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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. W1-11-2114

ORDER TO INITIATE CASE AND
CONSOLIDATE

CONTESTED CASE NAME: *In re Ed and Miriam Ingalsby*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.
DESCRIPTIVE SUMMARY: Order to initiate contested case no. W1-11-2114 and consolidate it with *In re St. David Irrigation District*, contested case no. **W1-11-1675**.
NUMBER OF PAGES: 9
DATE OF FILING: January 30, 2020

This case involves claims for water rights for domestic use in section 8 T18S R21E. The Arizona Department of Water Resources investigated the use of water on the property and included its results in Zone 2 Well Report 112-17-DBA-279 (“Report”), which was published in the Final San Pedro River Watershed Hydrographic Survey Report (1991). The Report listed

1 one well as the source of water. The Report lists no Statements of Claimant. A copy of the
2 Report is attached as Attachment A and a copy of the map of the boundaries of Report, which is
3 labelled as “(279)” is attached as Attachment B. The purpose of this case is to resolve the three
4 objections made to the Report and adjudicate water rights that the District may have made on
5 behalf of the landowner


6 In a Status Report filed by St. David Irrigation District (“District”) dated January 13,
7 2020, the District stated that it has determined that the landowners in this case are members of
8 the District, receive water and will be represented by the District. The District represents that
9 the property involved is tax parcel numbers 121-17-036. The Cochise County Assessor names
10 Miriam Gay Anderson as the owner of the property. A copy of the Cochise County Assessor’s
11 map of the tax parcel is attached as Attachment C. Accordingly,

12
13 **IT IS ORDERED:**

- 14
- 15 1. Contested Case, Consolidation, Designation and Docket Number. This Order
16 initiates contested case no. W1-11-2114. This contested case is consolidated with *In*
17 *re St. David Irrigation District*, Contested Case No. W1-11-1675.
 - 18 2. Litigants. The litigants in this contested case are the the landowner, the District, and
19 all persons who filed objections to the watershed file report who are listed on
20 Attachment D, and claimants who are allowed to intervene by order.
 - 21 3. Court-Approved Mailing List. The initial Court-approved mailing list for this case
22 shall include all persons listed on Attachment D to this Order. The mailing list shall
23 be merged with the mailing list for *In re St. David Irrigation District*.
 - 24 4. The St. David Irrigation District shall file a consent in this contested case with copies
25 mailed to those individuals listed on Attachment D by **February 28, 2020** signed by
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the landowner listed above who consents to be represented by St. David Irrigation
District in *In re St. David Irrigation District*.



SUSAN WARD HARRIS
Special Master

On January 30, 2020, 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 and to all persons listed on the Court-approved mailing list for W-1, W-2, W-3, and W-4 (Consolidated).



Barbara Brown

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ATTACHMENT A

LAND OWNER	ZONE 2 WELL
-----	REPORT NUMBER
INGALSBY, ED S.	112-17-DBA-279
& MIRIAM N.	

WELLS	WELL NAMES	WELL LOCATION			WATER USES SERVED	REMARKS
		SECTION	TWNP	RNGE		
WO2	UNNAMED	SESENE08	180S	210E	DMO01	WI-11-2114 SHARED

WATER USE NUMBERS	WATER USE LOCATION			*** APPARENT FIRST USE ***		APPAR. ANNUAL VOLUME USED	ACRES IRRIGATED
	SECTION	TWNP	RNGE	DATE	BASIS FOR DATE		
DMO01	SESENE08	180S	210E				

EXPLANATION

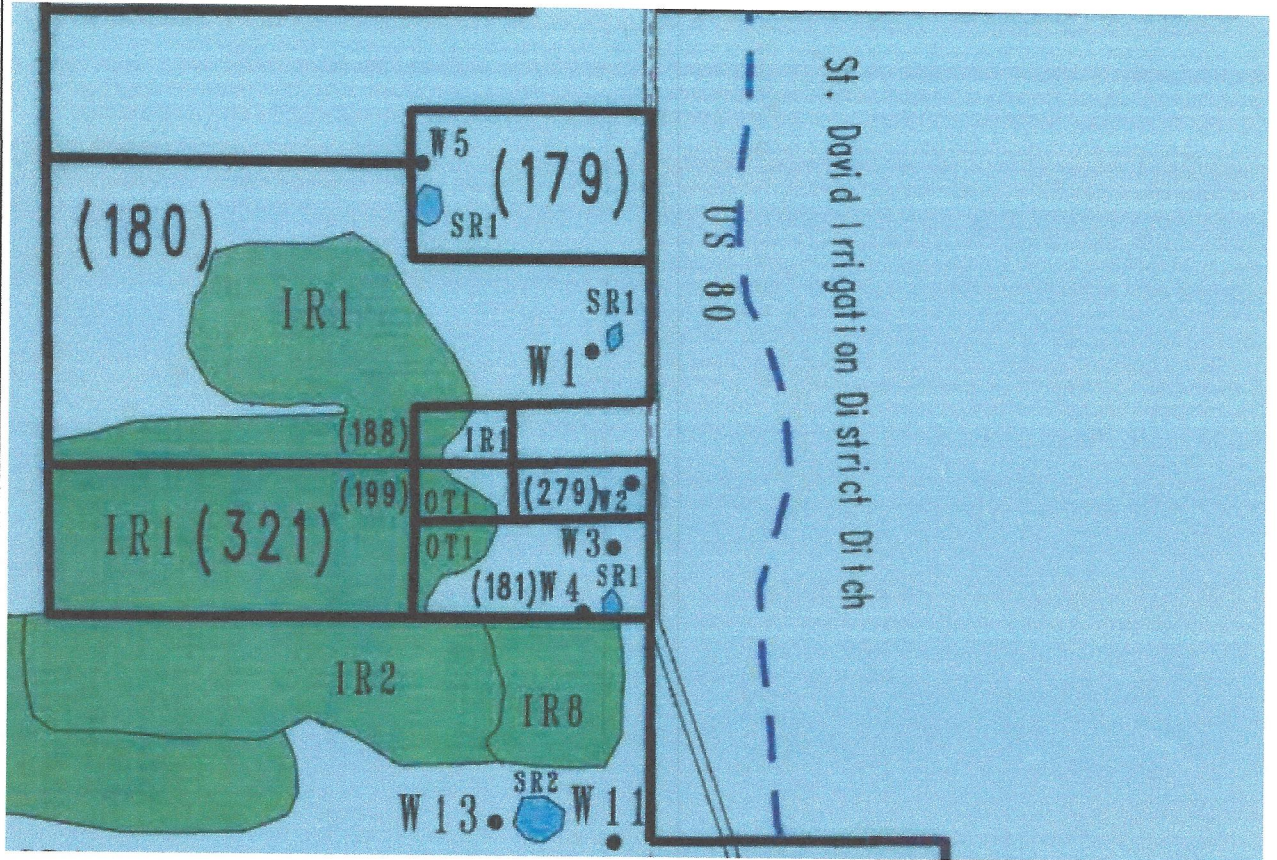
W2 - WELL PROVIDES WATER FOR DOMESTIC USES IN THIS REPORT AND IRRIGATION IN REPORTS #112-17-DBA-180 & 188.

DM1 - DOMESTIC USE.

** WATER FROM WO2 IS SHARED WITH THESE ADDITIONAL FILES:
112-17DBA180, 112-17DBA188

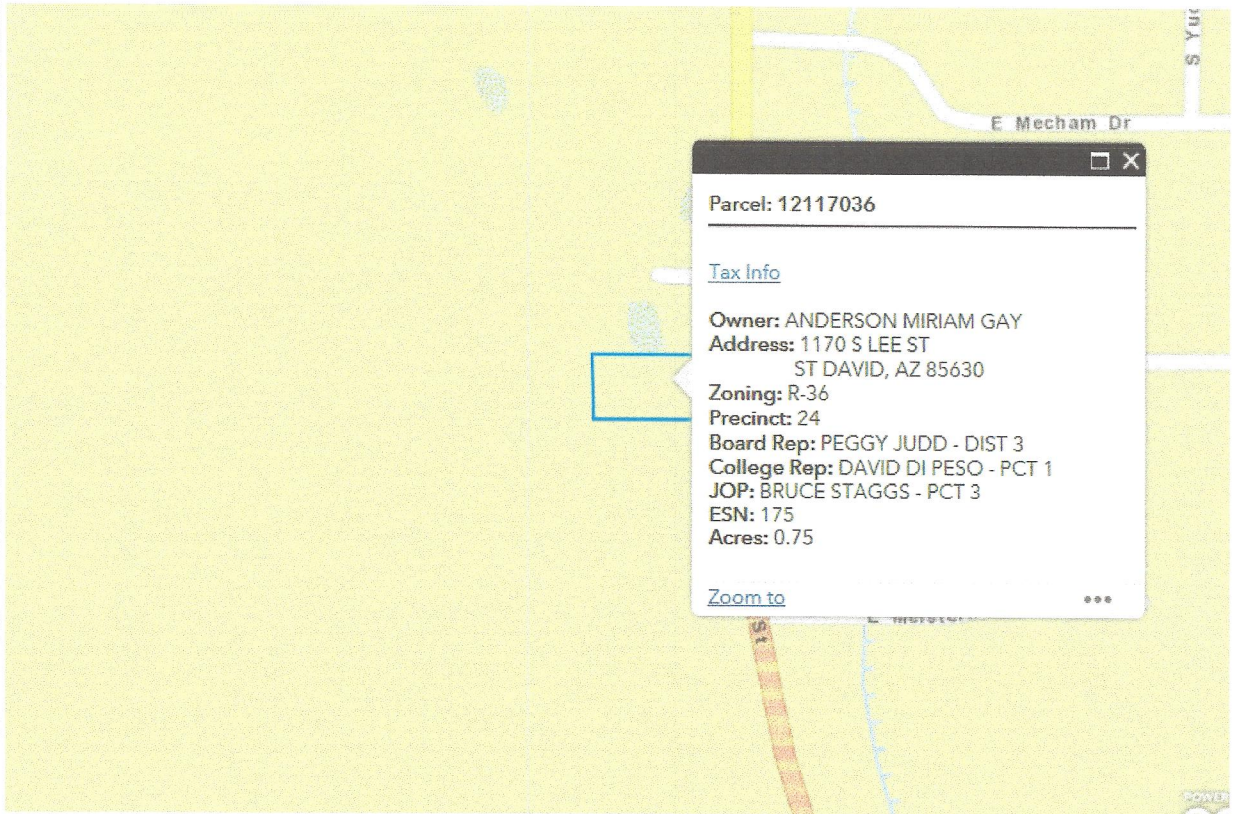
ATTACHMENT B

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ATTACHMENT C



1
2 **ATTACHMENT D**
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4 Arizona Department of Water Resources
5 Kimberly Parks
6 P. O. Box 36020
7 Phoenix, AZ 85067

8 ASARCO Incorporated
9 Lauren J. Caster Fennemore Craig, P.C.
10 2394 east Camelback Road
11 Suite 600
12 Phoenix, AZ 85016-3429

13 D. A. Brown, D. E. Brown, J. A. Brown
14 Brown & Brown Law Offices, P.C.
15 P. O. Box 1890
16 St. Johns, AZ 85936

17 Gila River Indian Community
18 Linus Everling and Thomas L. Murphy
19 Office of the General Counsel
20 P. O. Box 97
21 Sacaton, Az 85147

22 Magma Copper Company (BHP)
23 John D. Burnside
24 Snell & Wilmer, L.L.P.
25 400 East Van Buren Street
26 Suite 1900
27 Phoenix, AZ 85004

28 Miriam Gay Anderson
1170 S Lee St.
St. David, AZ 85630

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

1 Lucas T. Christian and Julian Nava
2 Rosette, LLP
3 565 W. Chandler Blvd. Suite 212
4 Chandler, AZ 85225

4 U. S. Department of Justice
5 R. Lee Leininger
6 Natural Resources Section
7 999 18th Street, So Terrace, Ste. 370
8 Denver, CO 80202

8 Yavapai-Apache Nation
9 Camp Verde Reservation
10 Susan B. Montgomery and Robyn L. Interpreter
11 Montgomery & Interpreter, PLC
12 3301 E. Thunderbird Road
13 Phoenix, AZ 85032

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