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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

CONTESTED CASE NO. W1-11-3441

ORDER DISMISSING STATEMENT OF
CLAIMANT 39-7105

AND

ORDER FOR ADWR REVIEW OF
ABSTRACT FOR *DE MINIMIS* WATER
RIGHTS

CONTESTED CASE NAME: *In re Anthony Lunt – State Trust Land*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: Statement of Claimant 39-7105 is dismissed. ADWR directed to
review attached abstracts for *de minimis* uses and file a report by November 18, 2019.

NUMBER OF PAGES: 23.

DATE OF FILING: October 11, 2019

1 This case involves *de minimis* claims for water rights investigated by Arizona
2 Department of Water Resources (“ADWR”) and included in the final hydrographic survey
3 report for the San Pedro Watershed (“San Pedro HSR”) filed on November 20, 1991. The
4 preliminary issue in this case concerned the ownership of the potential water rights listed in
5 watershed file report no. 115-10-013 (“WFR”).
6

7 On July 10, 2019, Anthony Lunt and ADWR filed a joint report regarding ownership of
8 five proposed water rights identified by ADWR in the WFR for which Mr. Lunt and the
9 Arizona State Land Department (“ASLD”) had both filed Statements of Claimant (“SOCs”).
10 To create a clear record of claims and ownership of water rights, Mr. Lunt was ordered to file
11 assignments of the documents relating to the water rights that he and ADWR agreed belonged
12 to him to the owner of the land. On September 19, 2019, Mr. Lunt timely filed a notice that the
13 requisite assignments had been filed with ADWR. Arizona State Land Department was also
14 ordered to submit in writing its reasons that SOC 39-7105, which is associated with the water
15 right that the parties agreed belonged to Mr. Lunt, should not be dismissed. Arizona State Land
16 Department submitted no reasons. To complete the process of conforming the public records
17 maintained by ADWR, Mr. Lunt shall file by November 18, 2019, any reasons he may have
18 that SOCs 39-4207, 39-4211, and 39-4213, which are associated with water rights that the
19 parties agree belong to ASLD, should not be dismissed.
20
21

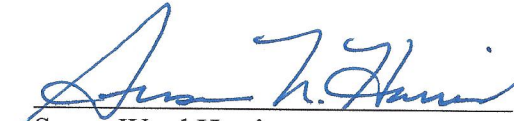
22 The parties having agreed to the ownership of the potential water rights, the attributes of
23 these *de minimis* water rights must be determined. In 1994, the Special Master issued a
24 Memorandum Decision, Findings of Fact, and Conclusions of Law for Group 1 Cases involving
25 Stockwatering, Stockponds, and Domestic Uses, dated November 14, 1994, amended February
26 23, 1995, approved and modified September 27, 2002 (“Decision”). The Decision established
27 the procedures for adjudicating *de minimis* water rights for claims in the San Pedro watershed.
28

1 As required by the Decision, proposed water right abstracts have been prepared in accordance
2 with the terms of the Decision for the *de minimis* water rights analyzed by the WFR. In
3 accordance with the Decision, 19 proposed abstracts for the *de minimis* water rights have been
4 prepared and are attached as Attachment A. No abstracts for potential water rights 115-10-013-
5 SP009, 115-10-013-SP010, 115-10-013-SP011, 115-10-013-SP0012, 115-10-013-SP013, 115-
6 10-013-SP014, 115-10-013-SP0015, and 115-10-013-SP016 were prepared due to lack of
7 reported basis for the claimed water right.
8

9 **IT IS ORDERED** dismissing Statement of Claimant 39-7105.

10 **IT IS FURTHER ORDERED** that Mr. Lunt shall file by November 18, 2019 any
11 reasons he may have that SOCs 39-4207, 39-4211, and 39-4213 should not be dismissed.
12

13 **IT IS FURTHER ORDERED** that ADWR shall review the attached abstracts and file a
14 report by **November 18, 2019**.
15

16
17 
18 Susan Ward Harris
19 Special Master
20

21 The original of the foregoing was delivered to
22 the Clerk of the Maricopa County Superior
23 Court on October 11, 2019 for filing and
24 distributing a copy to all persons listed on the
Court approved mailing list for Contested Case
No. W1-11-3441.

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26 Barbara Brown
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APPENDIX A

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SP001
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7100
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	38-95496
8. Beneficial Use:	Stockpond
9. Priority Date:	June 30, 1977
10. Quantity:	Not to exceed (\leq) 4 ac-ft. with continuous fill
11. Place of Use:	SWNWNW section 12 T9S R20E
12. Point of Diversion:	SWNWNW section 12 T9S R20E
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	Clifford's Tank

Abstract of Water Right San Pedro Watershed

1. Proposed Water Right No.:	115-10-013-SP002
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7098
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	38-88678
8. Beneficial Use:	Stockpond
9. Priority Date:	December 31, 1976
10. Quantity:	Not to exceed (\leq) 4 ac-ft. with continuous fill
11. Place of Use:	SWSENW section 12 T9S R20E
12. Point of Diversion:	SWSENW section 12 T9S R20E
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	Third Tank

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SP003
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7099
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	38-88471
8. Beneficial Use:	Stockpond
9. Priority Date:	June 30, 1974
10. Quantity:	Not to exceed (\leq) 4 ac-ft. with continuous fill
11. Place of Use:	NESWNW section 12 T9S R20E
12. Point of Diversion:	NESWNW section 12 T9S R20E
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	New York Tank

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SP004
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-13241
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	38-94575
8. Beneficial Use:	Stockpond
9. Priority Date:	December 31, 1976
10. Quantity:	Not to exceed (\leq) 4 ac-ft. with continuous fill
11. Place of Use:	SENWNW section 12 T9S R20E
12. Point of Diversion:	SENWNW section 12 T9S R20E
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	First Tank

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SP005
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-13239
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	38-94574
8. Beneficial Use:	Stockpond
9. Priority Date:	December 31, 1967
10. Quantity:	Not to exceed (\leq) 4 ac-ft. with continuous fill
11. Place of Use:	NWSWNW section 12 T9S R20E
12. Point of Diversion:	NWSWNW section 12 T9S R20E
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	Border Tank

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SP007
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7102
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt
7. Basis of Right:	38-88647
8. Beneficial Use:	Stockpond
9. Priority Date:	December 31, 1967
10. Quantity:	Not to exceed (\leq) 4 ac-ft. with continuous fill
11. Place of Use:	SWNENE section 6 T9S R21E
12. Point of Diversion:	SWNENE section 6 T9S R21E
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	Sewell Tank

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SP008
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7097
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	38-95497
8. Beneficial Use:	Stockpond
9. Priority Date:	June 30, 1974
10. Quantity:	Not to exceed (\leq) 4 ac-ft. with continuous fill
11. Place of Use:	SENENW section 12 T9S R20E
12. Point of Diversion:	SENENW section 12 T9S R20E
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	Fire Agate Tank

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SW001
2. Owner of Water Right:	Anthony Lunt as trustee of the Galiuro Trust
3. Landowner:	Arizona State Land Department
4. Statement of Claimant No.(s):	39-4210
5. Statement of Claimant Name(s):	Anthony Lunt as trustee of the Galiuro Trust
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5115
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1880
10. Quantity:	Reasonable use
11. Place of Use:	SESWSE section 6 T9S R21E
12. Point of Diversion:	SESWSE section 6 T9S R21E
13. Source of Water:	Aravaipa Creek
14. Name of Facility:	Rudolpho Spring

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SW002
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7130
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5133
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1884
10. Quantity:	Reasonable use
11. Place of Use:	SWSWSW section 7 T9S R21E
12. Point of Diversion:	SWSWSW section 7 T9S R21E
13. Source of Water:	Gardner Creek

Abstract of Water Right San Pedro Watershed

1. Proposed Water Right No.:	115-10-013-SW003
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7097
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5108
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1884
10. Quantity:	Reasonable use
11. Place of Use:	NWSENW section 12 T9S R20E
12. Point of Diversion:	NWSESW section 12 T9S R20E
13. Source of Water:	Fire Agate Draw

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SW004
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7098
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5109
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1884
10. Quantity:	Reasonable use
11. Place of Use:	SESENW section 12 T9S R20E
12. Point of Diversion:	SESENW section 12 T9S R20E
13. Source of Water:	Third Draw

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SW005
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7100
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5222
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1884
10. Quantity:	Reasonable use
11. Place of Use:	SESENW section 12 T9S R20E
12. Point of Diversion:	SESENW section 12 T9S R20E
13. Source of Water:	Cliff's Gully

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SW006
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7101
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5111
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1884
10. Quantity:	Reasonable use
11. Place of Use:	SWNWNW section 12 T9S R20E
12. Point of Diversion:	SWNWNW section 12 T9S R20E
13. Source of Water:	Isley Draw

Abstract of Water Right San Pedro Watershed

1. Proposed Water Right No.:	115-10-013-SW007
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7102
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5112
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1884
10. Quantity:	Reasonable use
11. Place of Use:	NWNWSW section 12 T9S R20E
12. Point of Diversion:	NWNWSW section 12 T9S R20E
13. Source of Water:	Sewell Draw

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SW008
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-7103
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5113
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1884
10. Quantity:	Reasonable use
11. Place of Use:	SEWNNE section 6 T9S R21E
12. Point of Diversion:	SEWNNE section 6 T9S R21E
13. Source of Water:	Chimney Draw

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SW009
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-13231
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5467
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1884
10. Quantity:	Reasonable use
11. Place of Use:	NWNWNW section 6 T9S R21E
12. Point of Diversion:	NWNWNW section 6 T9S R21E
13. Source of Water:	Fire Draw

Abstract of Water Right San Pedro Watershed

1. Proposed Water Right No.:	115-10-013-SW010
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-13239
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5476
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1884
10. Quantity:	Reasonable use
11. Place of Use:	SESENW section 12 T9S R20E
12. Point of Diversion:	SESENW section 12 T9S R20E
13. Source of Water:	Border Draw

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SW011
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-13241
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5477
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1884
10. Quantity:	Reasonable use
11. Place of Use:	NWSWNW section 12 T9S R20E
12. Point of Diversion:	NWSWNW section 12 T9S R20E
13. Source of Water:	First Draw

**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No.:	115-10-013-SW012
2. Owner of Water Right:	State of Arizona
3. Landowner:	State of Arizona
4. Statement of Claimant No.(s):	39-13393
5. Statement of Claimant Name(s):	Arizona State Land Department
6. Lessee or Permittee:	Anthony Lunt as trustee of the Galiuro Trust
7. Basis of Right:	36-5479
8. Beneficial Use:	Stockwatering
9. Priority Date:	December 31, 1884
10. Quantity:	Reasonable use
11. Place of Use:	SWSESE section 7 T9S R20E
12. Point of Diversion:	SWSESE section 7 T9S R20E
13. Source of Water:	Paddy's River