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6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
7 IN AND FOR THE COUNTY OF MARICOPA
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9 IN RE THE GENERAL
10 ADJUDICATION OF ALL RIGHTS
11 TO USE WATER IN THE GILA
12 RIVER SYSTEM AND SOURCE

W-1, W-2, W-3, W-4 (Consolidated)

Contested Case No. **W1-11-003236**

13 **ORDER INITIATING CONTESTED**
14 **CASE AND SETTING FILING**
15 **DEADLINE**

16 CONTESTED CASE NAME: *In re Stanley & Betty C. Baron*

17 HSR INVOLVED: San Pedro Hydrographic Survey.

18 DESCRIPTIVE SUMMARY: The Clerk of the Maricopa County Superior Court is
19 directed to initiate contested case W1-11-003236. The landowner shall file a Status
20 Report by **October 31, 2025**.

21 NUMBER OF PAGES: 12

22 **This order opens a case to determine legal rights to use water.**

23 **This case is NOT being initiated because of any improper water use.**

24 **Failure of potential claimants to participate will result in dismissal of potential**
25 **water rights.**

26
27 The State of Arizona is currently undergoing a General Stream Adjudication to
28 determine water use rights and to create an accurate, enforceable record of those rights.

1 In Arizona, surface water, and water pumped from some wells,¹ belongs to the general
2 public. An enforceable right to use this “appropriable” water may be acquired after
3 review and approval by Arizona’s General Stream Adjudication Court. This process, the
4 “general stream adjudication,” is currently evaluating **PINAL COUNTY PARCEL No.**
5 **300-53-039A** for potential water rights.

6 This order opens a case to determine rights to use water on land owned by **MARK**
7 **BARRON**. Mr. Barron appeared before the Special Master during an initial status
8 conference for contested case #W1-11-3242 on July 31, 2025, and stated his intention to
9 pursue claims for water rights. However, contested case #W1-11-3242 does not deal with
10 Mr. Mark Barron’s property. Contested case W1-11-003236, which does deal with parcel
11 300-53-039A, is being initiated to properly address water rights claims related to the
12 property.

13 During the July 31, 2025, status conference, Mr. Mark Barron was provided
14 background on the adjudication including instructions regarding filing a Statement of
15 Claimant (“SOC”) and acquiring a basis of right.² Based upon this discussion, Mr. Barron
16 was ordered to file a Status Report by **October 31, 2025**. The minute entry for that
17 conference, filed August 12, 2025, amends that order and requires the status report to be
18 filed under this contested case number.

19
20 **Additional background information on the process for determining water rights**
21 **in Arizona can be found on Attachment A.**
22

23 **Details of this Case**

24 The Arizona Department of Water Resources (“ADWR”) prepared Watershed File
25

26 ¹ Arizona law includes wells that may be pumping surface water in the General Stream Adjudication and subject
27 to all requirements for surface well use.

28 ² At the status conference, the Special Master clarified that the necessary basis of right depends on when water use
began on the land at issue.

1 Report No. 114-04-DBC-003 (“WFR”), published in the Final San Pedro Watershed
2 Hydrographic Survey Report (1991) (“San Pedro HSR”). The WFR recorded that a well
3 in SWSWNE Section 26 Township 7 South, Range 16 East was being used for domestic
4 and irrigation purposes. ADWR also published a map of the area investigated, denoted
5 by “(003).” A copy of the WFR is attached as Attachment B, and a copy of the WFR map
6 is attached as Attachment C.

7 After ADWR issued the WFR, objections were filed to the findings made in the
8 WFR by the United States, ASARCO, Magma Copper, the Gila River Indian Community,
9 the San Carlos Apache Tribe, the Tonto Apache Tribe, the Yavapai-Apache Nation, and
10 the Salt River Project.

11 12 **Landowner**

13 The WFR lists **Stanley & Betty C. Baron** as the owner of the property
14 investigated. According to maps provided by ADWR and the Pinal County Assessor
15 (“Assessor”), the land investigated appears to comprise Pinal County tax parcel 300-53-
16 039A, which is currently owned by **MARK BARRON**.

17 A map showing the relevant tax parcels, the San Pedro River subflow zone, and
18 the approximate location of the well supplying the domestic and irrigation uses detailed
19 in the WFR is attached as Attachment D.

20 ADWR public records do not contain any Statements of Claimant listed in the
21 Watershed File Report nor do landowners appear to have filed any Statements of
22 Claimant since the issuance of the HSR. Landowners must present the following in order
23 to acquire a water right:

24 A. Evidence of past water use on their property.

25 B. An accurate Statement of Claimant in their name. The current landowner may
26 fulfill this requirement by either filing a new statement of claimant or
27 obtaining an assignment or amendment of a preexisting statement of
28

1 claimant.

2 These forms can be found online at

3 <https://www.azwater.gov/adjudications/statement-claimant-new-use->
4 [summons-forms](https://www.azwater.gov/adjudications/statement-claimant-new-use-)

- 5 C. A basis of right accurately describing the claimed use. A basis of right is
6 either a decree, a document submitted to ADWR registering a water right, or
7 a document issued by ADWR certifying a water right. Applications for
8 statements of claim, stockpond claims of right, permits, or water right
9 certificates can be found online at

10 <https://www.azwater.gov/surface-water-forms-and-documents>

11 If the property owner is able to provide proof to the Court of the existence of a
12 water right on their property, the Court can recognize an enforceable water right in a
13 “Final Decree.” Ariz. Rev. Stat. § 45-257(B).

14
15 **IT IS ORDERED:**

- 16 1. Case Initiation. This contested case shall be known as *In re Stanley & Betty*
17 *C. Baron*, and it will resolve objections that were filed to Watershed File
18 Report No. 114-04-DBC-003.
- 19 2. Parties. The litigants in this contested case are Mark Barron and any party
20 who filed an objection to the Watershed File Report. The objectors in this case
21 are the United States, Magma Copper Company, ASARCO, the Gila River
22 Indian Community, the San Carlos Apache Tribe, the Tonto Apache Tribe, the
23 Yavapai-Apache Nation, and the Salt River Project.
- 24 3. File a Status Report. Mr. Mark Barron shall file a status report with the Court
25 no later **October 31, 2025**, to inform the Court of his progress filing an SOC
26 and basis of right. Mr. Barron is encouraged to meet with ADWR to ensure
27 proper documentation is submitted. This status report should be copied to all
28

1 parties on the Court-Approved Mailing List (see #5 below).

- 2 4. Objections. Copies of the objections filed to WFR No. 114-04-DBC-003 can
3 be found under the case number W1-11-003236 on the following website:

4 [http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamA](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)
5 [djudication/whatsNew.asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp).

- 6 5. Court-Approved Mailing List.

7 A. The initial Court-approved mailing list for this case shall include all
8 persons listed on Attachment E to this order. The list may be
9 modified only by filing a motion with the Special Master to amend
10 the Court-approved mailing list. Litigants are responsible for using
11 the current Court-approved mailing list.

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

15 C. Claimants wishing to be added or removed from the mailing list shall
16 file a motion with the Special Master. Parties allowed to intervene
17 will be automatically added to the Court-approved mailing list.

18 D. The Clerk of the Court will send copies of all minute entries and
19 orders issued in this case to the parties listed on the Court-approved
20 mailing list.

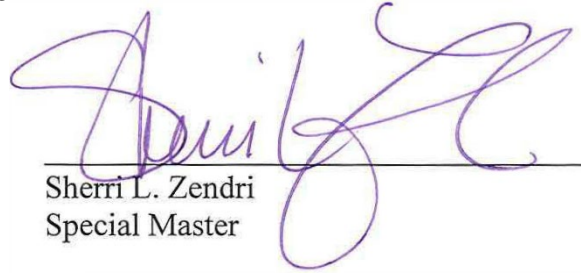
21 E. Claimants who would like to receive courtesy copies of minute
22 entries and orders may request inclusion on an email list by sending
23 a request to emily.natale@jbazmc.maricopa.gov.

24
25 This is an Order from the Court. All parties must comply with the following
26 instructions. The failure to obey this, or any, court order may result in the dismissal of
27 this case and the loss of any potential water rights associated with the properties
28

1 mentioned in this Order. If you have questions regarding this order or any of the
2 attachments, please contact the General Stream Adjudication, Office of the Special Water
3 Master, at (602) 372-4115. Please note that staff can only answer administrative
4 questions and cannot provide legal advice.

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6 Signed this 13 day of August 2025.

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Sherri L. Zendri
Special Master

On August 13, 2025, the original of the foregoing
was delivered to the Clerk of the Maricopa
County Superior Court for filing and distributing
a copy to all persons listed on the Court-approved
mailing list for this contested case, a copy of
which is attached, and to all persons listed on the
Court-approved mailing list for W1, W2, W3, and
W4.



Emily Natale

ATTACHMENT A

General Background on the Water Rights Determination Process in Arizona

A general stream adjudication is a judicial proceeding to determine the quantity and priority of all water rights in a river system. Arizona is undertaking general stream adjudications of both the Gila River and the Little Colorado River systems. A river system includes surface water flowing “in streams or other natural channels,” groundwater sufficiently connected to that surface water, and water subject to claims by the federal government. Ariz. Rev. Stat. § 45-251(7). Recognizing and respecting water rights and the priority of such rights is important in Arizona where times of drought or water scarcity can occur.

All cases begin with the filing of a “Statement of Claimant,” (“SOC”) in which a property owner makes a claim for a right to use surface water on their property. Ariz. Rev. Stat. § 45-254(A). This person is the “claimant.” The SOC contains, among other characteristics, a description of the source and quantity of the water used, the location of use, the location from which the water was diverted, and the date when the water was first put to use. *Id.* § 45-254(C).

After the property owner files the SOC, the Arizona Department of Water Resources (“ADWR”) prepares a “Watershed File Report,” (“WFR”) in which ADWR investigates the claims in the SOC and recommends water rights associated with the property. *Id.* § 45-256(B). ADWR compiles all WFRs for a watershed into a comprehensive Hydrographic Survey Report (“HSR”) and publishes the report for public review and comment. In response, other claimants in the Adjudication may file “objections” disputing the information or recommendations in the WFR. The individuals who file objections are called “objectors.”

This “contested case”, one of thousands in the Gila River System, will evaluate claims asserted in specific Statements of Claimant while considering objections to the WFR that reported ADWR’s initial inspection of those claims.

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ATTACHMENT B
Watershed File Report

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
BARON, STANLEY & BETTY C.	114-04-DBC-003

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
10-1115346.1100		IRRIGATION	9000.00	SWNE26	07OS	16OE	1916	NENE01	08OS	16OE
				W2SE26	07OS	16OE				
				SESE26	07OS	16OE				

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
10-1115346.1100	IRRIGATION	IRRIGATION		OT001

D I V E R S I O N S

LOCATION				DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
DIV #	SECTION	TWNP	RNGE		
W01	SWSWNE26	07OS	16OE	UNNAMED	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER

U S E S

PWR #	LOCATION			SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO SOURCE		
	SECTION	TWNP	RNGE			DATE	CHANGE	FACILITY NAME
DM001	SWSWNE26	07OS	16OE	W01	GROUNDWATER : ZONE 1		NO	
OT001	SWNE26	07OS	16OE	W01	GROUNDWATER : ZONE 1	1935	YES	

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
DM001	NONE	NONE			GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
OT001	NONE	10-1115346.1100	1916 FILING	10-1115346-11	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER

Q U A N T I T I E S O F U S E

PWR #	QUANTIFICATION		CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
	TYPE	ACRES					
DM001							SEE VOLUME 1 - GENERAL ASSESSMENT
OT001	REGIONAL	.7	AVE. CROP	50%	5.4 AF/AC	3.8 AFA	

E X P L A N A T I O N

DIVERSIONS

W1 - WELL PROVIDES WATER FOR IRRIGATION AND DOMESTIC USES.

USES AND RESERVOIRS

DM1 - DOMESTIC USE.

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

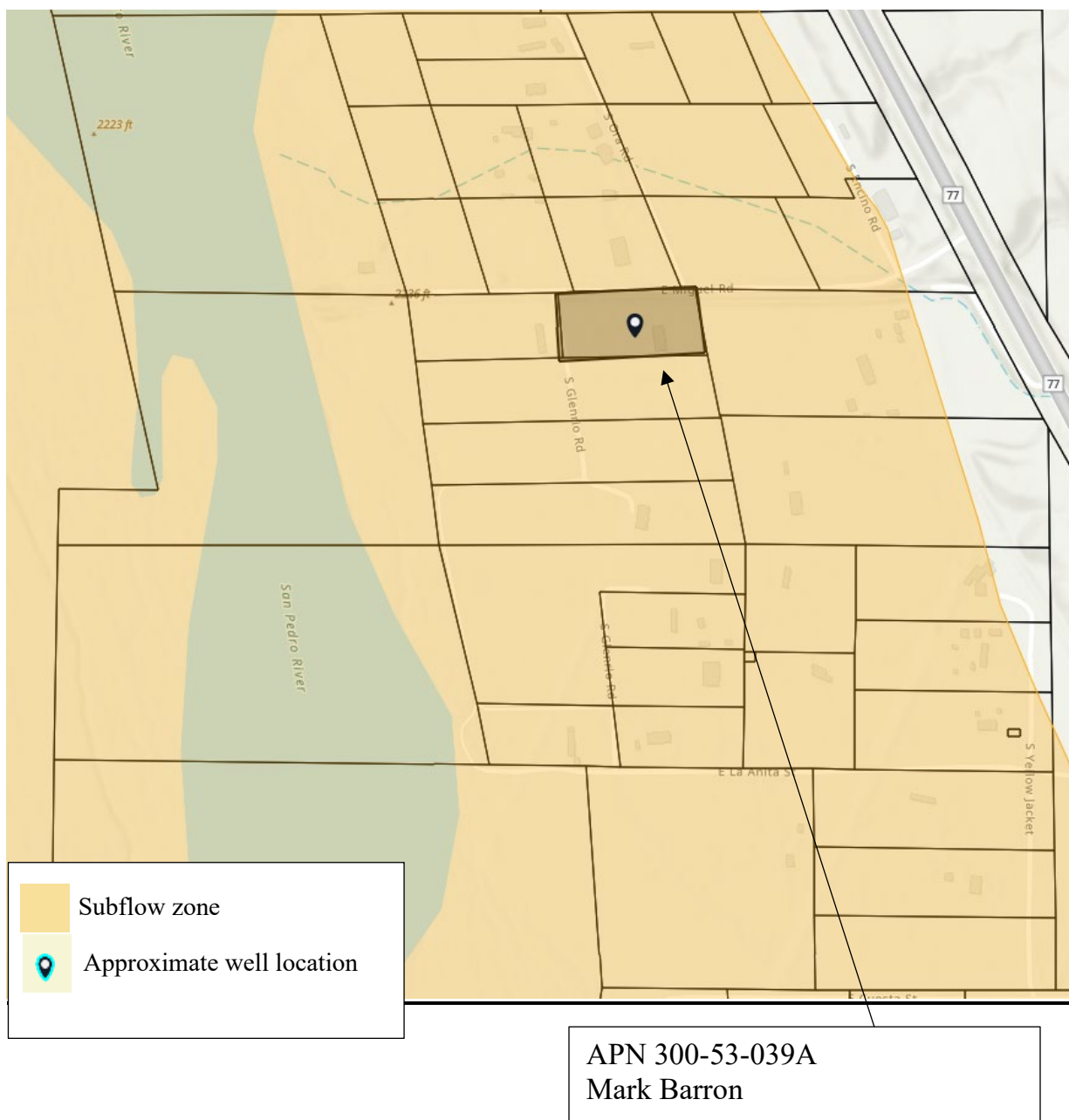
ATTACHMENT C

WFR Map



Attachment D

Relevant Parcels in Relation to Subflow Zone



ATTACHMENT E

Initial Court-Approved Mailing List

Arizona Department of Water Resources
Karen J. Nielsen
1110 West Washington, Suite 310
Phoenix, AZ 85007

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

Clerk of the Superior Court
Maricopa County
Attn: Water Case
601 West Jackson St.
Phoenix, AZ 85003

Lauren Caster
Fennemore Craig, P.C.
2394 E. Camelback Road Ste. 600
Phoenix, AZ 85016-3429

Special Master Sherri Zendri
Superior Court of Arizona
201 W. Jefferson Street
Courtroom 301
Phoenix, AZ 85003

Jeremiah Weiner, Brett J. Stavin
& Rosemary Avila
Rosette, LLP.
120 S. Ash Avenue, Suite 201
Tempe, AZ 85281

Salt River Project
Mark McGinnis, Michael Foy,
Katrina Wilkinson, Kathryn Ust
Salmon, Lewis, and Weldon
2850 E. Camelback Rd. Suite 300
Phoenix, AZ 85016

Susan B. Montgomery, Robyn
Interpreter, Montgomery & Interpreter
PLC
3301 E Thunderbird Road
Phoenix, AZ 85032

Mark Widerschein
United States Dept. of Justice – ENRD
Natural Resources Section
P.O. Box 7611, Ben Franklin Station
Washington, DC 20044

Gila River Indian Community
Javier Ramos & Michael Carter
Office of the General Counsel
P.O. Box 97
Sacaton, AZ 85147

Andrew "Guss" Guarino
U.S. Dept. of Justice – ENRD
Tribal Resources Section
999 18th Street, N. Terrace, Ste. 600
Denver, CO 80202

Merrill C. Godfrey and Brette A. Pena
Akin Gump Straus Hauer & Feld LLP
2001 K Street, N.W.
Washington, DC 20006

Alexander B. Ritchie
San Carlos Apache Tribe
Office of the Attorney General
PO Box 40
San Carlos, AZ 85550

Mark Barron
PO Box 1048
Mammoth, AZ 85618

BHP Copper Inc.
c/o John D. Burnside
Snell & Wilmer, L. L. P.
One E. Washington Street, Suite 2700
Phoenix, AZ 85004-2556

Courtesy Copy – This order only
Patrick J. Farrell
GUST ROSENFELD, P.L.C.
One South Church Ave
Tucson, AZ 85701