

KATIE M. HOBBS
Governor



THOMAS BUSCHATZKE
Director

ARIZONA DEPARTMENT of WATER RESOURCES
1802 W Jackson St Box #79
Phoenix, Arizona 85007
602.771.8634
azwater.gov

GENERAL INFORMATION

You are being served with the enclosed New Use Summons because the records of the Arizona Department of Water Resources indicate that you may have initiated a new use of water by applying for a surface water right or notice of intent to drill a new well, or filed a late well registration between January 1, 2022 and December 31, 2022. This is an important legal document regarding the use of water on your property. Please read it carefully.

The enclosed documents describe how the use of water on your property may be affected by an on-going court proceeding known as the Gila River Adjudication. The adjudication is a comprehensive court proceeding to determine the nature, extent, and relative priority of rights to use water in the Gila River System and Source.

As described in the enclosed documents, claims to water rights may be asserted by filing a statement of claimant form with the Arizona Department of Water Resources. The enclosed summons and brochure provide information regarding the forms, the filing fee, when and where to file, and the impact of failing to file. These documents also provide other important information regarding the adjudication.

If you have any questions regarding this process, please contact the Arizona Department of Water Resources. If you believe a statement of claimant has previously been filed for the new use of water, please feel free to call the Department to verify. The Department may be reached by phone at 1.866.246.1414 (toll free), 602.771.8634, or by mail at the following address:

**Arizona Department of Water Resources
Adjudications Administrative Support
P.O. Box 36020
Phoenix, Arizona 85067-6020**

**Fax 602.771.8686
www.azwater.gov**

1 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
2 IN AND FOR THE COUNTY OF MARICOPA

3 IN RE THE GENERAL ADJUDICATION) W-1 (Salt)
4 OF ALL RIGHTS TO USE WATER IN THE) W-2 (Verde)
5 GILA RIVER SYSTEM AND SOURCE) W-3 (Upper Gila)
6) W-4 (San Pedro)
7) Consolidated
8)
9) NEW USE
10) SUMMONS

11 TO: ALL WATER CLAIMANTS IN THE GILA RIVER SYSTEM AND SOURCE

12 PLEASE BE ADVISED that a general adjudication of water rights is in progress for the
13 area in which you use water or claim water rights. The adjudication is a comprehensive court
14 proceeding to determine the nature, extent and relative priority of rights to use water in the Gila
15 River system and source.

16 YOU ARE HEREBY SUMMONED and required to appear and to assert any claims to
17 water you may have in the Gila River system and source by filing the appropriate court-
18 approved form. All rights to use water appropriable under section 45-141, ARIZONA
19 REVISED STATUTES, and water subject to claims based upon federal law, will be determined
20 pursuant to section 45-251 *et seq.*, ARIZONA REVISED STATUTES.

21 Filing Forms. Claims to water rights may be asserted by filing the appropriate court-
22 approved statement of claimant form with the Arizona Department of Water Resources, which
23 has been authorized by the Superior Court to receive claims. There are four court-approved
24 statement of claimant forms: an irrigation water rights form, a stockpond water rights form, a
25 domestic water rights form, and a form for other water rights. You may obtain the form(s) you
26 need for filing your claim(s) from the Arizona Department of Water Resources. All
groundwater users should file the appropriate statement of claimant form for their groundwater
use to defend their use in the event other claimants assert that groundwater is appropriable
under section 45-141, ARIZONA REVISED STATUTES, or is subject to claims based upon
federal law.

Filing Fee. The filing fee for an individual is twenty dollars. The filing fee for a
corporation, municipal corporation, the state or any political subdivision, or an association or
partnership, is two cents for every acre-foot of water claimed, or twenty dollars, whichever is
greater. The filing fee should be paid by check or money order made payable to the order of
the "Arizona Department of Water Resources." The Court or Special Master will not consider
your claim unless the filing fees for the claim have been paid.

When and Where to File. Under section 45-254(A), ARIZONA REVISED
STATUTES, all statements of claimant must be filed with the Arizona Department of Water
Resources within ninety days of the service of this summons unless an extension of time is
granted by the Court. Section 45-254(E) describes under what circumstances statements of
claimant may be filed after this ninety-day period.

1 Failure to File. According to section 45-254(F), “[A]ny potential claimant who is
2 properly served and who failed to file a statement of claimant as prescribed by this article for
3 any water right...is barred and estopped from subsequently asserting any right that was
previously acquired on the river system and source...and forfeits any rights to the use of water
in the river system and source that were not included in a properly filed statement of claimant.”

4 Previous Filings with the Arizona Department of Water Resources are Not Claims in
5 the Adjudication. You may lose the right to use the water of the Gila River system and source
6 if you fail to file a statement of claimant with the Arizona Department of Water Resources.
7 This may happen even though you have received a permit, certificate or other approval from
the Arizona Department of Water Resources.

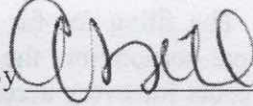
8 A Statement of Claimant is Not Permission to Use Water. You do not obtain a right to
9 use water by filing a statement of claimant form. Rights to use water must be acquired in
10 accordance with state or federal law. In many cases, you cannot initiate a new or increased use
under state law until the appropriate permit, certificate or other approval has been received
from the Arizona Department of Water Resources.

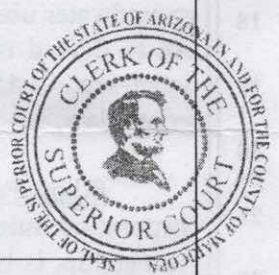
11 Address and Ownership Changes. After you have filed a statement of claimant in this
12 adjudication, you must notify the Arizona Department of Water Resources of any of the
13 following changes in, or concerning, your statement of claimant: (1) a change in your address,
14 (2) an assignment of your statement of claimant to another person, (3) a transfer to another
15 person of all or part of the land for which a water right has been claimed, and (4) a transfer to
16 another person of all or part of the water right claimed, if the claimed water right has been
severed and transferred to another parcel of land. Notice of any of the changes identified in this
paragraph must be filed with the Arizona Department of Water Resources within thirty (30)
days of the change using a form approved by the Court. This form is available from the
Arizona Department of Water Resources.

17 GIVEN UNDER MY HAND AND SEAL of the Superior Court of the State of Arizona
18 in and for the County of Maricopa this ____ day of MAY 09 2019, 2019.

19 To file in person:
20 Arizona Department of Water Resources
1110 W. Washington Street, Suite 310
21 Phoenix, AZ 85007

Jeff Fine
Clerk of the Court

By 



C. O'Neill
Deputy Clerk

22 To file via mail:
23 Arizona Department of Water Resources
P.O. Box 36020
24 Phoenix, AZ 85067-6020

25 Telephone: 1-866-246-1414
26 <https://new.azwater.gov/>

If you would like legal advice from a lawyer,
contact the Lawyer Referral Service at
602-257-4434
or

www.maricopalawyers.org

Sponsored by the
Maricopa County Bar Association

**DO YOU NEED A
STATEMENT OF CLAIMANT (SOC)
FORM TO CLAIM USE OF YOUR
WATER?**



You can find SOC forms and instructions
on our website:

<https://new.azwater.gov/adjudications/statement-claimant-new-use-summons-forms>

or you can

1. Go to our website: <https://new.azwater.gov/>
2. CLICK on HOW DO I? from the menu
3. SELECT the option for STATEMENT OF CLAIMANT, ASSIGNMENTS, AMENDMENTS
(its listed under Apply For)



**IF you need assistance filling out the form
OR if you would like a form mailed to you
please contact us at 602-771-8634**

Arizona

