

Adjudication FAQ

Educational Session Facilitated by the Verde Sustaining Flows Council

November 21, 2025

Terminology

What is the purpose of Adjudication? Does it mean somebody did something wrong or is trying to sue for water rights?

The purpose of the adjudication is to determine the extent, quantity, and priority of all legal rights to the use of water from the Gila River system and source. Nobody has done anything wrong, is trying to take anybody's water, or is trying to disallow anybody from using their water. The Arizona legislature has decided to work through this judicial process to clarify water rights.

What is a "New Use Summons"? What is a "Statement of Claimant (SOC)"?

A new use summons is an order from the Maricopa County Superior Court (for Gila River Adjudication related to the Verde Watershed) that asks you to assert any claims to water rights that you may have. To do so, you need to fill out the appropriate court approved forms called statements of claimants (SOCs). SOCs are the court approved forms that all water users should fill out if they are located in a [watershed under the general stream adjudication](#).

What is a Hydrographic Survey Report (HSR) and why does it matter?

A Hydrographic Survey Report (HSR) is a key document prepared by the Arizona Department of Water Resources (ADWR) as part of the general stream adjudication process in Arizona. HSRs include an analysis and inventory of all water uses and claimed water rights for thousands of parties, including individuals, farms, cities, mines, federal land owners like the U.S. Forest Service, and Native American tribes within a specific watershed or subwatershed. All water rights claims are documented and assessed through an HSR process, providing the factual basis that the court will evaluate to quantify water claims and issue a comprehensive final decree of water rights. After parties submit SOCs to ADWR, ADWR completes and files an HSR. Then, parties involved in the adjudication have the opportunity to file objections to the claims or findings within the report, which can lead to contested legal cases.

Statement of Claimant (SOC)

What happens if I don't file a Statement of Claimant (SOC)? How would this impact my water right?

When in doubt, always file an SOC. This is how to be included in the adjudication process. You don't want to risk not filing one because you could lose your water right. There is no situation in which an SOC would not be needed if you are using appropriable water. ADWR's website provides access to SOC documents on file and other resources like historical documents that could be used for SOC documentation.

How do I fill out a Statement of Claimant?

ADWR has recently updated its process with an online portal that saves time and paper, while providing helpful instructions. [Access the portal here](#). Paper forms ([available to print here](#)) are still available for mail-in submission as well.

How can I figure out if my property has an existing SOC(s) filed with ADWR and if I need to update the information?

Using the [Statement of Claimant Locator App](#), you can zoom into a property and all SOC(s) within a 10-acre tract will pop up. By hovering over these records, you can find the SOC number and then, using this number, look it up using [ADWR's Image Records website](#) (it isn't necessary to type in watershed code).

If I need to update information on my SOC what form do I use?

After viewing the SOC for your property (see above), if you determine anything on the SOC is incorrect, you can file an amendment form. If you notice the SOC is in the previous owner's name, you can fill out the assignment form. [Access the portal here](#). Paper forms ([available here](#)) are still available for mail-in submission as well.

What are some common myths about adjudication & SOC(s)?

There is MISINFORMATION that SOC(s) are not needed in certain cases. However, SOC(s) are still needed in the following scenarios:

- A very deep well (*Actually, there is no depth at which a well would be immune*)
- A well that is not in the subflow zone (*Actually, any well, if you pump long or hard enough will impact the subflow zone. If it is in the subflow area, then it is presumed to be pumping appropriable water. Even outside of that boundary, additional tests/modeling will determine whether wells impact water rights.*)
- A domestic *de minimis* well or an "exempt well" (*all wells initially presumed in adjudication*)
- Very senior rights that came with their property, or when their deed conveyed a water right (*File an SOC, nothing is "grandfathered" in*)

If an SOC is listed on the website, does that mean ADWR reviewed or validated it?

Filing an SOC does not mean it has been reviewed, approved, or denied. An SOC just signs you up to be part of the adjudication process so that you have an opportunity to prove that you have valid water rights. ADWR makes sure all of the forms have been filled out appropriately (when HSRs are done), but ultimately turn these over to the court.

When is it necessary to file multiple SOC(s)?

An SOC is related to a specific type of water use. ADWR website has SOC(s) for domestic use, irrigation, stock ponds, and other (anything else). SOC(s) are also related to a specific point of diversion, so, if you have a well and ditch irrigation, you should file two SOC(s) (one SOC for each point of diversion).

If I bought a property from someone who filed an SOC does that transfer to the new buyer?

Water rights are attached to the land. However, there is a form for SOC filings called a "Request for Assignment" to transfer to the new landowners name, as long as the water is being used in the same way.

Does a ditch company or association file an SOC on someone's behalf?

A ditch company or association will not always file an SOC on behalf of its shareholders. (In contrast, irrigation districts do file on behalf of their water users.) If no one knows who filed what with the ditch

association, that can be a red flag and better to file your own SOC. Filing an SOC is always the safest approach, since it will preserve your claim to use water from the Verde River or its tributaries. Also, it is important to understand that just because you own shares in a ditch that allows you to use water from the ditch, this is not the same as having a legal right under Arizona law to divert appropriable water from the Verde or its tributaries.

Is the SOC process for municipalities the same as for individuals or are there more complexities?

SOCs for municipalities are more complex because municipalities are a larger water user and have potentially a much larger water right. There will likely need to be more than one SOC to claim all of the municipality's uses. For a municipality, it is the same form, but it is recommended to work with someone who can ensure you're filling out the forms properly and have the right attachments.

Do well owners in the Little Chino aquifer need to file SOC's?

It depends because the adjudication watershed does not include the whole Big Chino Aquifer. For those wells that do fall within the geographic scope of the adjudication, yes – SOC's will be needed and ADWR will be asking for these in the future. Double check the [geographic adjudication boundaries](#) on the ADWR website because you don't need to file an SOC if you're not in an adjudicated watershed.

Subflow Zone

What is a Subflow Zone and Why Does it Matter?

The subflow zone determines whether groundwater is legally considered a part of the surface water right and subject to adjudication. Wells inside a subflow zone are presumed to be pumping appropriable water or "subflow" (legal term for groundwater that is part of the stream system), and the water rights associated with these sources of water are subject to the adjudication's rules. Wells outside this zone are also included in the adjudication if their "cone of depression" measurably affects the subflow. Therefore, all well owners in an adjudicated watershed should file SOC's.

Are subflow zones set in stone or could they change in the future?

In the San Pedro Watershed, they are mostly set in stone. In the Verde Watershed, we are waiting for a final addendum from ADWR because some tributaries need final review. The Special Water Master will be making a presentation, which will wrap up the subflow zone delineation on December 15, 2025. The ADWR app will be updated afterwards.

Does ADWR have an interactive map to locate wells in the subflow zone? Is the subflow GIS linework available for download (to compare my to my actual well locations)?

Yes, an [interactive map](#) showing the subflow zone is available here, overlaid with well locations. Note that the wells are not located in their exact location. Subflow GIS line work is available for download as a dataset from the ADWR website ([here](#) > "data downloads") if you would like to develop a map comparing your exact well locations to the subflow zone.

Resources

Do I need a lawyer? How do I find one?

Truthfully, it is difficult to obtain legal counsel for the Adjudication because of lack of sufficient lawyers and conflicts of interest. However, for most people, you may not need a lawyer and there are resources, including a new application portal with instructions, on the ADWR website to help you

navigate this process. The University of Arizona's Adjudications Project is also available to answer questions. In addition, the Adjudications Project does have limited legal representation resources available (not for those who are not contesting cases in court).

What resources are available to learn more about and navigate the adjudication?

- [Arizona Adjudications Project](#): Can provide legal resources for a limited number of people without going to court.
- [Arizona Department of Water Resources Adjudications Website](#): Includes maps, data, historical resources, surface water filings, wells and permitting
- [Maricopa County Superior Court Website](#): Provides access to filed orders, calendars and due dates, rules for proceedings; focus on AZ Revised Statutes, AZ State Legislature, Title 45
- [Verde NRCD](#): Hosts adjudication workshops in Camp Verde
- County Recorder's Office: Pre-1919 Notices of Appropriation are on file
- More resources are available [here](#)

What resources are available to reference for future flow estimates in the Verde?

The US Geological Survey has flow gauges that collect real-time flow data across the Verde River watershed, including on the Yavapai-Apache Nation. In addition, the Yavapai-Apache Nation and The Nature Conservancy partnered to develop an integrated model for the Verde River that incorporates global climate change modeling. Those resources are available [here](#).

Lessons Learned

What lessons have been learned from the San Pedro adjudication that has resulted in improvements to this process?

The Hydrographic Study Report HSR for San Pedro happened 20-30 years ago, before the court delineated a subflow zone. The court has been managing contested cases since then, which has set precedents. Also, because of the lag in HSR publishing time and processing, a lot has changed with the properties/water users. Water users who were not clued into the process from the beginning are at a disadvantage and have to move slower through the process.

Today, technology has come a long way and the methodology is more efficient. For the Verde process, they started with subflow zone proposal and *de minimis* ruling before the HSR has been published, which is expected to be a beneficial adaptation for both landowners and courts. They are working to make HSRs more user friendly this time. The goal is to have the Verde process can move more quickly once the report is complete while it is still fresh.

Susan Montgomery also reflected that lawyers tend to approach cases from the perspective of advocating for their clients rather than always adhering strictly to science. What they have learned in the San Pedro is that not everything needs to be fought over, and that it is sometimes more important to pick your battles wisely in order to maintain momentum and cooperate so that everyone can get their rights taken care of.