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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 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)
Consolidated

CONTESTED CASE NO. W1-11-2788

ORDER INITIATING CONTESTED CASE

CONTESTED CASE NAME: *In re Ernest S. and Martha Phillips*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: Contested Case W1-11-2788 is initiated. Stipulated abstract or
a status report is due by **January 29, 2021**.

NUMBER OF PAGES: 7

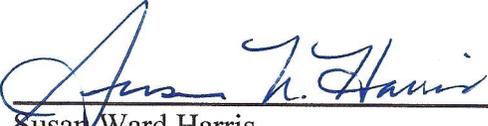
DATE OF FILING: September 11, 2020

This contested case involves a potential water right for domestic use investigated in Zone 2
Well Report 113-14-AA-010 published in the Final San Pedro River Watershed Hydrographic

1 Survey Report (1991). A copy of the Zone 2 Well Report is attached as Appendix A. The land on
2 which the investigated water use is located in NESWNW Section 21 Township 14S Range 20E. A
3 copy of the map prepared by Arizona Department of Water Resources ("ADWR") is attached as
4 Appendix B on which the property investigated is marked as ("10"). According to the Cochise
5 County Assessor's Office, the land investigated by ADWR is currently owned by Sleeping Frog
6 Farms, LLC as tax parcel 208-08-001C. A copy of the Cochise County Assessor's Map is attached
7 as Appendix C.
8

9 Under current law, a claimant who has asserted claims for irrigation use and Small Water
10 Use Claims shall have the Small Water Uses Claims determined in conjunction with the claims for
11 water for irrigation use. A.R.S. §45-257(A)(1). The term "Small Water Use Claims" includes
12 claims for any well that is equipped so that it has a maximum pumping capacity of not more than
13 thirty-five gallons per minute. A.R.S. §45-251(9). Sleeping Frog Farms, LLC is the named
14 landowner in *In re Hughey T. and Leah M. Stringer*, contested case no. W1-11-2784, and has
15 indicated its intent to pursue claims for a right to water for irrigation in that contested case.
16

17 **IT IS ORDERED** that Sleeping Frog Farms, LLC shall file a stipulated abstract for a
18 water right for domestic use or, if the parties cannot reach an agreement, Sleeping Frog Farms,
19 LLC shall file a status report by January 29, 2021.
20

21
22 
23 Susan Ward Harris
24 Special Master

25 The original of the foregoing was delivered to
26 the Clerk of the Maricopa County Superior
27 Court on September 11, 2020, for filing and
28 distributing a copy to all persons listed on the
Court approved mailing list for this contested
case which is attached as Appendix D.

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APPENDIX A

LAND OWNER	ZONE 2 WELL
-----	REPORT NUMBER
PHILLIPS, ERNEST S.	113-14-AA-010
& MARTHA A.	

WELLS	WELL NAMES	WELL LOCATION			WATER USES SERVED	REMARKS
		SECTION	TWNP	RNGE		
WO4	UNNAMED	NESWNW21	14OS	200E	DMOO1	SHARED

WATER USE NUMBERS	WATER USE LOCATION			*** APPARENT FIRST USE ***		APPAR. ANNUAL VOLUME USED	ACRES IRRIGATED
	SECTION	TWNP	RNGE	DATE	BASIS FOR DATE		
DMOO1	NESWNW24	14OS	200E				

EXPLANATION

W4 - WELL PROVIDES WATER FOR DOMESTIC USES.

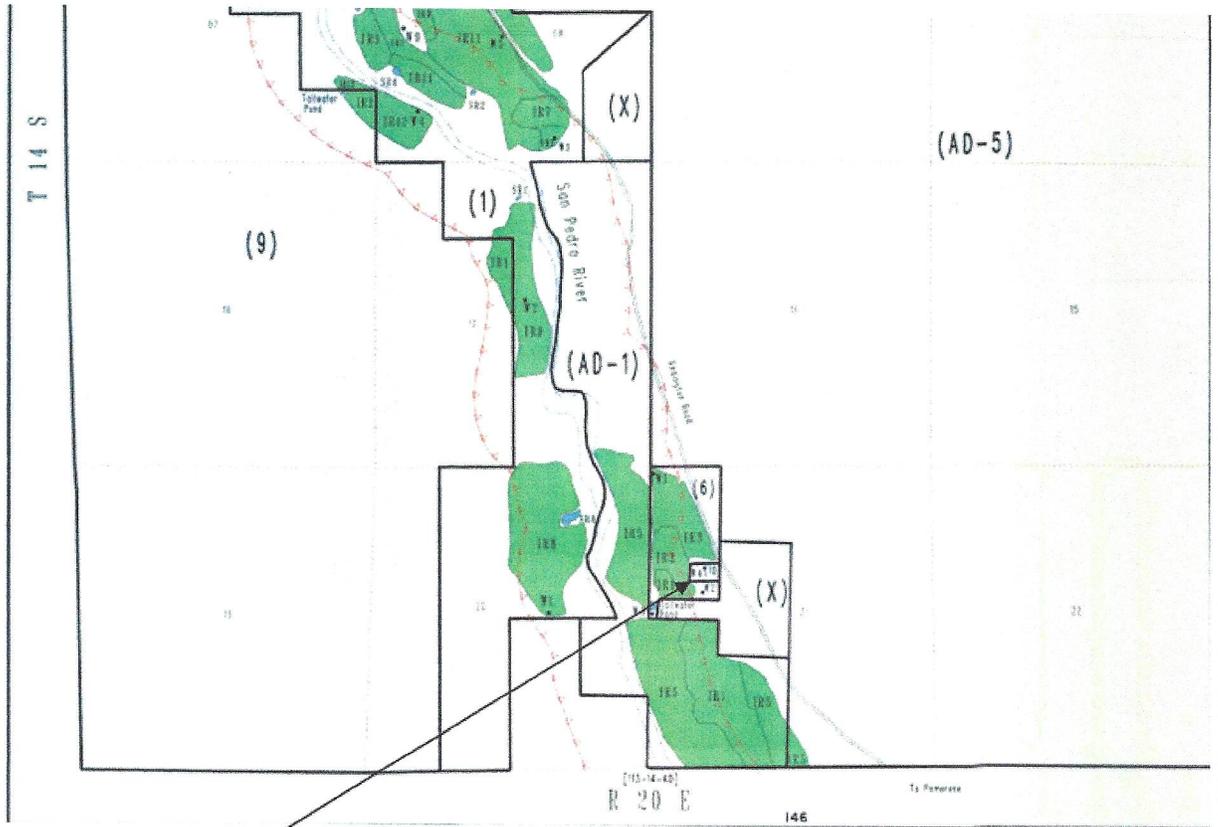
DM1 - DOMESTIC USE.

** WATER FROM WO4 IS SHARED WITH THESE ADDITIONAL FILES:

113-14-AA-6

APPENDIX B

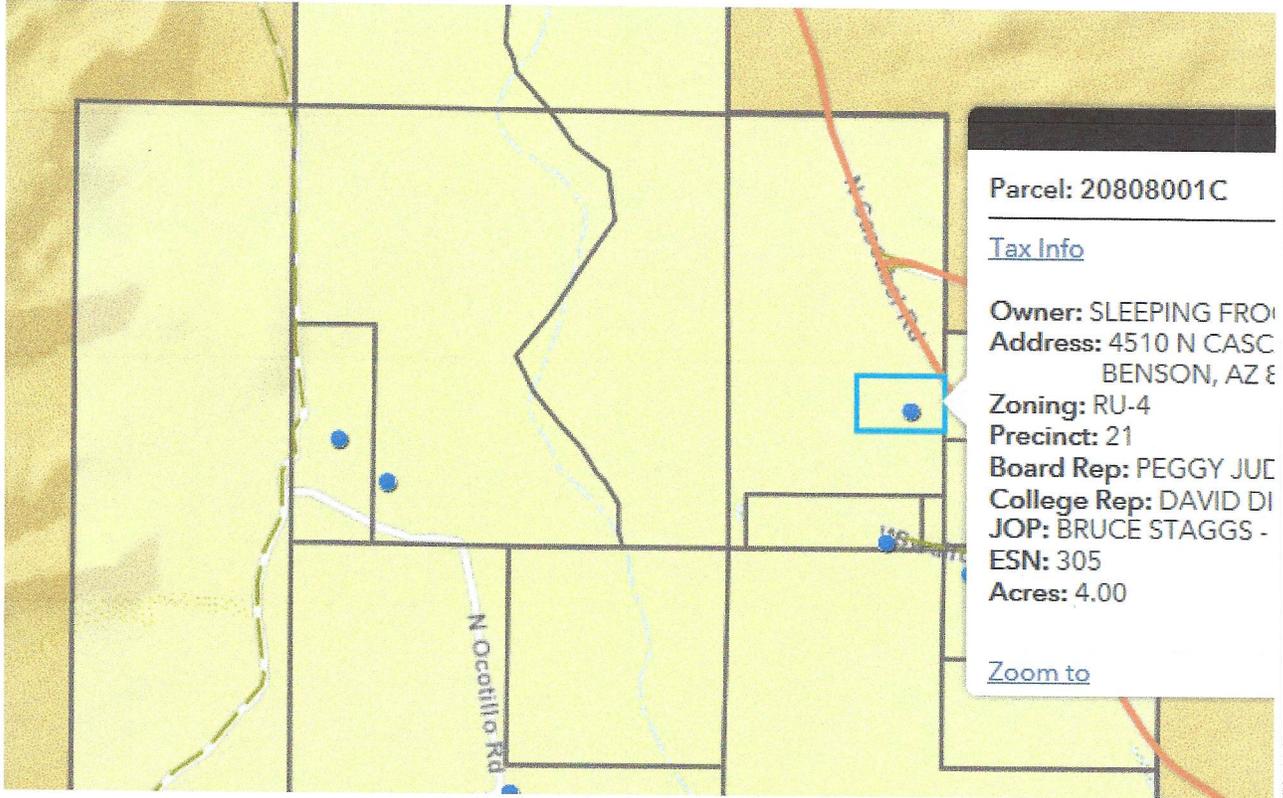
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Parcel (10)

APPENDIX C

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APPENDIX D

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2
3 Arizona Department of Water Resources
4 Kimberly Parks
5 P. O. Box 36020
6 Phoenix, AZ 85067

7 ASARCO Incorporated
8 Lauren J. Caster
9 Fennemore Craig, P.C.
10 2394 East Camelback Road
11 Suite 600
12 Phoenix, AZ 85016-3429

13 BHP Copper, Inc.
14 John D. Burnside
15 Snell & Wilmer, L.L.P.
16 400 E. Van Buren Street, Ste 1900
17 Phoenix AZ 85004

18 Clerk of the Superior Court
19 Maricopa County
20 Attn: Water Case
21 601 West Jackson Street
22 Phoenix, AZ 85003

23 D. A. Brown, D. E. Brown, J. A. Brown
24 Brown & Brown Law Offices, P.C.
25 P. O. Box 1890
26 St. Johns, AZ 85936

27 Ernest S. and Martha A. Phillips
28 5260 East Canada
Tucson AZ 85706

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