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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. W1-11-3379

ORDER TO INITIATE CONTESTED CASE

CONTESTED CASE NAME: *In re Miguel Miranda, et al.*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report
DESCRIPTIVE SUMMARY: Contested case W1-11-3379 initiated to resolve objections to watershed file report 115-05-AB-003 and sets a Scheduling Conference for **May 8, 2019**.
NUMBER OF PAGES: 11
DATE OF FILING: March 28, 2019

On July 13, 1984, Miguel Miranda and Frances Islas filed Statement of Claimant No. 39-0335 claiming a right to water for irrigation and stockwatering uses. Arizona Department of Water Resources analyzed those claimed in Watershed File Report 115-05-AB-003 published in the Final San Pedro River Watershed Hydrographic Survey Report (1991). The Watershed File Report identifies potential water rights for an irrigation use for land located in

1 NESW section 21 Township 6S Range 19E. The source of the water for the land is a diversion
2 by the Salazar-Tapia ditch from the Aravaipa Creek. A copy of the watershed file report is
3 attached as Attachment A. This Order initiates the contested case that will resolve the
4 objections to the potential water right listed in the Watershed File Report.

5 **Ownership of Land**

6 A copy of the map prepared by Arizona Department of Water Resources for the
7 watershed file report is attached as Attachment B. The land at issue is marked with a "3". The
8 Graham County Assessor identifies the land as tax parcel nos. 110-20-002A through 110-20-
9 002F (the Property). It lists the owners of the Property as follows:

10

Tax Parcel No.	Property Owner
110-20-002A	Sandra M. Pusey, Trustee of the Miranda Family Trust
110-20-002B	Miguel Miranda
110-20-002C	Christopher I. Miranda
110-20-002D	Julian S. Miranda
110-20-002E	Mariana Lilia Miranda
110-20-002F	Francisca Islas

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18 A series of deeds filed in Graham County Recorder's office evidence transfers of the
19 land from Miguel Miranda and his successors-in-interest to the current owners.

20
21 **IT IS ORDERED:**

22 1. Contested Case. This contested case shall be known as *In re Miguel Miranda et*
23 *al*, and it will address the objections that were filed to Watershed File Report 115-05-AB-003
24 published in the Final San Pedro River Watershed Hydrographic Survey Report (1991). Copies
25 of objections can be found on the following website under the case name and number:

26 [http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)
27 [asp.](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)
28

1 2. Litigants. The litigants in this contested case are the Claimant, the current
2 landowners, all persons who filed objections to the listed Watershed File Report who are
3 included on Attachment C, and claimants who are allowed to intervene by order.

4 3. Court-Approved Mailing List.

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

9 B. A copy of any pleading filed with the Clerk of the Maricopa County
10 Superior Court in this case shall be served upon each person listed on the Court-
11 approved mailing list.
12

13 C. Claimants wishing to be added or removed from the mailing list shall file
14 a motion with the Special Master. Parties allowed to intervene will be
15 automatically added to the mailing list.
16

17 4. Courtesy Email List.

18 The Special Master's office will email courtesy copies of orders and minute
19 entries entered in this case to persons listed on Attachment C. Requests for
20 inclusions on the email list should be sent to Barbara Brown at
21 brownb099@superiorcourt.maricopa.gov.

22
23 5. Scheduling Conference. Pursuant to §8.03[1], Rules for Proceedings before the
24 Special Master, a scheduling conference shall be held to address the adjudication
25 of this case and determine whether the objections to the potential water rights can
26 be settled. If the objections cannot be settled, then a schedule will be set to
27 identify issues, file disclosure statements, conduct discovery, submit prehearing
28

1 motions, and hold a trial. No party shall conduct any discovery or file any
2 motions prior to the Scheduling Conference. The Scheduling Conference shall be
3 held on **May 8, 2019**, at 1:30 p.m. before:


4 Special Master Susan Ward Harris
5 Superior Court of Arizona
6 201 West Jefferson Street
7 Courtroom 301
8 Phoenix, AZ 85003-2202

9 Instructions for telephonic appearance:

10 Dial: 602-506-9695 (local)

11 1-855-506-9695 (toll free long distance)

12 Dial Participant Pass Code 357264#

13 
14 SUSAN WARD HARRIS
15 Special Master

16 On March 28, 2019, the original of the foregoing was
17 delivered to the Clerk of the Maricopa County Superior
18 Court for filing and distributing a copy to all persons
19 listed on the Court-approved mailing list for this
20 contested case, a copy of which is attached hereto as
21 Attachment C, and to all persons listed on the Court-
22 approved mailing list for W-1, W-2, W-3, and W-4
23 (Consolidated).

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25 Barbara Brown
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ATTACHMENT A

LAND OWNER	WATERSHED FILE REPORT NUMBER
MIRANDA, MIGUEL & LILIA & JULIAN & PATRIO & IGNACIO SANCHEZ, FRANCISCA	115-05-AB-003

APPLICABLE FILINGS AND DECREES

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

WI-11-3319

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
36-0037255		IRRIGATION	320.00	21 060S	190E	1880		NWNE28	060S	190E
36-0048809		IRRIGATION STOCK	85.00	28 060S	190E	1908		NWNE28	060S	190E
39-0000335		IRRIGATION STOCK	40.00 .09	NESW21	060S	190E	1908	NWNE28	060S	190E

DWR ANALYSIS OF FILINGS AND DECREES

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
36-0037255	IRRIGATION	IRRIGATION	DO1	IROO1
36-0048809	IRRIGATION STOCK	IRRIGATION INCIDENTAL	DO1	IROO1
39-0000335	IRRIGATION STOCK	IRRIGATION INCIDENTAL	DO1	IROO1

DIVERSIONS

DIV #	LOCATION SECTION TWNP RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
DO1	SENWNE28 060S 190E	SALAZAR-TAPIA DITCH	SURFACE WATER: ARAVAIPA CREEK SHARED

USES

PWR #	LOCATION SECTION TWNP RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO SOURCE DATE	CHANGE FACILITY NAME
IROO1	NESW21 060S 190E	DO1	SURFACE WATER	1935	NO

SHARED USES AND DIVERSIONS

** WATER FROM DO1 FOUND IN FILE (115-05-AC-5) IS USED IN THIS FILE

PWR SUMMARY

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE* DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
IROO1	39-0000335	36-0037255 36-0048809	1867 SEE EXPLANATION	SURFACE WATER: ARAVAIPA CREEK

QUANTITIES OF USE

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
IROO1	MAX. OBSERVED REGIONAL	4.7	PERM. PSTR AVE. CROP	32%	9.9 AF/AC	46.5 AFA	
	MAX. POTENTIAL	4.7	ALFALFA	50%	5.4 AF/AC	25.4 AFA	
		4.7		32%	10.4 AF/AC	48.9 AFA	

DIVERSIONS

D1 - DIVERSION FROM ARAVIAPA CREEK INTO THE SALAZAR-TAPIA DITCH.

USES AND RESERVOIRS

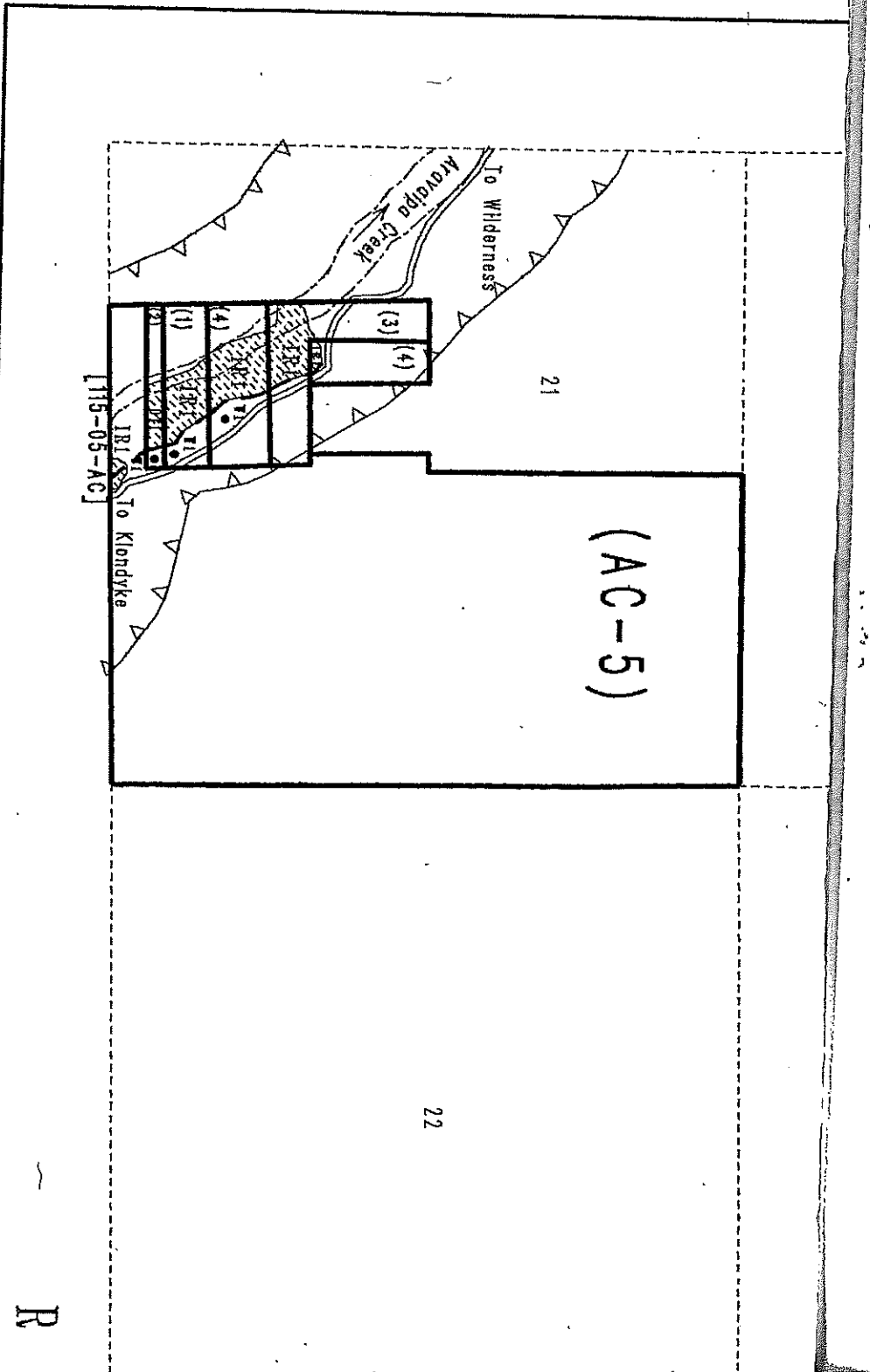
IR1 - IRRIGATED PASTURE.

PWR SUMMARY

IR1 - AN AFFIDAVIT APPLYING TO WATER USES ON THIS PROPERTY CLAIMS A PRIORITY DATE OF 1867.

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ATTACHMENT B



(AC-5)

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[115-05-AC]

To Wilderness

Kovvapa Creek

To Klondike

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ATTACHMENT C

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Arizona Department of Water Resources
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Janet L. Miller
P. O. Box 36020
Phoenix, AZ 85067

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Gila River Indian Community
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Salt River Valley Water Users Association and the Salt River Project Agricultural
Improvement and Power District
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