Environmental Consultants (SEC) to research the status of stream and well filings for landowners in the Verde Valley. SEC brings over 30 years of experience with water right and well filings to this project.

Why is it important that your well and surface water right filings are correct and current? The Verde River is part of the Gila River System adjudication, which has been in the courts for more than 20 years, and will determine the relative priorities and validity of water claims. Failure to file a claim could result in the loss of right to use "surface" water, which includes certain wells. Also, the Court requires that any change in address or claimant name be reported on the appropriate forms within 30 days of the change. For more information on the adjudication, see the above history.

For the most recent filing with the Court, the VVWU developed a database utilizing ADWR records that identifies the owner of record for every registered well and water claim in the Verde Valley. This database will be used by SEC to determine whether the appropriate claims have been filed, are they in the name of the current landowner and is the information correct. The fee for this evaluation and report of findings is \$125 for VVWU members and \$150 for non-members. The additional \$25 for non-members covers the VVWU membership fee for the current year. \$18.75 of the \$125 research fee goes to the VVWU to help fund their efforts to protect Verde Valley water rights.

If the water right claims have been filed, are in the current landowner's name, and the entries are correct, our report will document that information and no additional action will be necessary on your part at that time. Should we find discrepancies, which often happens, we will identify the sections in the claim that appear to have errors and provide an estimate of the fee to make the necessary corrections. Again, 15 percent of this fee will go to the VVWU to support their activities.

If you would like for us to research the water claims on your property, please call Jamee Reddell at 634-5889, ext. 1025.

With the Verde River the next watershed to be adjudicated by the Court, it is important that your water records be in order and that you support the Verde Valley Water Users in this ongoing fight for water rights in the Verde Valley. Without a VVWU, there will not be an organization defending our water rights.