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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. W1-11-2620

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

CONTESTED CASE NAME: *In re Robert Floyd and Jerry Hammond*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report
DESCRIPTIVE SUMMARY: The Telephonic Status Conference shall be held on **September 25, 2020** at 2:30 p.m.
NUMBER OF PAGES: 11
DATE OF FILING: July 27, 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.

1 The purpose of the General Adjudication is to determine the water rights of those persons
2 who filed Statements of Claimant with the Arizona Department of Water Resources to use water
3 from the San Pedro watershed. The General Adjudication will also determine water rights in the
4 Upper Salt, Verde, Upper Gila, Lower Gila, Agua Fria, and Upper Santa Cruz watersheds.

5 This contested case shall determine the claims for water rights listed in and resolve the
6 objections to Watershed File Report 113-09-CC-038 (“WFR”) published in the Final San Pedro
7 River Watershed Hydrographic Survey Report (1991). The WFR identified potential water rights
8 for domestic, irrigation, and storage uses for the land described in the WFR located in sections
9 10 and 15 Township 11S Range 18E. The identified sources of water for the claimed uses are
10 three wells located in sections 10 and 15 T11S R18E. The Arizona Department of Water
11 Resources has determined that the wells used for irrigation water are located within the subflow
12 zone. A copy of the watershed file report is attached as Attachment A. A copy of the map
13 prepared for the WFR is attached as Attachment B on which the land investigated is labelled with
14 “(38)”.

16 **Claimant & Landowners**

17 The WFR identified three Statements of Claimant (SOC) relevant to the potential water
18 rights: 39-12296, 39-12297, and 39-12298. Clarence and Carol Moyers, Jerry Hammond, and
19 Robert Floyd filed 39-12296 to claim water rights for irrigation, domestic, wildlife, and other
20 uses. Jerry Hammond filed the remaining two SOCs. The Arizona Department of Water
21 Resources listed Robert Floyd and Jerry Hammond as the owners of the property described in
22 the WFR. According to the public records of Pima County Assessor’s Office, Ronnie L.
23 Hilliard, as trustee, owns tax parcel 205-19-003K. A copy of the current tax parcel map is
24 attached as Attachment C.
25

26
27 The public records maintained by ADWR do not include assignments of the SOCs. The
28 Arizona Department of Water Resources lists SOC 39-171476 as filed by Ron Hilliard, Trustee

1 for a domestic water use on Section 29 Township 13S Range 13E, but no SOC for the land
2 included in the boundaries of the WFR.

3 **IT IS ORDERED:**

4
5 1. Contested Case. This contested case shall be known as *In re Robert Floyd and*
6 *Jerry Hammond* and it will address Statements of Claimant and objections that were filed
7 regarding Watershed File Report 113-09-CC-038 published in the Final San Pedro River
8 Watershed Hydrographic Survey Report (1991). Copies of objections can be found under the
9 case name and number on the following website:

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

11 2. Litigants. The litigants in this contested case are the Claimants, current
12 landowner, all persons who filed objections to Watershed File Report 113-09-CC-038 who are
13 listed on Attachment D, and claimants who are allowed to intervene by order.

14 3. Court-Approved Mailing List.

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

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

23 C. Claimants wishing to be added or removed from the mailing list shall file
24 a motion with the Special Master. Parties allowed to intervene will be
25 automatically added to the mailing list.
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ATTACHMENT A

LAND OWNER

FLOYD, ROBERT
HAMMOND, JERRY

WATERSHED FILE
REPORT NUMBER

113-09-CC-038

A P P L I C A B L E F I L I N G S A N D D E C R E E S

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
10-1002097.2100				10	110S	180E	1905			
39-0012296	QUE.RECD	IRRIGATION	99.75	10	110S	180E	1982	NWSWSE10	110S	180E
		DOMESTIC	2.10	15	110S	180E				
		STOCK								
		REC/FISH/WLDF	1.05							
		OTHER	2.10							
39-0012297	QUE.RECD	IRRIGATION	3.00	NENW15	110S	180E	1983	SENEWNE15	110S	180E
		DOMESTIC	1.00							
39-0012298	QUE.RECD	IRRIGATION	200.00	15	110S	180E	1955	NWNWNE15	110S	180E

D W R A N A L Y S I S O F F I L I N G S A N D D E C R E E S

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
10-1002097.2100	IRRIGATION	IRRIGATION		IROO1, IROO2
39-0012296	IRRIGATION	IRRIGATION	WO1	IROO1, IROO2, PSOO1
	DOMESTIC	INCIDENTAL		
	STOCK	INCIDENTAL		
	WILDLIFE	INCIDENTAL		
	OTHER	OTHER		
39-0012297	IRRIGATION	NONE	WO3	DMOO1
	DOMESTIC	DOMESTIC		
39-0012298	IRRIGATION	NONE	WO4	

D I V E R S I O N S

DIV #	LOCATION SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
WO1	NEWSE10	110S	180E	UNNAMED	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
WO3	SENEWNE15	110S	180E	UNNAMED	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
WO4	SEWSE10	110S	180E	UNNAMED	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER UNUSED

U S E S

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO SOURCE DATE	SOURCE CHANGE FACILITY NAME
DMOO1	SENEWNE15	110S	180E	WO3	GROUNDWATER : ZONE 1		NO
IROO1	SESE10	110S	180E	WO1	GROUNDWATER : ZONE 1	1984	NO
	SWSE10	110S	180E				
IROO2	SWSE10	110S	180E	WO1	GROUNDWATER : ZONE 1	1990	NO

R E S E R V O I R S

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO SOURCE DATE	RESERVOIR NAME	STORAGE PURPOSE
PSOO1	SESE10	110S	180E	WO1	GRNDWTR : ZONE 1	1990	UNNAMED	INDUSTRIAL

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE*	DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
DMOO1	39-0012297	NONE			GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
IROO1	39-0012296 39-0012296	10-1002097.2100	1982	FILING 39-12296	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
IROO2	39-0012296	10-1002097.2100	1990	1990 AERIAL PHOTO	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
PSOO1	39-0012296	NONE	1990	1990 AERIAL PHOTO	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
NONE	39-0012298	NONE			

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
DMOO1							SEE VOLUME 1 - GENERAL ASSESSMENT
IROO1	MAX. OBSERVED REGIONAL	17.0	PECANS	48%	5.0 AF/AC	85.0 AFA	
	MAX. POTENTIAL	17.0	AVE. CROP	50%	5.4 AF/AC	91.8 AFA	
IROO2	MAX. OBSERVED REGIONAL	.8	ALFALFA	48%	6.9 AF/AC	117.3 AFA	
	MAX. POTENTIAL	.8	PERM. PSTR	32%	9.9 AF/AC	7.9 AFA	
PSOO1	MAX. AREA/CAP	1.9	AVE. CROP	50%	5.4 AF/AC	4.3 AFA	
			ALFALFA	32%	10.4 AF/AC	8.3 AFA	
						6.7 AF	

E X P L A N A T I O N

FILINGS AND DECREES

FILING 39-12297 - CLAIMS IRRIGATION AND DOMESTIC WATER USES. NO IRRIGATION, DOMESTIC USES, OR DIVERSIONS WERE FOUND AT THE CLAIMED LOCATIONS.
 FILING 39-12298 - CLAIMS AN IRRIGATION WATER USE. NO IRRIGATION WAS FOUND AT THE CLAIMED LOCATION.
 FILINGS 39-12296, 39-12297 & 39-12298 - UNIFORM QUESTIONNAIRES WERE RECEIVED WHICH REFLECT INFORMATION PREVIOUSLY PROVIDED IN THE ORIGINAL STATEMENT OF CLAIMANT.

DIVERSIONS

W1 - WELL PROVIDES WATER FOR IRRIGATION AND A COMMERCIAL FISHERY
 W3 - WELL PROVIDES WATER FOR DOMESTIC USE.
 W4 - UNUSED IRRIGATION WELL.

USES AND RESERVOIRS

DM1 - DOMESTIC USE.
 IR1 - IRRIGATED PECAN TREES.
 IR2 - IRRIGATED PASTURE.
 PS1 - PRIMARY STORAGE RESERVOIRS, SUPPLIED BY W1, USED FOR THE PURPOSE OF COMMERCIAL FISH REARING.

DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS

A COMMENT WAS RECEIVED FROM THE LAND OWNER WHICH DESCRIBED ALL WATER USES, WELLS, AND FILINGS ASSOCIATED WITH THIS W.F.R..

ATTACHMENT B

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ATTACHMENT C

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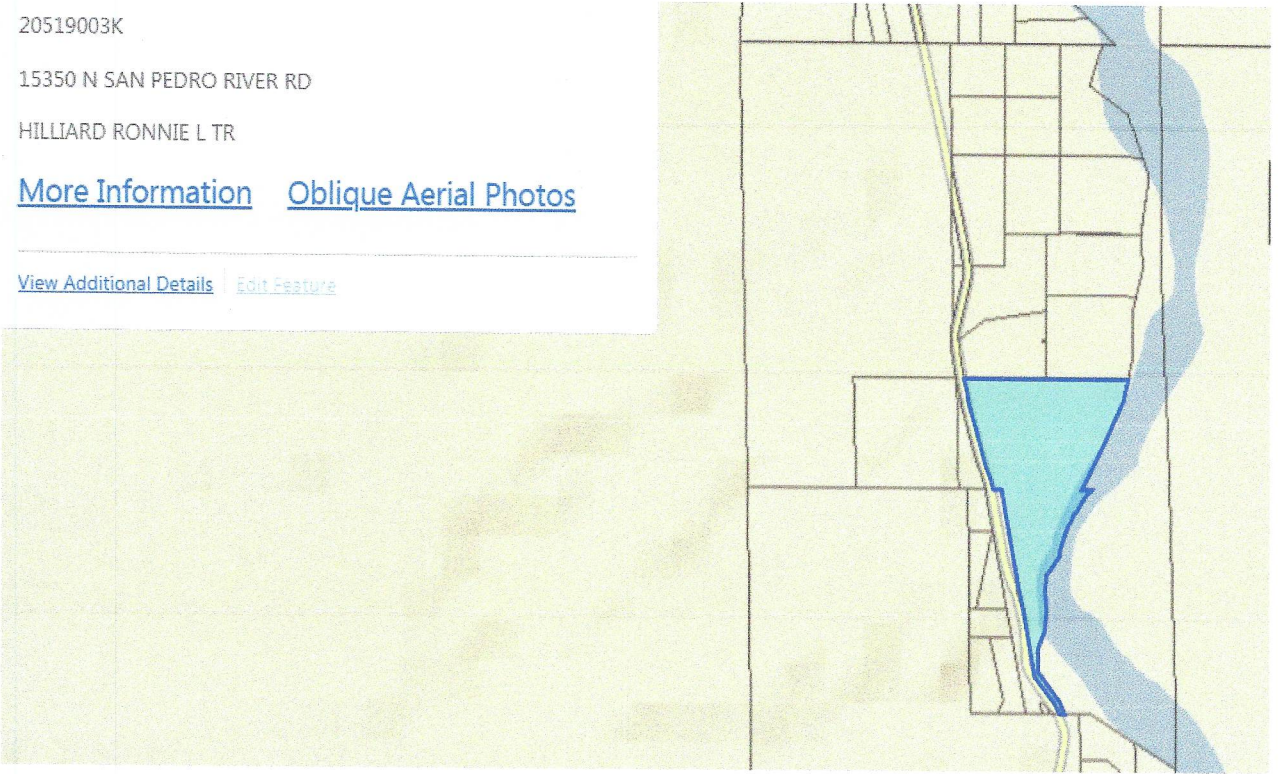
20519003K

15350 N SAN PEDRO RIVER RD

HILLIARD RONNIE L TR

[More Information](#) [Oblique Aerial Photos](#)

[View Additional Details](#) [Edit Feature](#)



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ATTACHMENT D

Arizona Department of Water Resources
Kimberly Parks
P. O. Box 36020
Phoenix, AZ 85067

ASARCO Incorporated
Lauren J. Caster
Fennemore Craig, P.C.
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BHP Copper, Inc.
John D. Burnside
Snell & Wilmer, L.L.P.
400 E. Van Buren Street, Ste 1900
Phoenix AZ 85004

Clarence and Carol Moyers
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Tucson, AZ 85740

Clerk of the Superior Court
Maricopa County
Attn: Water Case
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Phoenix, AZ 85003

Gila River Indian Community
Linus Everling and Thomas L. Murphy
Office of the General Counsel
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Sacaton, AZ 85147

Jerry Hammond and Robert Floyd
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Tucson, AZ 85740

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Ronnie L. Hilliard Living Trust
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Mia A. Montoya Hammersley
9 Montgomery & Interpreter, Plc
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10 Phoenix, AZ 85032
11 Salt River Valley Water Users Association,
Salt River Project Agricultural Improvement and Power District
12 John B. Weldon, Jr. and Mark A. McGinnis
13 Salmon, Lewis & Weldon PLC
2850 E Camelback Rd, Ste. 200
14 Phoenix, AZ 85016
15 Special Master Susan Ward Harris
16 Superior Court of Arizona
201 W. Jefferson Street
17 Courtroom 301
Phoenix, AZ 85003
18
19 U. S. Department of Justice
Patrick Barry, Yosef Negose, and Emmi Blades
20 Environment and Natural Resources
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21 Washington, D.C. 20044-7611
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