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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. W1-11-3451

ORDER SETTING STATUS CONFERENCE

CONTESTED CASE NAME: *In re Anthony Lunt - Irrigation*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: This contested case no. W1-11-3451 was separated from W1-11-2583 (consolidated) by order dated April 27, 2019. Arizona Department of Water Resources shall prepare a map of the irrigated land for the landowner to complete. A status conference is set for **July 17, 2019.**

NUMBER OF PAGES: 12

DATE OF FILING: April 29, 2019

1 This contested case involves claims asserted by Anthony Lunt for water rights for  
2 domestic and irrigation uses and objections filed to watershed file report 115-10-BBC-001  
3 (“WFR”) published in the Final San Pedro River Watershed Hydrographic Survey Report  
4 (1991). A copy of the watershed file report is attached as Appendix A. A copy of the map  
5 prepared by Arizona Department of Water Resources in connection with the WFR is attached as  
6 Appendix B.  
7

### 8 **Procedural Background**

9 This case had been consolidated with contested case no. W1-11-2583, which was  
10 consolidated with *In re Sands*, contested case no. W1-11-19. By Order dated April 26, 2019, this  
11 case was separated from W1-11-2583 for the purpose of separately considering the WFR that  
12 investigated the claims for domestic and irrigation water rights assigned to Anthony Lunt.  
13

### 14 **Claims for Irrigation and Domestic Use**

15 On June 10, 1980, Michael Isley filed Statement of Claimant 39-4205 for a total of five  
16 acre-feet of water for irrigation, domestic and stockwatering uses in the southeast quarter of  
17 Section 14 of T9S R20E. The map attached to the Statement of Claimant shows the irrigated  
18 land to be located in Section 11 T9S R20 E. In addition, Mr. Isley filed Statement of Claimant  
19 39-4206 claiming 100 acre-feet of water for irrigation in the southeast quarter of Section 11 of  
20 T9S R20E. The Arizona Department of Water Resources (ADWR) matched Statement of  
21 Claimant 39-4205 with Statement of Claim 36-82415, which claimed a January 1, 1880 priority  
22 date. Also included in the public records maintained by ADWR is a Certificate of Water Right  
23 no. 3123 for 500,000 gallons of water for domestic use and additional water for stockwatering.  
24 The place of use appears to be in SWSE Section 11 T9S R20E. January 3, 1962 in the priority  
25 date listed in the Certificate.  
26  
27  
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1           The potential water rights in the WFR include water for domestic use (DM) and irrigation  
2 totaling less than two acres associated with domestic use (OT). The OT designation assigned by  
3 ADWR to the potential water right associated with the land means that all water used outside of  
4 the home is associated with the OT use. Consequently, the amount of water subject to a  
5 domestic water right use is limited to water used within the home.  
6

7           **Current Ownership**

8           Based on the public records maintained by ADWR, Mr. Lunt purchased the southeast  
9 quarter of Section 11, T9S, R20E by warranty deed signed October 12, 1990. On or about  
10 March 23, 2015, Anthony Lunt transferred the land to Anthony J. Lunt as Trustee of the Galiuro  
11 Trust dated March 23, 2015 by deed recorded at 2015-02536 with the Graham County Recorder.  
12 A map of that land identified as tax parcel 111-11-001 by the Graham County Assessor is  
13 attached as Appendix C. At this point it does not appear that the documents supporting the  
14 claims for water for domestic and irrigation use have been assigned to the Galiuro Trust dated  
15 March 23, 2015. Assignments need to be completed and filed with ADWR to transfer the  
16 underlying claims for water rights to Anthony L. Lunt as Trustee of the Galiuro Trust dated  
17 March 23, 2015.  
18

19           **Current Action**

20           In order to proceed forward and determine the water right characteristics of the potential  
21 water rights for domestic and irrigation use and ascertain whether objections to the claims can be  
22 resolved,  
23

24           **IT IS ORDERED** that by **May 17, 2019**, ADWR shall prepare and file a map of the land  
25 that is the subject of the attached WFR which shows the section, township and range of the land.  
26

27           **IT IS FURTHER ORDERED** that by **July 10, 2019**, the landowner shall mark the  
28 irrigated portion of the property on the map prepared by ADWR by drawing the boundaries of the



1 irrigated land on the map and providing the the GPS coordinates for the corners of the boundaries  
2 of the irrigated land. In addition, the landowner shall provide the maximum diversion rate of  
3 water from the source of water. The landowner shall send copies of the map and the requested  
4 information to all persons named on the mailing list which is attached as Appendix D.  
5

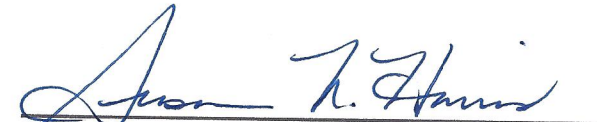
6 **IT IS FURTHER ORDERED** that a status conference shall be held in this contested  
7 case at 1:30 p.m. on **July 17, 2019**, at in the Superior Court of Arizona, Central Court Building,  
8 Courtroom 301, 201 West Jefferson Street, Phoenix, AZ 85003-2202.

9 Instructions for telephonic participation:

10 Dial: 602-506-9695 (local)

11 1-855-506-9695 (toll free long distance)

12 Dial Collaboration (conference) Code 357264#  
13  
14  
15

16   
17 Susan Ward Harris  
18 Special Master  
19

20 The original of the foregoing was delivered to  
21 the Clerk of the Maricopa County Superior  
22 Court on April 29, 2019, for filing and  
23 distributing a copy to all persons listed on the  
24 Court approved mailing list for this contested  
25 case which is attached as Appendix D.  
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# APPENDIX A

LAND OWNER  
-----  
LUNT, ANTHONY

WATERSHED FILE  
REPORT NUMBER  
-----  
115-10-BBC-001

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

WI-3451

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION SECTION	LOCATION TWNP	RNGE
36-0082413		IRRIGATION	100.00	SE11	090S	200E	1938	NENW14	090S	200E
36-0082415		IRRIGATION	3.75	SWSE11	090S	200E	1880	NESW14	090S	200E
		DOMESTIC STOCK								
39-0004205		IRRIGATION	3.00	SE14	090S	200E	1880	NESW14	090S	200E
		DOMESTIC STOCK	1.00							
39-0004206		IRRIGATION	1.00							
39-0008043		STOCK	100.00	SE11	090S	200E	1938	NENW14	090S	200E
		REC/FISH/WLDFL	.20	NESW14	090S	200E	1880	NESW14	090S	200E
4A-0004588	CERTIF.	DOMESTIC STOCK	.10							
		DOMESTIC STOCK	1.53	SWSE11	090S	200E	1962	NESW14	090S	200E
		STOCK	2.22	NESW14	090S	200E				

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
36-0082413	IRRIGATION	NONE		
36-0082415	IRRIGATION	IRRIGATION	SO1	DMOO1, OTOO1
	DOMESTIC STOCK	DOMESTIC INCIDENTAL		
39-0004205	IRRIGATION	IRRIGATION	SO1	DMOO1, OTOO1
	DOMESTIC STOCK	DOMESTIC INCIDENTAL		
39-0004206	IRRIGATION	NONE		
39-0008043	STOCK	NOT APPLICABLE	SO1	
	WILDLIFE	NOT APPLICABLE		
4A-0004588	DOMESTIC STOCK	DOMESTIC INCIDENTAL	SO1	DMOO1

D I V E R S I O N S

DIV #	SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
SO1	NWSESW14	090S	200E	BLUFF SPRING	SURFACE WATER: ARAVAIPA CREEK SHARED

U S E S

PWR #	SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
DMOO1	SWSESE11	090S	200E	SO1	SURFACE WATER			
OTOO1	SESE11	090S	200E	SO1	SURFACE WATER	1935	NO	

S H A R E D U S E S A N D D I V E R S I O N S

\*\* WATER FROM SO1 FOUND IN FILE (115-10-BCB-1) IS USED IN THIS FILE

P W R S U M M A R Y

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE* DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
DMOO1	39-0004205	36-0082415		
	39-0008043	4A-0004588		SURFACE WATER: ARAVAIPA CREEK
OTOO1	39-0004205	36-0082415	1880 FILING 36-82415	
	39-0008043	4A-0004588		SURFACE WATER: ARAVAIPA CREEK
NONE	39-0004206	36-0082413		

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
DMOO1							
OTOO1	REGIONAL	1.5	AVE. CROP	50%	5.4 AF/AC	8.1 AFA	SEE VOLUME 1 - GENERAL ASSESSMENT

E X P L A N A T I O N

FILINGS AND DECREES

FILINGS 36-82413 & 39-4206 - CLAIM IRRIGATION FROM GARDNER CREEK. NO IRRIGATION FROM THIS SOURCE WAS FOUND.  
 FILING 39-8043 - CLAIMS STOCKWATERING AND WILDLIFE WATER USES WHICH DO NOT APPLY TO THIS PROPERTY.

DIVERSIONS

S1 - DIVERSION FROM BLUFF SPRING (ALSO KNOWN AS HOUSE SPRING) INTO A PIPELINE SYSTEM.

USES AND RESERVOIRS

DM1 - DOMESTIC USE.

OT1 - IRRIGATION TOTALING LESS THAN TWO ACRES ASSOCIATED WITH A DOMESTIC USE.

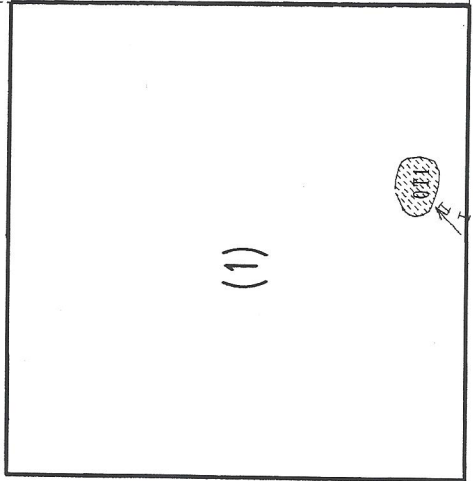
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# APPENDIX B



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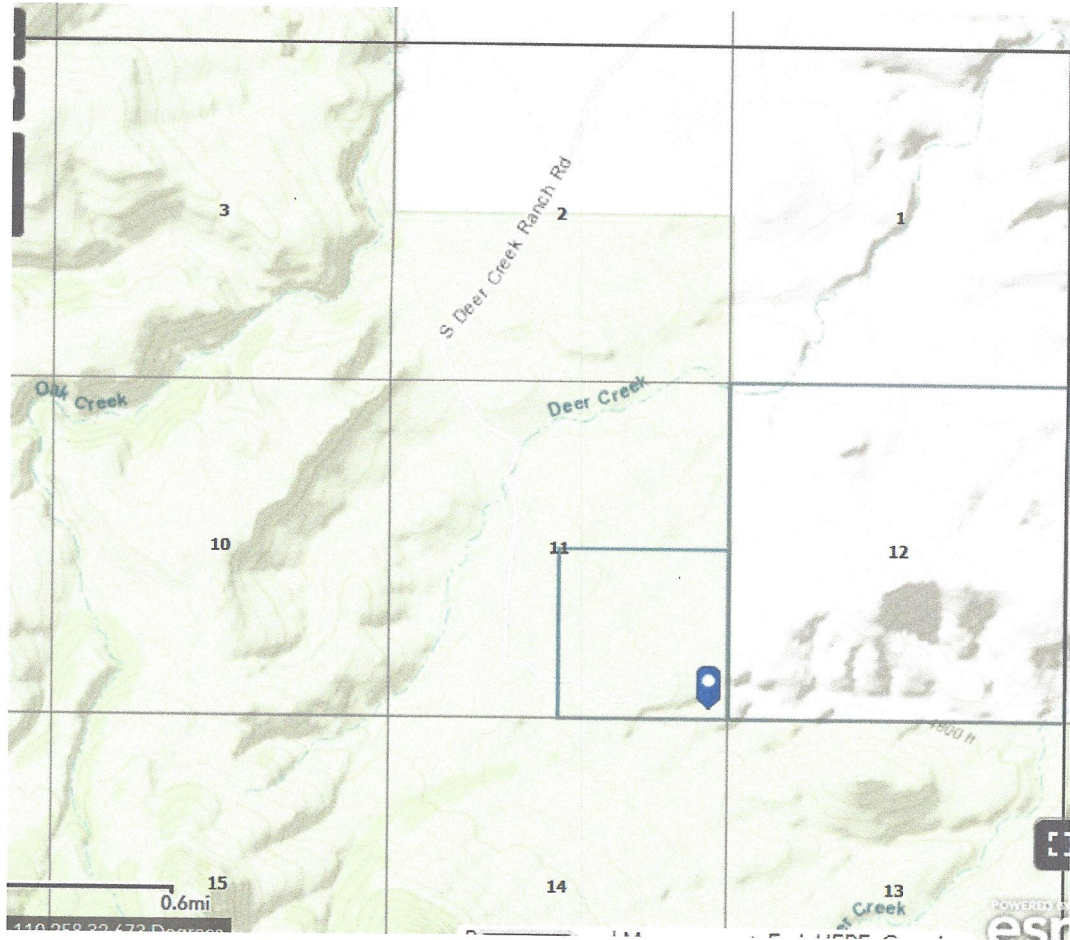


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[15-10-808]

R 20 E

# APPENDIX C



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# APPENDIX D

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3 Anthony Lunt, Trustee  
4 Galiuro Trust  
5 12929 S. Deer Creek Road  
6 Klondyke, Az 85643

7 Anthony Lunt,  
8 12929 Deer Creek Road  
9 Willcox, Az 85643

10 Clerk of the Superior Court  
11 Maricopa County  
12 Attn: Water Case  
13 601 West Jackson Street  
14 Phoenix, Az 85003

15 F. Patrick Barry, Yosef Negose  
16 US Department Of Justice  
17 Environment & Natural Resources  
18 P. O. Box 7611  
19 Washington, D.C. 80044-7611

20 Joe P. Sparks and Laurel A. Herrmann  
21 The Sparks Law Firm, P.C.  
22 7503 First Street  
23 Scottsdale, Az 85251-4573

24 Kimberly R. Parks and Janet L. Miller  
25 Arizona Department Of Water Resources  
26 P. O. Box 36020  
27 Phoenix, Az 85067

28 Linus Everling and Thomas L. Murphy  
Gila River Indian Community  
Office Of The General Counsel  
P. O. Box 97  
Sacaton, Az 85147

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

1 S. Montgomery, R.Interpreter, J. Tomkus  
2 Montgomery & Interpreter, Plc  
3 3301 E. Thunderbird Road  
4 Phoenix, Az 85032

4 Susan Ward Harris  
5 Special Master  
6 Central Court Building, Ste 3a  
7 201 West Jefferson  
8 Phoenix, Az 85003-2205

7 USA USDA Forest Service Colorado NF  
8 300 West Congress,  
9 Tucson, AZ 85701

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