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9
10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
11 **IN AND FOR THE COUNTY OF MARICOPA**
12

13 IN RE THE GENERAL ADJUDICATION
14 OF ALL RIGHTS TO USE WATER IN
15 THE GILA RIVER SYSTEM AND
16 SOURCE

17 W-1 (Salt)
18 W-2 (Verde)
19 W-3 (Upper Gila)
20 W-4 (San Pedro)
21 (Consolidated)

22 Contested Case No. W1-11-2709

23 **ARIZONA DEPARTMENT OF WATER**
24 **RESOURCES' NOTICE OF FILING**
25 **REPORT**

26 (Special Master Susan Ward-Harris)

CONTESTED CASE NAME: *In re Jack K. Hughes, et al.*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: The Arizona Department of Water Resources ("ADWR") provides notice of filing its report as requested in the Court's Order dated November 20, 2020.

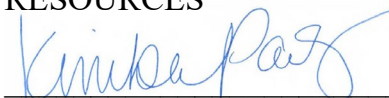
NUMBER OF PAGES: Two and two-page attachment

DATE OF FILING: January 21, 2021

1 Pursuant to the Court's Order dated November 20, 2020, ADWR hereby provides
2 notice of filing its report on the well listed in Statement of Claimant 39-18138. ADWR's
3 report is attached to the original of this Notice being filed with the Clerk (Attachment A)
4 and is being posted to ADWR's web site at: <https://new.azwater.gov/adjudications>.

5 **DATED** this 21st day of January, 2021.

6 ARIZONA DEPARTMENT OF WATER
7 RESOURCES

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Kimberly R. Parks, Deputy Counsel

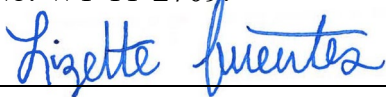
10
11 **ORIGINAL** of the foregoing notice and attachment
12 sent by first-class mail on January 21, 2021, to:

13 Clerk of the Maricopa Superior Court
14 Attn: Water Case
15 601 W. Jackson Street
16 Phoenix, Arizona 85003

17 **COPIES** of the foregoing notice and attachment
18 sent by first-class mail on January 21, 2021, to:

19 Special Master Susan Ward-Harris
20 Maricopa County Superior Court
21 Central Court Building
22 201 West Jefferson Street, Suite 3A
23 Phoenix, AZ 85003-2205

24 **COPIES** of the foregoing notice and attachment
25 sent by first-class mail on January 21, 2021 to all parties
26 on the court-approved mailing list for Contested Case
No. W1-11-2709.



ATTACHMENT A

ATTACHMENT A

ARIZONA DEPARTMENT OF WATER RESOURCES' REPORT

In re Jack K. Hughes, et al.

Contested Case No. W1-11-2709

San Pedro River Watershed Hydrographic Survey Report (HSR)

In the Order filed on November 20, 2020, the Court requested that the Arizona Department of Water Resources (ADWR) provide a report on two wells located within the boundary of Watershed File Report (WFR) 113-12-DBC-012. This report addresses whether well W02 is within the subflow zone boundaries and whether the well identified in Statement of Claimant 39-18138 is the same well designated as W02 in the WFR.

The location of W02 as mapped in Volume 9 of the HSR is outside of the subflow zone and within Cochise County Parcel 209-31-006C owned by Mrs. Mary Norma Hughes. In a telephonic conversation between ADWR staff and Mrs. Hughes, she was able to verify that the mapped location of W02 in the HSR is generally correct and outside the subflow zone boundary.

On October 6, 2020, Anna Lands filed Statement of Claimant 39-18138, which lists well 55-545407 as the source of water; well 55-545407 it is not the same well as W02. Well 55-545407 is located within Cochise County Parcel ID 209-31-006D. The well record for 55-545407 was filed by Jack K. Hughes in August 1994 and assigned to Anna Lands in June 2007. The well record indicates well construction was scheduled to begin in September 1994, which was after the publication of the San Pedro HSR.

During a telephonic discussion with Mrs. Hughes, she stated that her late husband, Jack Hughes, had well W02 installed in the 1960s to provide domestic water to the residence located in Cochise County Parcel ID 209-31-006D. Mrs. Hughes stated that when well 55-545407 was later installed to provide water to the residence within Parcel 209-31-006D, W02 was no longer used to provide water to the residence. According to Mrs. Hughes,



ATTACHMENT A

W02 still exists but is no longer providing water to the residence at the adjacent Cochise County Parcel ID 209-31-006D. Mrs. Hughes explained that W02 has a windmill connected to it but is not pumping water for any use. She stated that the Nature Conservancy routinely measures the water level in W02. During the conversation Mrs. Hughes expressed interest in acquiring water rights for wildlife purposes on W02.

Statement of Claimant 39-18138 identifies well 55-545407 as being within Cochise County Parcel ID 209-31-006D. This parcel is wholly located outside the subflow zone boundary. During a telephonic discussion with Ms. Lands, ADWR staff was able to correlate her description of the well's location with current aerial imagery to confirm that the well is located outside the subflow zone boundary.

