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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

Contested Case No. W1-11-1691

ORDER TO FILE AMENDED  
STATEMENTS OF CLAIMANT AND  
STATUS CONFERENCE SET

CONTESTED CASE NAMES: *In re Eli and Ila Fenn*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.  
DESCRIPTIVE SUMMARY: Amended statements of claimant to be filed by **May 1, 2019** and  
status conference set for **May 9, 2019**.  
NUMBER OF PAGES: 3  
DATE OF FILING: March 14, 2019

On February 27, 2019, the Arizona Department of Water Resources (ADWR) filed a Meeting Report stating that its staff and counsel had met with counsel for one of the landowners in this case, the trustee of the D. Stadtler 2015 Trust, along with several of the parties who filed objections to Watershed File Report No. 112-17-ABC-001 (WFR). Based on the Meeting

1 Report, a representative of the Pomerene Domestic Water Improvement District did not attend the  
2 meeting scheduled by ADWR.

3 The WFR lists potential water rights for irrigation and domestic uses in the southeast  
4 quarter of section 2 T17S R20E and irrigation uses in the southwest quarter of section 1 and the  
5 southeast quarter of section 2 T17S R20E supplied by three wells and a diversion from the San  
6 Pedro River into the Pomerene Water Users Association Canal. The Pomerene Water Users  
7 Association has terminated. A number of former members have joined the St. David Irrigation  
8 District and a portion of the lands serviced has been annexed by the St. David Irrigation District,  
9 but the D. Stadtler 2015 Trust, Pomerene Domestic Water Improvement District and the land  
10 described in the WFR are not included within those members or lands. Thus, the remaining  
11 sources of water for the potential water rights identified in the WFR are three wells. Those wells  
12 are located within the subflow zone as mapped by ADWR.  
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15 According to the Meeting Report, counsel for the D. Stadtler 2015 Trust informed the  
16 parties that Statement of Claimant 39-5659 will be amended to replace the sources of water for  
17 the land included in tax parcels 12301007 and 12301001A with wells located outside the subflow  
18 zone.

19 As the Pomerene Domestic Water Improvement District did not appear at the status  
20 conference in this matter on November 29, 2018, did not attend the scheduled meeting with  
21 ADWR, and has not filed a Statement of Claimant for use of water on land in tax parcel  
22 12301001B, it does not appear that Pomerene Domestic Water Improvement District has an  
23 interest in claiming any water rights identified in the WFR.  
24

25 **IT IS ORDERED** that by May 1, 2019, the landowners shall file an amended Statement of  
26 Claimant for claims for water rights on its land included in the WFR. The landowners shall  
27

1 designate with respect to sources of water that are wells whether those wells are located within the  
2 subflow zone.


3  
4 **IT IS FURTHER ORDERED** that a status conference shall be held on May 9, 2019 at  
5 1:00 p.m. in the Superior Court of Arizona, Central Court Building, Courtroom 301, 201 West  
6 Jefferson Street, Phoenix, AZ 85003-2202 to consider the amended Statements of Claimant.  
7 The absence of a representative of the Pomerene Domestic Water Improvement District stating its  
8 intent to pursue a claim for a water right included in the WFR at the status hearing will result in the  
9 removal of the Pomerene Domestic Water Improvement District from this case.  
10

11 Instructions for telephonic participation:


12 Dial: 602-506-9695 (local)

13 1-855-506-9695 (toll free long distance)

14 Dial Collaboration (conference) Code 357264#  
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16  
17

18  
19   
20 SUSAN WARD HARRIS  
21 Special Master  
22

23 On March 14, 2019, the original of the foregoing was  
24 delivered to the Clerk of the Maricopa County Superior  
25 Court for filing and distributing a copy to the persons listed  
26 on the court-approved mailing list.

27   
28 Barbara Brown