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

IN RE THE GENERAL ADJUDICATION  
OF ALL RIGHTS TO USE WATER IN  
THE GILA RIVER SYSTEM AND  
SOURCE

W-1, W-2, W-3, W-4 (Consolidated)

Contested Case No. W1-11-2709

ORDER TO INITIATE CONTESTED  
CASE  
AND  
ORDER TO SET A TELEPHONIC  
STATUS CONFERENCE

CONTESTED CASE NAME: *In re Jack K. Hughes et al.*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report  
DESCRIPTIVE SUMMARY: The Telephonic Status Conference shall be held on September 10, 2020 at 2:30 p.m.  
NUMBER OF PAGES: 12  
DATE OF FILING: July 13, 2020

This contested case is one of the many cases in the General Stream Adjudication for the San Pedro River watershed. Other cases in which claims have been made to water in the San Pedro River watershed have been completed, are in the process of determining water rights, or awaiting initiation. The purpose of the General Adjudication is to determine the water rights of

1 those persons who filed statements of claimant to use water from the San Pedro watershed. The  
2 General Adjudication will also determine water rights in the Upper Salt, Verde, Upper Gila,  
3 Lower Gila, Agua Fria, and Upper Santa Cruz watersheds.

4 This contested case shall determine the claims for water rights listed in and resolve the  
5 objections to Watershed File Report 113-12-DBC-012 (“WFR”) published in the Final San Pedro  
6 River Watershed Hydrographic Survey Report (1991). The WFR identified potential water rights  
7 for domestic and irrigation uses and wildlife watering for the land described in the WFR located  
8 in section 04 Township 13S Range 19E. The identified sources of water for the claimed uses are  
9 two wells located in section 04 T13S R19E and the San Pedro River for the wildlife watering  
10 claim. The Arizona Department of Water Resources has determined that Well 01, which is the  
11 source of water for irrigation use, is located within the subflow zone. A copy of the watershed  
12 file report is attached as Attachment A. A copy of the map prepared for the WFR is attached as  
13 Attachment B on which the land investigated is labelled with “(12)”. A copy of the current tax  
14 parcel map is attached as Attachment C.

15  
16 **Claimant & Landowners**

17 The WFR identified five Statements of Claimant (SOC) relevant to the potential water  
18 rights: 39-10797, 39-11599, 39-12584, 39-12585, and 39-14487. Jack K. Hughes filed the  
19 SOC's claiming domestic, irrigation, and stock watering use. The Arizona Department of Water  
20 Resources listed Jack K. Hughes *et al.* as the owners of the property described in the WFR. The  
21 public records of Cochise County Assessor's Office shows the following ownership of the  
22 property included within boundaries of the land investigated by the WFR:  
23

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Landowner	Tax Parcel
Bureau of Land Management	209-31-006B
Mary Norma Hughes	209-31-006C
Anna Lands	209-31-006D

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1 The public records maintained by ADWR do not include assignments of the SOCs from Jack  
2 Hughes.

3  
4 **IT IS ORDERED:**

5  
6 1. Contested Case. This contested case shall be known as *In re In re Jack K. Hughes*  
7 *et al.* and it will address Statements of Claimant and objections that were filed regarding  
8 Watershed File Report 113-12-DBC-012 published in the Final San Pedro River Watershed  
9 Hydrographic Survey Report (1991). Copies of objections can be found under the case name  
10 and number on the following website:

11 <http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/ActiveCases.asp>

12 2. Litigants. The litigants in this contested case are the Claimant, all persons who  
13 filed objections to the listed watershed file reports who are listed on Attachment D, and claimants  
14 who are allowed to intervene by order.

15 3. Court-Approved Mailing List.

16  
17 A. The initial Court-approved mailing list for this case shall include all  
18 persons listed on Attachment D to this order. The list may be modified only by  
19 filing a motion with the Special Master to amend the Court-approved mailing list.

20 Litigants are responsible for using the current Court-approved mailing list.

21 B. A copy of any pleading filed with the Clerk of the Maricopa County  
22 Superior Court in this case shall be served upon each person listed on the Court-  
23 approved mailing list.

24 C. Claimants wishing to be added or removed from the mailing list shall file  
25 a motion with the Special Master. Parties allowed to intervene will be  
26 automatically added to the mailing list.  
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4. Courtesy Email List.

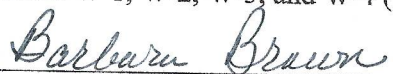
The Special Master's office will email courtesy copies of orders and minute entries entered in this case to persons listed on Attachment D. Requests for inclusions on the email list should be sent to Barbara Brown at [brownb099@superiorcourt.maricopa.gov](mailto:brownb099@superiorcourt.maricopa.gov).

5. Status Conference. An initial status conference shall be held to address the adjudication of this case, determine whether the Claimant or current landowners intend to pursue water rights for the property. If so, then a discussion will be held to determine whether the objections to the potential water rights can be settled. If the objections cannot be settled, then a subsequent date will be set for a scheduling conference to identify issues, file disclosure statements, conduct discovery, submit prehearing motions, and hold a trial. The Telephonic Status Conference shall be held on **September 10, 2020 at 2:30 p.m.**

Instructions for telephonic appearance:  
Dial: 602-506-9695 (local)  
1-855-506-9695 (toll free long distance)  
Dial Participant Pass Code 357264#

  
\_\_\_\_\_  
SUSAN WARD HARRIS  
Special Master

On July 13, 2020, the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to all persons listed on the Court-approved mailing list for W1-11-2709, a copy of which is attached hereto as Attachment D, and to all persons listed on the Court-approved mailing list for W-1, W-2, W-3, and W-4 (Consolidated).

  
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Barbara Brown

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**ATTACHMENT A**

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
HUGHES, JACK K., ET AL.	113-12-DBC-012

APPLICABLE FILINGS AND DECREES

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES **WI-11-2709**

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
33-0096126	APPLICA.	REC/FISH/WLDF	10341.44	SESWO4	130S	190E	1991	SESWO4	130S	190E
36-0021297		IRRIGATION	400.00	NWSWO4	130S	190E	< 1870	NWSWO4	130S	190E
36-0021298		DOMESTIC STOCK	25.00	NESWO4	130S	190E	< 1870	NWSWO4	130S	190E
39-0010797		IRRIGATION STOCK					1942	SWNWO4	130S	190E
39-0011599		REC/FISH/WLDF								
39-0012584		IRRIGATION	200.00	04	130S	190E	1942			
39-0012585		DOMESTIC STOCK	15.00	NESWO4	130S	190E	< 1870	NENESWO4	130S	190E
39-0012585		IRRIGATION	400.00	NWSWO4	130S	190E	< 1870	NESWO4	130S	190E
39-0014487		REC/FISH/WLDF	10341.44	SWNWO4	130S	190E	1991	SWNWSWO4	130S	190E
				SESWO4	130S	190E		NWSWO4	130S	190E
								SWNWO4	130S	190E
								SESWO4	130S	190E

DWR ANALYSIS OF FILINGS AND DECREES

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
33-0096126	WILDLIFE	WILDLIFE		WLOO1
36-0021297	IRRIGATION	IRRIGATION	WO1	IROO1, IROO2
36-0021298	DOMESTIC STOCK	DOMESTIC	WO2	DMOO1
39-0010797	IRRIGATION STOCK	INCIDENTAL	WO1	IROO1, IROO2
	RECREATION	INCIDENTAL		
	WILDLIFE	INCIDENTAL		
39-0011599	IRRIGATION	IRRIGATION	WO1	IROO1, IROO2
39-0012584	DOMESTIC STOCK	DOMESTIC	WO2	DMOO1
39-0012585	IRRIGATION	INCIDENTAL		
39-0014487	RECREATION	IRRIGATION	WO1	IROO1, IROO2
	WILDLIFE	RECREATION		WLOO1
		WILDLIFE		

DIVERSIONS

DIV #	LOCATION SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
WO1	SENEWO4	130S	190E	UNNAMED	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER GROUNDWATER : CATALOGUED
WO2	NWSEWO4	130S	190E	UNNAMED	

USES

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
DMO01	NESEWO4	130S	190E	WO2	GROUNDWATER : CATALOGUED		NO	
IROO1	NESWO4	130S	190E	WO1	GROUNDWATER : ZONE 1	1935	NO	
	NWSWO4	130S	190E					
	SEWO4	130S	190E					
	SWNWO4	130S	190E					
IROO2	NESWO4	130S	190E	WO1	GROUNDWATER : ZONE 1	1976	NO	
	NWSWO4	130S	190E					
WLOO1	SWO4	130S	190E		SURFACE WATER		NO	INSTREAM USE

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE* DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
DM001	39-0012584	36-0021298		GROUNDWATER : CATALOGUED
IR001	39-0010797 39-0011599 39-0012585	36-0021297	1870 FILING 36-21297	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
IR002	39-0010797 39-0011599 39-0012585	36-0021297	1976 1976 AERIAL PHOTO	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
WLOO1	39-0014487	33-0096126	1991 FILING 33-96126	SURFACE WATER: SAN PEDRO RIVER

Q U A N T I T I E S O F U S E

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
DM001							SEE VOLUME 1 - GENERAL ASSESSMENT
IR001	MAX. OBSERVED REGIONAL	34.2	PERM. PSTR	50%	5.7 AF/AC	194.9 AFA	
	MAX. POTENTIAL	34.2	AVE. CROP	50%	5.4 AF/AC	184.7 AFA	
IR002	MAX. OBSERVED REGIONAL	7.6	PERM. PSTR	32%	9.9 AF/AC	75.2 AFA	
	MAX. POTENTIAL	7.6	AVE. CROP	50%	5.4 AF/AC	41.0 AFA	
WLOO1			ALFALFA	32%	10.4 AF/AC	79.0 AFA	SEE VOLUME 1 - GENERAL ASSESSMENT

E X P L A N A T I O N

FILINGS AND DECREES

FILING 39-10797 - CLAIMS RECREATION AND WILDLIFE WATER USES DIRECTLY FROM THE SAN PEDRO RIVER.

DIVERSIONS

- W1 - WELL PROVIDES WATER FOR IRRIGATION AND STOCKWATERING USES.
- W2 - A CATALOGUED WELL PROVIDES WATER FOR DOMESTIC AND STOCKWATERING USES.

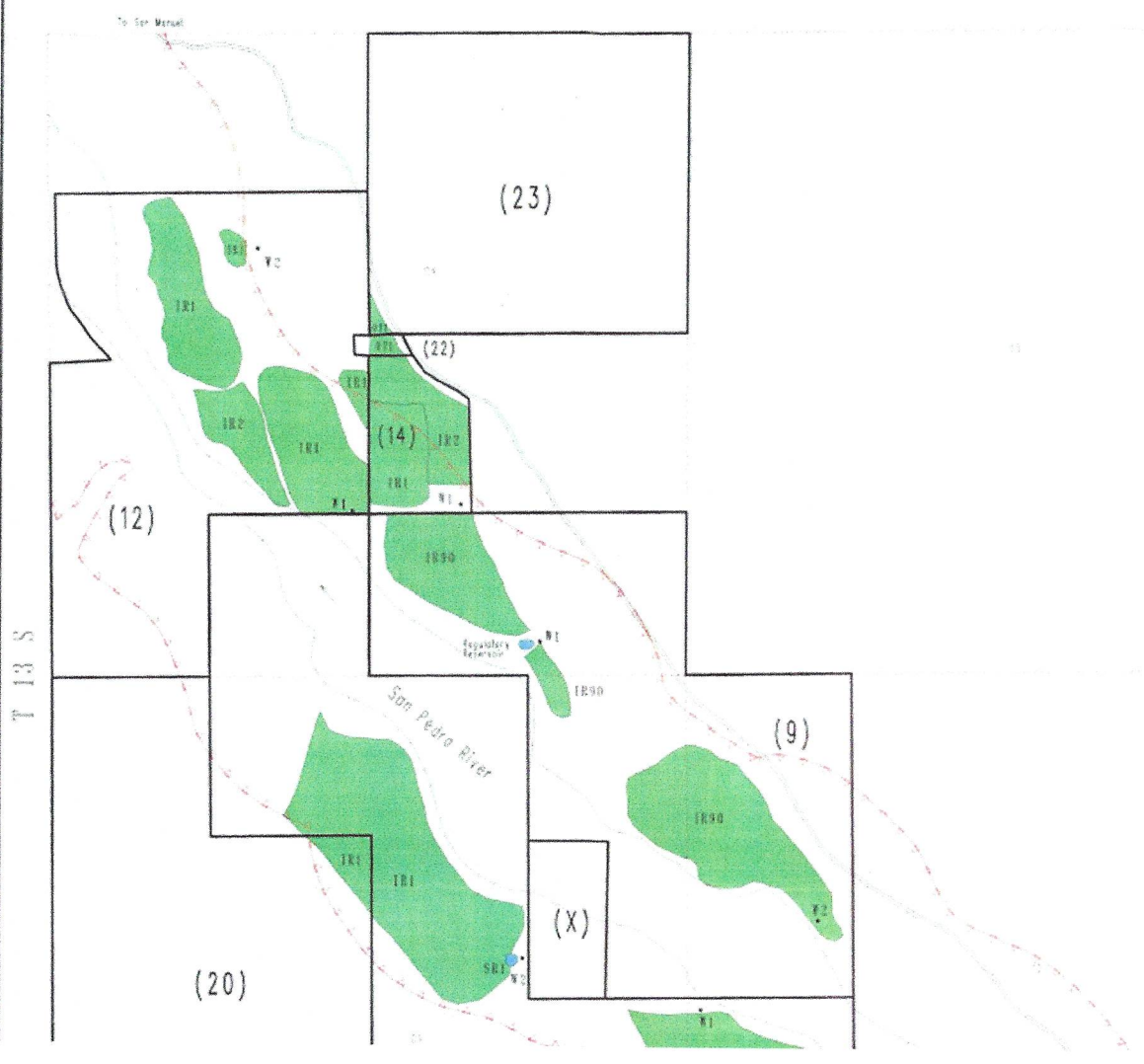
USES AND RESERVOIRS

- DM1 - DOMESTIC USE.
- IR1 & IR2 - IRRIGATED PASTURE.
- WL1 - INSTREAM WILDLIFE USE FROM THE SAN PEDRO RIVER. FOR MORE INFORMATION ON THIS INSTREAM FLOW CLAIM, SEE CHAPTER 6 IN VOLUME 1.



# ATTACHMENT B

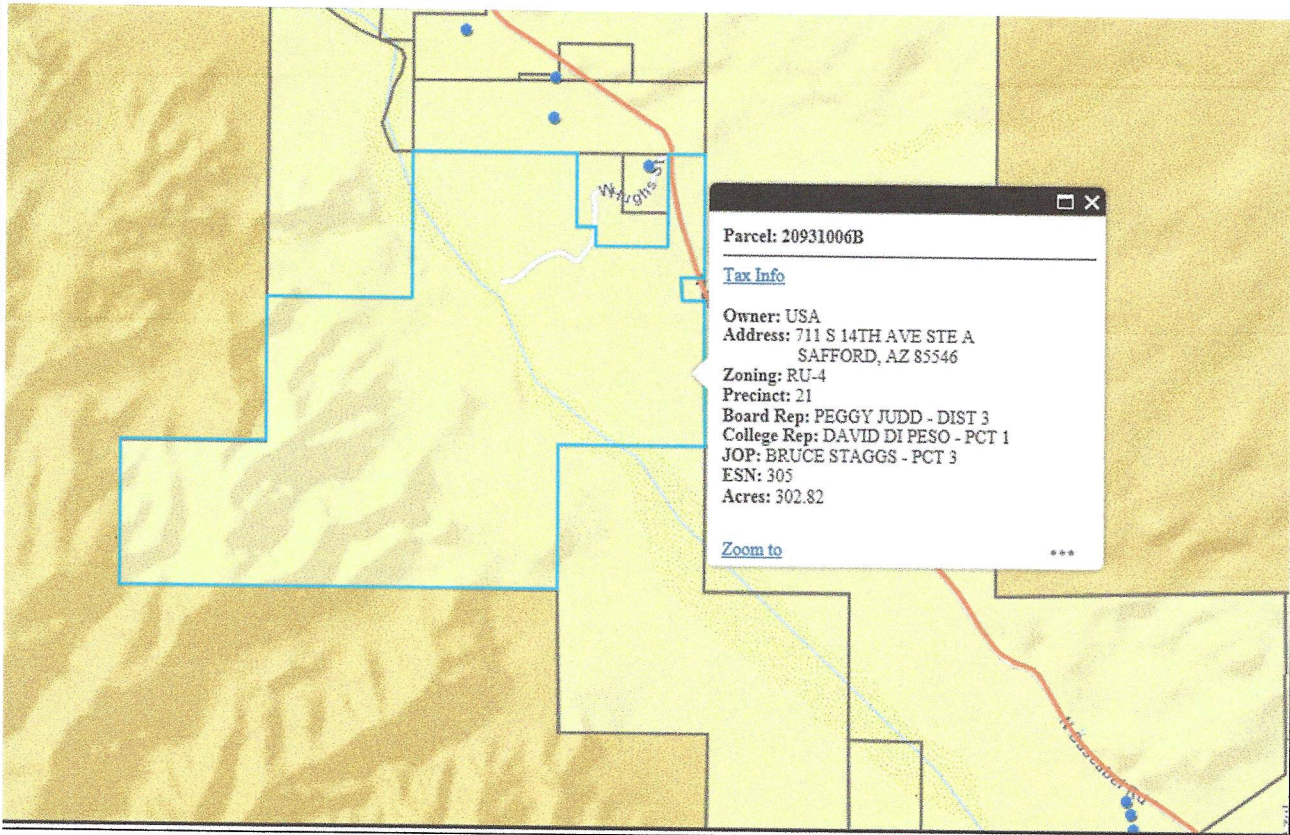
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# ATTACHMENT D

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Anna Lands  
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Arizona Department of Water Resources  
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John D. Burnside  
Snell & Wilmer, L.L.P.  
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Phoenix AZ 85004

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Benson AZ 85602

City of Sierra Vista  
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Sierra Vista AZ 85635

Clerk of the Superior Court  
Maricopa County  
Attn: Water Case  
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3 Sacaton, AZ 85147

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6 Benson, AZ

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9 Scottsdale, Az 85251-4573

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Richard J. Palmer & Jeremiah Weiner  
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Mia A. Montoya Hammersley  
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3301 E. Thunderbird Road  
18 Phoenix, AZ 85032

19

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Salt River Project Agricultural Improvement and Power District  
21 John B. Weldon, Jr. and Mark A. McGinnis  
Salmon, Lewis & Weldon PLC  
22 2850 E Camelback Rd, Ste. 200  
23 Phoenix, AZ 85016

24 Special Master Susan Ward Harris  
Superior Court of Arizona  
25 201 W. Jefferson Street  
Courtroom 301  
26 Phoenix, AZ 85003

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U. S. Department of Justice  
Patrick Barry, Yosef Negose, and Emmi Blades  
Environment and Natural Resources  
P. O. Box 7611  
Washington, D.C. 20044-7611