

1
2
3
4
5
6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
7 IN AND FOR THE COUNTY OF MARICOPA
8

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. **W1-11-3242**

13 **ORDER INITIATING CONTESTED**
14 **CASE AND SETTING INITIAL**
15 **CONFERENCE**

16 CONTESTED CASE NAME: *In re John L. Barron*

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 W1-11-3242. Initial conference set for **Thursday, July**
20 **31, 2025 at 10:00 am.**

NUMBER OF PAGES: 14

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

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

23 **Failure to participate will result in dismissal of potential water rights.**

24
25 The State of Arizona is currently undergoing a General Stream Adjudication to
26 determine water use rights and to create an accurate, enforceable record of those rights.
27
28

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 **PIMA COUNTY PARCEL No.**
5 **300-53-0380** for potential water rights.

6 This order opens a case to determine rights to use water on land owned by **JOHN**
7 **L. BARRON**. The first step in this case is an initial conference with the Court, scheduled
8 for **Thursday, July 31, 2025 at 10:00 am** to determine if the landowner is interested in
9 pursuing potential water rights. Interested Parties **MUST** attend the scheduled initial
10 conference if they plan to pursue potential water rights. Failure to appear at the initial
11 conference could result in the dismissal of the case and the loss of water rights associated
12 with the land.

13 The first step in this case will be an initial conference, where the landowner will
14 state whether he intends to pursue water rights.

15
16 **Additional background information on the process for determining water rights**
17 **in Arizona can be found on Attachment A.**
18

19 **Details of the Case**

20 The Arizona Department of Water Resources (“ADWR”) prepared Watershed File
21 Report No. 114-04-DBC-026 (“WFR”), published in the Final San Pedro Watershed
22 Hydrographic Survey Report (1991) (“San Pedro HSR”). The WFR recorded that a well
23 in SWSWNE Section 26 Township 7 South, Range 16 East was being used for domestic
24 and irrigation purposes. ADWR also published a map of the area investigated, denoted
25 by “(026).” A copy of the WFR is attached as Attachment B, and a copy of the WFR map
26 is attached as Attachment C.

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

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

5 **Claimant and Landowners**

6 The WFR lists **JOHN L. BARRON** as the owner of the property investigated.
7 According to maps provided by ADWR and the Pinal County Assessor (“Assessor”), the
8 land investigated appears to comprise Pinal County tax parcel 300-53-0380, which is
9 currently owned by **JOHN L. BARRON**.

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

13 ADWR public records do not contain any assignments of the Statements of
14 Claimant listed in the Watershed File Report nor do landowners appear to have filed any
15 additional Statements of Claimant since the issuance of the HSR. Arizona law requires
16 that for parties to obtain a legal water right, they must provide proof of their right by
17 presenting to the Court an updated and accurate Statement of Claimant claiming the
18 relevant water use, in addition to a matching basis of right, e.g. a statement of claim,
19 decree, stockpond claim of right, or water right certificate Landowners must present the
20 following in order to acquire a water right:

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

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

26 These forms can be found online at

27 [https://www.azwater.gov/adjudications/statement-claimant-new-use-
summons-forms](https://www.azwater.gov/adjudications/statement-claimant-new-use-
28 summons-forms)

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

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

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

10 This is an Order from the Court. All parties must comply with the following
11 instructions. The failure to obey this, or any, court order may result in the dismissal of
12 this case and the loss of any potential water rights associated with the properties
13 mentioned in this Order. If you have questions regarding this order or any of the
14 attachments, please contact the General Stream Adjudication, Office of the Special Water
15 Master, at (602) 372-4115. Please note that staff can only answer administrative
16 questions and cannot provide legal advice.

17
18 **IT IS ORDERED:**

19 1. Case Initiation. This contested case shall be known as *In re John L. Barron*,
20 and it will resolve objections that were filed to Watershed File Report No. 114-
21 04-DBC-026.

22 2. Initial Conference. An initial conference shall be held on **Thursday, July**
23 **31, 2025 at 10:00 am** to determine whether current landowners intend to
24 pursue claims for water rights. The conference will be held using the Court
25 Connect program. Instructions for Court Connect are attached as Attachment
26 F. If you receive this order by email, click on the red box “Join Court Connect
27 Hearing” on the attached instructions to make an appearance. If you do not
28 receive this order by email, log into the Court Connect program on the internet

1 by typing <https://tinyurl.com/specialwatermaster>. If you do not have access to
2 the internet, you may attend telephonically using the telephone number and
3 access code included in the instructions for Court Connect.

4 3. Parties. The litigants in this contested case are John L. Barron and any party
5 who filed an objection to the Watershed File Report. The objectors in this case
6 are the United States, Magma Copper Company, ASARCO, the Gila River
7 Indian Community, the San Carlos Apache Tribe, the Tonto Apache Tribe, the
8 Yavapai-Apache Nation, and the Salt River Project.

9 4. Objections. Copies of the objections filed to WFR No. 114-04-DBC-026 can
10 be found under the case number W1-11-3242 on the following website:
11 [http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudi](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)
12 [cation/whatsNew.asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp).

13 5. Court-Approved Mailing List.

14 A. The initial Court-approved mailing list for this case shall include all
15 persons listed on Attachment F to this order. The list may be
16 modified only by filing a motion with the Special Master to amend
17 the Court-approved mailing list. Litigants are responsible for using
18 the current Court-approved mailing list.

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

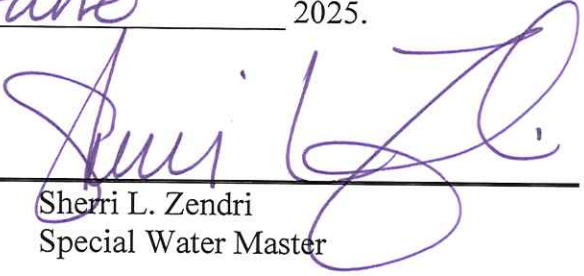
22 C. Claimants wishing to be added or removed from the mailing list shall
23 file a motion with the Special Master. Parties allowed to intervene
24 will be automatically added to the Court-approved mailing list.

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

28 E. Claimants who would like to receive courtesy copies of minute

1 entries and orders may request inclusion on an email list by sending
2 a request to emily.natale@jbazmc.maricopa.gov.

3
4 Signed this 5th day of June 2025.

5
6
7
8 
9 Sherri L. Zendri
10 Special Water Master

11
12 On June 5, 2025, the original of
13 the foregoing was delivered to the Clerk of the
14 Maricopa County Superior Court for filing and
15 distributing a copy to all persons listed on the
16 Court-approved mailing list for this contested
17 case, a copy of which is attached, and to all
18 persons listed on the Court-approved mailing list
19 for W1, W2, W3, and W4.

20
21
22
23
24
25
26
27
28 
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.

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 B
Watershed File Report

AS OF 10/11/91

LAND OWNER	WATERSHED FILE REPORT NUMBER
BARRON, JOHN L.	114-04-DBC-026
PHOTO ID - 22-9 (87)	QUAD 1 - LOOKOUT MOUNTAIN

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 TWP RNGE	CLAIM DATE	DIVERSION LOCATION SECTION TWP RNGE
10-1115346.1100		IRRIGATION	9000.00	SWNE26 070S 160E W2SE26 070S 160E SESE26 070S 160E	1916	NENE01 080S 160E

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	NOT APPLICABLE		

D I V E R S I O N S

DIV #	LOCATION SECTION TWP RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
W01	SWSWNE26 070S 160E	UNNAMED	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER

U S E S

PWR #	LOCATION SECTION TWP RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO SOURCE DATE CHANGE	FACILITY NAME
DM001	SWSWNE26 070S 160E	W01	GROUNDWATER : ZONE 1		
OT001	SWNE26 070S 160E	W01	GROUNDWATER : ZONE 1	1984	NO

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	NONE	1984 1984 AERIAL PHOTO	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
NONE	NONE	10-1115346.1100		

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

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
DM001							
OT001	REGIONAL	.6	AVE. CROP	50%	5.4 AF/AC	3.2 AFA	SEE VOLUME 1 - GENERAL ASSESSMENT

E X P L A N A T I O N

FILINGS AND DECREES
FILING 10-1115346-11 - CLAIMS IRRIGATION WATER USES FROM THE SAN PEDRO RIVER. NO POTENTIAL WATER RIGHTS (P.W.R.'S) APPLY TO THIS FILING.

DIVERSIONS
W1 - WELL PROVIDES WATER FOR IRRIGATION AND DOMESTIC USES.

USES AND RESERVOIRS
DM1 - DOMESTIC USE.

E X P L A N A T I O N (CONTINUED)

114-04-DBC-026

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

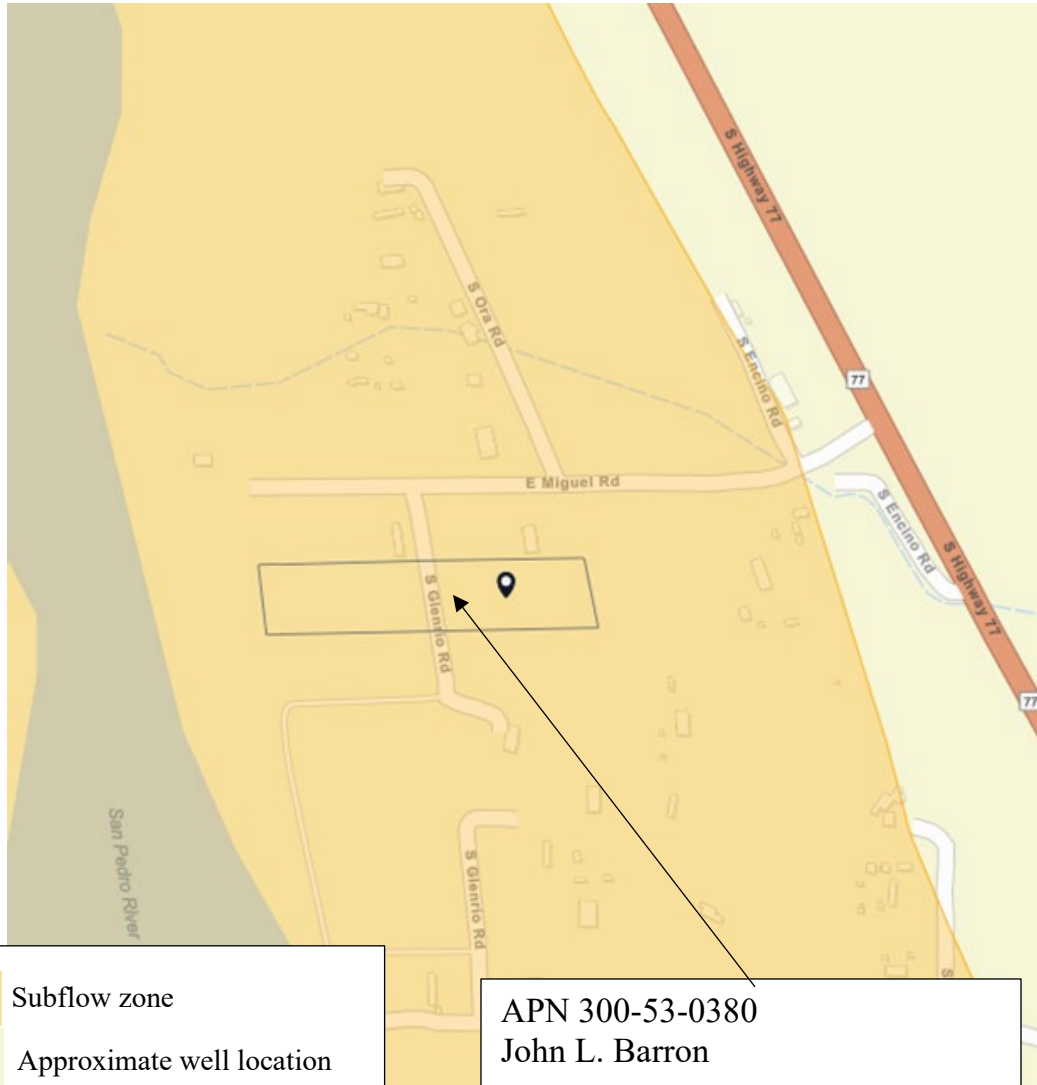
ATTACHMENT C

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
Rosette, LLP.
120 S. Ash Avenue, Suite 201
Tempe, AZ 85281

Salt River Project
J.B. Weldon, M.A. McGinnis, M.K. Foy
Salmon, Lewis, and Weldon
2850 E. Camelback Rd. Suite 200
Phoenix, AZ 85016

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

Laura Boyer & Mark Widerschein
United States Dept. of Justice – ENRD
P.O. Box 7611, Ben Franklin Station
Washington, DC 20044

Gila River Indian Community
Javier Ramos and Sunshine Manuel
Office of the General Counsel
P.O. Box 97
Sacaton, AZ 85147

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

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

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

John L. Barron
PO Box 431
Winkelman, AZ 85192

ATTACHMENT F



Court Connect Hearing Notice for In re John L. Barron

This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.

All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.

Participants: Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

Case Name: In re John L. Barron

Contested Case No. W1-11-3242

Start Date/Time: Thursday, July 31, 2025 at 10:00 am.

JOIN COURT CONNECT HEARING

Dial-in Information: +1 917-781-4590

Private Dial-in Information: for privacy purposes, you can block your phone number by dialing *67 +1 917-781-4590

Dial-in Access Code: 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)