



DETERMINING THE STREAM ADJUDICATION STATUS OF A PROPERTY

Adjudication proceedings are not applicable for property owners who receive 100% of their water from a municipal system or water company.

Ask: Is the property within an area currently being adjudicated?

[Subflow maps](#)

yes

Determine the Watershed File Report (WFR) number for the area of the property by contacting ADWR Adjudications Division at (866) 246-1414

You will need a parcel # or legal description with a section, township, and range to get a WFR #.

Determine if a contested case has been opened by contacting the Office of the Special Master and providing the Watershed File Report (WFR) number.

Office of the Special Master: (602) 372-4115

a case is open

Acquire documentation: The seller should provide copies of all case filings. However, using the case number you can find documents in the following locations:

[ADWR filings database](#)

[General Stream Adjudications Website](#)

not yet

1. Know the seller's non-municipal source of water
2. Well (if present) must be registered [Well Registry](#).
3. Stock ponds (if present) must be registered or permitted
4. Determine if a Statement of Claimant (SOC) has been filed* [SOC locator](#)
5. If Statement of Claimant has been filed, confirm the basis of right documentation stated on the claim.
6. If the seller does have a water rights decree be sure to have copies for the buyer.

*If the sale is in the near future, it is likely not cost-effective for the seller to file a Statement of Claimant before the sale.

If no open case yet

What to Look For in Case Documents:

1. Know the seller's non-municipal sources of water.
2. If there is a well on the property, know the proximity to the subflow zone.
3. Well (if present) should be registered.
4. Stock ponds (if present) should be registered, or a permit application should be submitted.
5. Confirm a Statement of Claimant number for the assignment to buyer.
6. Confirm the assignment of any Basis of Right documentation to the buyer.
7. If the seller does have a water rights decree, copies should be available for buyer.
8. Wells within the subflow zone will need a Basis of Right for the adjudication case.

*Have document numbers ready for any discussions with ADWR.



What if the Seller has not Participated in the Adjudications Case?

If a property owner chose not to participate they likely have been dismissed from the case. However, this does not preclude the buyer from obtaining water rights in the future, by applying for a new right.



WHERE TO LOOK FOR WATER RIGHTS & CLAIMS DOCUMENTATION

1. Court Case Information

a. Active cases are listed on the General Stream Adjudication website here:

<https://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp>

b. In-active cases are listed on the General Stream Adjudication website here:

<https://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/settled-and-decided-cases.asp>

2. Statement of Claimant Information

a. <https://infoshare.azwater.gov/docushare/dsweb/View/Collection-87> gives you a variety of ways to search for a Statement of Claimant number. You can search by claimant name, parcel number, well registry number, etc.

b. If you have a Statement of Claimant number you can find all documents that have been filed related to that Statement of Claimant document here: <https://infoshare.azwater.gov/docushare/dsweb/HomePage>

c. You can view ADWRs Statement of Claimant locator interactive map here:

<https://experience.arcgis.com/experience/dccd34942e394028860e7505bd52fc8a/>

3. Well Registry Information

a. Can be found here: <https://app.azwater.gov/WellRegistry/SearchWellReg.aspx>

b. Or you can use the interactive map here: <https://azwatermaps.azwater.gov/wellreg/>

4. Basis of Right Information:

a. A Basis of Right in Arizona is the legal documentation filed with ADWR that proves the water user has the legal right to use water in the state. There are various documents that can qualify, depending on how the water is being used. Documents such as a valid *Statement of Claim* (different than a Statement of Claimant), *certificate to appropriate*, *stock pond certificate*, or *decree* which includes a seller's water right would qualify. If a seller has any info related to these types of documents or any pre 1919 water use, it can be beneficial to a buyer.

5. Decreed and Proposed Water Rights Information:

a. Although very few properties in Arizona have been granted water rights, there are some areas where decrees have been established. Additionally, there are some areas of the state that have been through the first phase of the adjudication and have been granted 'Proposed Abstracts'. While these Proposed Abstracts do not grant full water rights, they are certainly a benefit to any interested buyer. You can find an interactive map to search for information regarding decreed water rights and properties with Proposed Abstracts here: <https://experience.arcgis.com/experience/6ac58beda7604012aacf1a02f3c6a95d>

***Unless a seller plans to stay in the house for quite some time before selling, we don't recommend filing any new documentation at this time, other than well registration or well registry updates. The filing of Statement of Claimants and Basis of Right can be time-consuming and would need to be transferred to the new owner upon completion of sale.**



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