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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, W-2, W-3, W-4 (Consolidated)  
Contested Case No. W1-11-3203  
ORDER TO INITIATE CONTESTED  
CASE

CONTESTED CASE NAME: *In re Ramon and Sandra Ochoa*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report  
DESCRIPTIVE SUMMARY: Contested case W1-11-3203 initiated and status conference set for **December 12, 2019 at 1:45 PM**  
NUMBER OF PAGES: 11  
DATE OF FILING: November 5, 2019

This Order initiates a contested case to consider the claims and resolve objections to Watershed File Report 114-04-BDD-031 (“WFR”) published in the Final San Pedro River Watershed Hydrographic Survey Report (1991). The WFR identified potential water rights for domestic use and for irrigation for the land described in the WFR located in the southeast quarter of section 9 Township 7S Range 16E. The identified source of water for the claimed uses is one well that Arizona Department of Water Resources (“ADWR”) has located within

1 the subflow zone. A copy of the WFR is attached as Attachment A. A copy of the map  
2 prepared for the WFR is attached as Attachment B. The land investigated by ADWR for the  
3 WFR is labelled as “(31)”.

4  
5 **Claimants & Landowners**

6 The WFR identified one Statement of Claimant (SOC) relevant to the potential water  
7 right: 39-5726. James W. Murray filed the SOC. The public records of the ADWR do not  
8 include an assignment of the SOC. The WFR lists Ramon M. and Sandra Lea Ochoa as the  
9 owner of the property described in 114-04-BDD-031 and Ramon and Sandra Ochoa submitted  
10 a “Uniform Questionnaire San Pedro River Watershed”. The public records of Pinal County  
11 Assessor’s Office shows the Ramon M. and Sandra Lea Ochoa are the owner of tax parcel  
12 300-33-009A. A copy of the map prepared by the Office of the Pinal County Assessor is  
13 attached as Attachment C.  
14

15  
16 **IT IS ORDERED:**

17 1. Contested Case. This contested case shall be known as *In re Ramon and Sandra*  
18 *Ochoa* and it will address SOCs and objections that were filed regarding the watershed file  
19 report 114-04-BDD-031 published in the Final San Pedro River Watershed Hydrographic  
20 Survey Report (1991). Copies of objections can be found under the case name and number on  
21 the following website:

22 [http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)  
23 [asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)

24 2. Litigants. The litigants in this contested case are the claimant, the landowner,  
25 and all persons who filed objections to the listed WFR who are listed on Attachment D, and  
26 claimants who are allowed to intervene by order.  
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1           3.     Court-Approved Mailing List.

2           A.     The initial Court-approved mailing list for this case shall include all  
3           persons listed on Attachment D to this order. The list may be modified only by  
4           filing a motion with the Special Master to amend the Court-approved mailing  
5           list. Litigants are responsible for using the current Court-approved mailing list.

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

9           C.     Claimants wishing to be added or removed from the mailing list shall file  
10          a motion with the Special Master. Parties allowed to intervene will be  
11          automatically added to the mailing list.

12           4.     Courtesy Email List.

13           The Special Master's office will email courtesy copies of orders and minute  
14           entries entered in this case to persons listed on Attachment D. Requests for  
15           inclusions on the email list should be sent to Barbara Brown at  
16           [brownb099@superiorcourt.maricopa.gov](mailto:brownb099@superiorcourt.maricopa.gov).

17           5.     Status Conference. An initial status conference shall be held to address the  
18           adjudication of this case and determine whether the objections to the potential water rights can  
19           be settled. If the objections cannot be settled, then a subsequent date will be set for a  
20           scheduling conference to identify issues, file disclosure statements, conduct discovery, submit  
21           prehearing motions, and hold a trial. No party shall conduct any discovery or file any motions  
22           prior to the Scheduling Conference. The Status Conference shall be held on **December 12,**  
23           **2019,** at 1:45 p.m. before:  
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Special Master Susan Ward Harris  
Superior Court of Arizona  
201 West Jefferson Street  
Courtroom 301  
Phoenix, AZ 85003-2202

Instructions for telephonic appearance:  
Dial: 602-506-9695 (local)  
1-855-506-9695 (toll free long distance)  
Dial Participant Pass Code 357264#

  
\_\_\_\_\_  
SUSAN WARD HARRIS  
Special Master

On November 5, 2019, 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 hereto as Attachment D, and to all persons listed on the Court-approved mailing list for W-1, W-2, W-3, and W-4 (Consolidated).

  
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Barbara Brown

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# ATTACHMENT A



LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
OCHOA, RAMON M.	-----
& SANDRA LEA	114-04-BDD-031

APPLICABLE FILINGS AND DECREES

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

W1-11-3203

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
39-0005726	QUE.RECD	IRRIGATION DOMESTIC	5.00	SESESE09	070S	160E	1969	SESESE09	070S	160E

DWR ANALYSIS OF FILINGS AND DECREES

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
39-0005726	IRRIGATION DOMESTIC	IRRIGATION DOMESTIC	WO1	DMOO1, IROO1

DIVERSIONS

DIV #	LOCATION SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
WO1	SESESE09	070S	160E	UNNAMED	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER

USES

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO SOURCE DATE	CHANGE	FACILITY NAME
DMOO1	SESESE09	070S	160E	WO1	GROUNDWATER : ZONE 1		NO	
IROO1	SESE09	070S	160E	WO1	GROUNDWATER : ZONE 1	1969	NO	

PWR SUMMARY

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE*	WATER SOURCES AND CLASSIFICATIONS
DMOO1	39-0005726	NONE		GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
IROO1	39-0005726	NONE	1969 1969 AERIAL PHOTO	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER

QUANTITIES OF USE

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
DMOO1							
IROO1	MAX. OBSERVED REGIONAL	2.2	PERM. PSTR	63%	3.4 AF/AC	7.5 AFA	SEE VOLUME 1 - GENERAL ASSESSMENT DEFICIT IRRIGATION
	MAX. POTENTIAL	2.2	AVE. CROP	50%	5.4 AF/AC	11.9 AFA	
		2.2	ALFALFA	63%	5.2 AF/AC	11.4 AFA	

EXPLANATION

FILINGS AND DECREES  
 FILING 39-5726 - A UNIFORM QUESTIONNAIRE WAS RECEIVED WHICH PROVIDED ADDITIONAL INFORMATION ON DIVERSION LOCATIONS AND THE CLAIM DATE.

DIVERSIONS

W1 - WELL PROVIDES WATER FOR IRRIGATION AND DOMESTIC USES.

USES AND RESERVOIRS

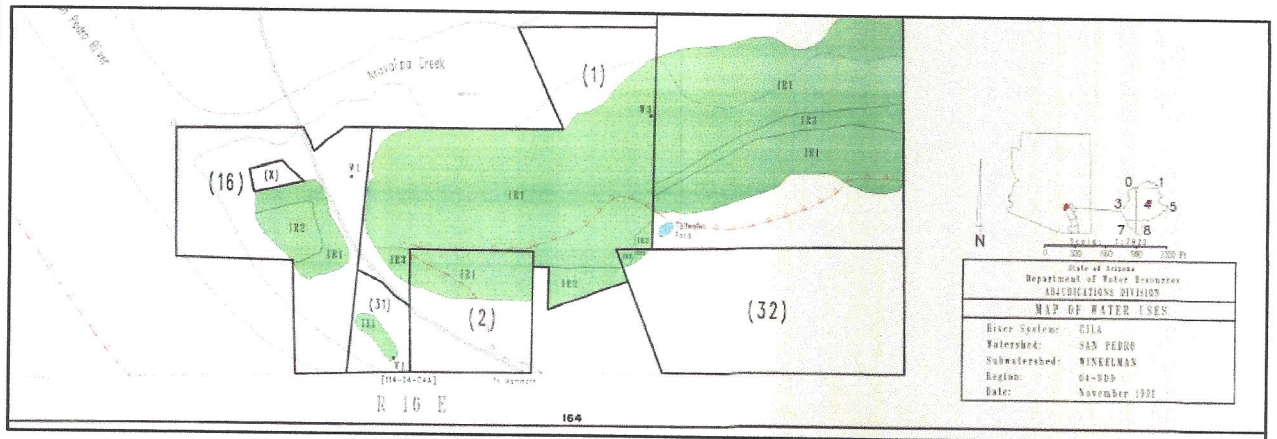
DM1 - DOMESTIC USE.

FILE 114-04-BDD-031 (CONTINUED)  
EXPLANATION (CONTINUED)

CONTINUATION OF PAGE: 90

IR1 - IRRIGATED PASTURE.

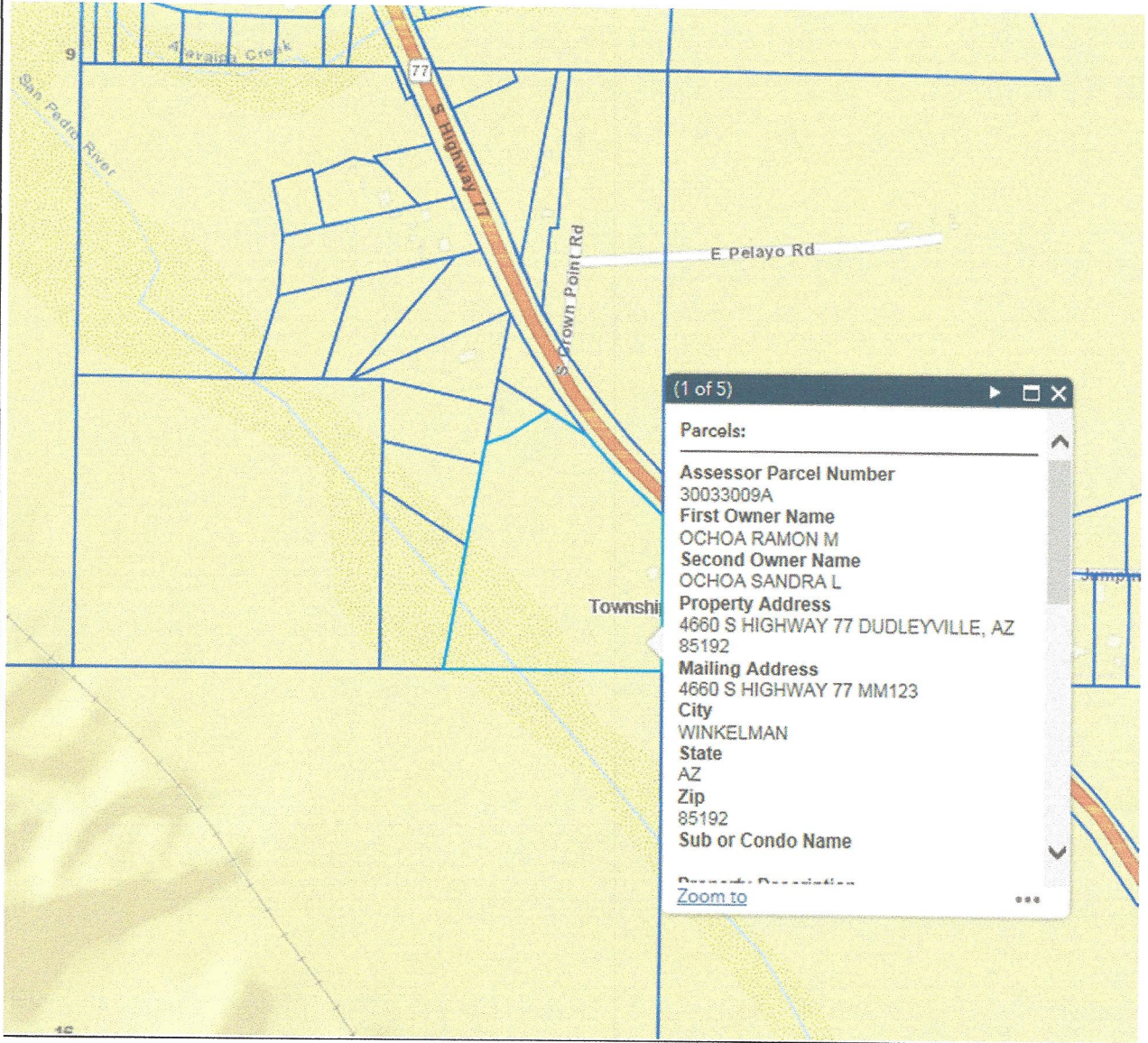
# ATTACHMENT B





# ATTACHMENT C

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# ATTACHMENT D

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Arizona Department of Water Resources  
Kimberly Parks  
P. O. Box 36020  
Phoenix, AZ 85067

Arizona Game & Fish Commission  
State of Arizona  
5000 W. Carefree Highway  
Phoenix, AZ 85086

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Lauren J. Caster  
Fennemore Craig, P.C.  
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Suite 600  
Phoenix, AZ 85016-3429

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

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

Gila River Indian Community  
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Chandler, AZ 85225

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4 Ramon and Sandra Ochoa  
4660 S. Highway 77 MM123  
5 Winkelman, AZ 85192

6 S. Montgomery, R. Interpreter, J. Tomkus  
Montgomery & Interpreter, Plc  
7 3301 E. Thunderbird Road  
8 Phoenix, AZ 85032

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  
12 Phoenix, AZ 85016

13 Special Master Susan Ward Harris  
Superior Court of Arizona  
14 201 W. Jefferson Street  
Courtroom 301  
15 Phoenix, AZ 85003

16 U. S. Department of Justice  
17 Patrick Barry and Yosef Negose  
Environment and Natural Resources  
18 P. O. Box 7611  
19 Washington, D.C. 20044-7611

20 U. S. Department of Justice  
R. Lee Leininger  
21 Natural Resources Section  
999 18<sup>th</sup> Street, So Terrace, Ste 370  
22 Denver, CO 80202

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