

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)
Consolidated
Contested Case Nos. W1-11-3385

ORDER FOR A STATUS REPORT OR
STIPULATED ABSTRACT

CONTESTED CASE NAMES: *In re Elizabeth Hilliard*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.
DESCRIPTIVE SUMMARY: A status report or a settlement agreement and stipulated agreement shall be filed by BHP Copper by September 30, 2020.
NUMBER OF PAGES: 6
DATE OF FILING: April 23, 2020

On April 21, 2020, John P. Franzone Jr. filed a Status Report. A copy of the Status Report is attached as Attachment A. Mr. Franzone reported that he located a patent issued to Laura Moore

1 for the 40 acres in the NWNE Section 34 T6S R19E dated March 19, 1919, and has ordered a
2 certified copy of the patent.

3 To further the discussions to settle the objections to the report issued by the Arizona
4 Department of Water Resources regarding Mr. Franzone's claim for a water right for domestic use,
5 Mr. Franzone shall obtain copies of the following documents that should have been filed by Ms.
6 Moore in connection with Patent 670643:

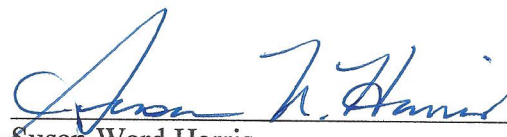
- 7 1. Homestead Entry Final Proof
- 8 2. Final Affidavit Required of Homestead Claimants.

9 Documents may be available by written request from:

10 The National Archives and Records Administration
11 8601 Adelphi Road
12 College Park, MD 20740-6001

13 Upon receipt of the documents from the National Archives, Mr. Franzone shall send a
14 copy of the documents to the Objectors who are listed on Attachment B.

15 IT IS ORDERED that BHP Copper shall either file a stipulated settlement agreement
16 among all of the Objectors and Mr. Franzone and a proposed abstract by **September 30, 2020** or
17 file a status report by **September 30, 2020**.

18
19
20
21 
22 Susan Ward Harris
23 Special Master

24 On April 23, 2020 the original of the foregoing was
25 delivered to the Clerk of the Maricopa County Superior
26 Court for filing and distributing a copy to all persons listed
27 on the Court-approved mailing list for this contested case.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attachment A

John P. FRANZONE JR.
40251 ARAVATIPA CANYON Rd
Klondyke AZ 85643-7566
(928) 828 0199

OFFICE OF THE SPECIAL MASTER
Arizona General Stream Adjudication

APR 21 2020

IN RE: Elizabeth Hilliard
Contested case No. WI-11-3385

Status Report:

My Search For Supporting Documentation HAS been hampered by the COVID19 Pandemic, AND ENSUING COLOSURES TO the Public OF MOST places where Records ARE Kept. INCLUDING, but NOT Limited To; GRAHAM county Public services building, GRAHAM county Library, GRAHAM county Museum AND HISTORICAL Society.

I have ALSO been Limited in my Search by the fact THAT I do NOT own A computer, HAVE NO INTERNET ACCESS AT My Location, AND THERE IS NO cel Phone Service AS WELL.

Accordingly I contacted Ms JAN Rogers, Trustee OF the Greta Bergen TRUST, AND the Bryce Property next Door. We decided To Pool OUR Knowledge AND work Together.

the wash or canyon that bisects our properties is known as Moore wash, or Moore canyon. Research revealed that a woman named Laura Moore lived here. I could not initially find any date or record for Laura Moore. She did not appear in census or voting records. I eventually came to the conclusion that all the women in census reports were listed as wives or homemakers, and there were no voting records before 1920 because women couldn't vote.

Laura Moore was not a wife and not a voter; maybe she was a rancher. I communicated this information to Ms Rogers and suggested she research Arizona cattle brands.

Laura Moore, residing at this location received an Arizona cattle brand, L with a lazy S in 1917. In addition she homesteaded 40 acres, My 10 and the Bryce 30, before it was subdivided. That homestead was patented March 19th 1919. I am waiting for certified copies to be mailed to me with the appropriate documentation. This may be enough to get a presumption of water rights, as Ms Moore had cattle and owned the land, she must have used water.

Attachment B

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

F. Patrick Barry and Emmi Blades
U.S. Department of Justice
Environment and Natural Resources
P. O. Box 7611
Washington, DC 20044-7611

Joe P. Sparks and Laurel A. Herrmann
The Sparks Law Firm, P.C.
7503 First Street
Scottsdale, AZ 85251-4573

L. J. Caster, B.J. Heiserman, B. J. Pew
Fennemore Craig, P.C.
2394 East Camelback Road Ste 600
Phoenix, AZ 85016-3429

L. Wm. Staudenmaier and John D. Burnside
Snell & Wilmer, L. L. P.
400 E. Van Buren Street, Ste 1900
Phoenix, AZ 85004-2202

Linus Everling and Thomas L. Murphy
Gila River Indian Community
Office of the General Counsel
P. O. Box 97
Sacaton, AZ 85147

Lucas T. Christian and Julian Nava
Rosette, LLP
565 W. Chandler Blvd. Suite 212
Chandler, AZ 85225

Messers. Weldon, McGinnis, Heilman
Salmon, Lewis and Weldon PLC
2850 E. Camelback Rd. Ste. 200
Phoenix , AZ 85016