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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. W1-11-1033

ORDER TO INITIATE CONTESTED CASE

AND

ORDER SETTING STATUS CONFERENCE

CONTESTED CASE NAME: *In re Alfredo & Maryvel Rivera*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report  
DESCRIPTIVE SUMMARY: Case initiated and status conference set for **October 21, 2021 at 2:00 p.m.**  
NUMBER OF PAGES: 17  
DATE OF FILING: August 20, 2021

**General Explanation**

This Order begins the process necessary to adjudicate claims made for rights to appropriate water for use on land that the Arizona Department of Water Resources identified as previously owned by Alfredo and Maryvel Rivera that the Cochise County Assessor has

1 identified as owned by DCM Development Co., LLC and Teigan, LLC. This contested case is  
2 one of the many cases in the General Stream Adjudication for the San Pedro River watershed to  
3 determine legal rights to water. Other cases in which claims have been made for legal rights to  
4 water in the San Pedro River Watershed have been completed, are in the process of  
5 determining water rights, or awaiting initiation. The purpose of the General Adjudication is to  
6 determine the rights of those persons who filed statements of claimant for rights to use  
7 appropriable water in the San Pedro River Watershed. The General Adjudication will also  
8 determine water rights in the Upper Salt, Verde, Upper Gila, Lower Gila, Agua Fria, and Upper  
9 Santa Cruz watersheds.

10 In this case, Jacob G. Goldberg ("Claimant") filed Statement of Claimant 39-1018 on  
11 July 6, 1979 for rights to water from a well on land in Section 31 Township 23S Range 22E.  
12 The Arizona Department of Water Resources ("ADWR") investigated the claim, which it  
13 characterized as a claim for irrigation use, and prepared a report known as Watershed File  
14 Report No. 111-23-DA-030 ("WFR") published in the Final San Pedro River Watershed  
15 Hydrographic Survey Report (1991). A copy of the WFR is attached as Attachment A.

16 The WFR found no irrigation use of water on the land described in the WFR. After  
17 ADWR issued the WFR, objections were filed to the findings made in the WFR. The purpose  
18 of this case is to consider the claims made for water rights that are the subject of the WFR and  
19 resolve the objections to the WFR.  
20

21 **Claimant & Landowners**  
22

23 The WFR identified one Statement of Claimant ("SOC") relevant to the potential water  
24 right: 39-1018. Jacob G. Goldberg filed the SOC claiming water for an irrigation use. The  
25 WFR lists Alfredo and Maryvel Rivera as owners of the property described, located in the  
26 Section 31 Township 23S Range 22E. The public records maintained by ADWR do not  
27 include an assignment of the SOC from the Claimant to the successor landowners.  
28

1           The Cochise County Assessor lists Teigan, LCC and DCM Development Co., LLC as  
2 the current owners of tax parcel nos. 104-44-006D and 104-44-006C which corresponds to the  
3 boundaries of the land investigated by the WFR. A map of the land investigated WFR 111-23-  
4 DA-030, prepared by ADWR in August 2021, is attached as Attachment B. A copy of a map  
5 prepared by the Cochise County Assessor showing tax parcels 104-44-006D and 104-44-006C  
6 is attached as Attachment C.

7  
8 **IT IS ORDERED:**

9           1.     Contested Case. This contested case shall be known as *In re Alfredo & Maryvel*  
10 *Rivera* and it will determine appropriable water rights asserted in the Statement of Claimant  
11 and objections that were filed to Watershed File Report 111-23-DA-030 published in the Final  
12 San Pedro River Watershed Hydrographic Survey Report (1991). Copies of objections can be  
13 found under the case name and number on the following website:  
14 [http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)  
15 [asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)

16           2.     Litigants. The litigants in this contested case are the Claimant, the current  
17 landowners, all persons who filed objections to the WFR, who are included on Attachment D,  
18 and claimants who are allowed to intervene by order.

19  
20           3.     Court-Approved Mailing List.

21           A.     The initial Court-approved mailing list for this case shall include all  
22 persons listed on Attachment D to this order. The list may be modified  
23 only by filing a motion with the Special Master to amend the Court-  
24 approved mailing list. Litigants are responsible for using the current  
25 Court-approved mailing list.  
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- 1 B. A copy of any pleading filed with the Clerk of the Maricopa County  
2 Superior Court in this case shall be served upon each person listed on the  
3 Court-approved mailing list.
- 4 C. Claimants wishing to be added or removed from the mailing list shall file  
5 a motion with the Special Master. Parties allowed to intervene will be  
6 automatically added to the Court-approved mailing list.
- 7  
8 D. The Clerk of the Court will send copies of all minute entries and orders  
9 issued in this case to the parties listed on the Court-approved mailing  
10 list. Upon request, the Clerk of the Court will provide copies by email.  
11 Parties may request emailed copies of minute entries and orders by  
12 completing and submitting a CONSENT FOR ELECTRONIC RECEIPT  
13 OF WATER CASE DOCUMENTS, which is attached as Attachment E.  
14

15 4. Status Conference. An initial status conference shall be held to determine  
16 whether any of the current landowners intend to pursue claims for rights to appropriable water  
17 for irrigation use. If no person appears at the Status Conference, then Statement of Claimant  
18 39-1018 and this case will be dismissed and no further action will be taken with respect to the  
19 WFR or the objections filed to the WFR.  
20

21 The Status Conference shall be held on **October 21, 2021 at 2:00 p.m.** The Status  
22 Conference shall be held using the Court Connect program. Instructions for Court Connect are  
23 attached as Attachment F. If you receive this Order by email, click on the red box “Join Court  
24 Connect Hearing” on the attached instructions to make an appearance. If you do not receive  
25 this Order by email, log into the Court Connect program on the internet by typing  
26 <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may  
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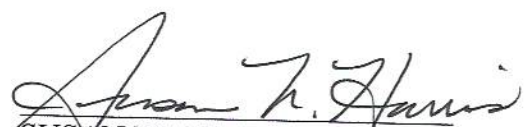
1 attend telephonically using the telephone number and access code included in the instructions  
2 for Court Connect. You may also attend telephonically using the following numbers:

3 Instructions for telephonic participation:

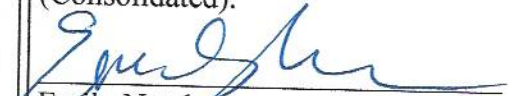
4 Dial: 602-506-9695 (local)

5 1-855-506-9695 (toll free long distance)

6 Dial Collaboration (conference) Code 357264#  
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12 SUSAN WARD HARRIS  
13 Special Master  
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16 On August 20, 2021, 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 D, and to all persons listed on the Court-  
22 approved mailing list for W-1, W-2, W-3, and W-4  
(Consolidated).

  
23 Emily Natale  
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**ATTACHMENT A**

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
RIVERA, ALFREDO & MARYVEL	111-23-DA-030

A P P L I C A B L E F I L I N G S A N D D E C R E E S

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION			CLAIM DATE	DIVERSION LOCATION		
-----	-----	-----	-----	SECTION	TWNP	RNGE	-----	SECTION	TWNP	RNGE
39-0001018		IRRIGATION	17.65	31	230S	220E	1960	31	230S	220E

D W R A N A L Y S I S O F F I L I N G S A N D D E C R E E S

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
-----	-----	-----	-----	-----
39-0001018	IRRIGATION	NONE		

P W R S U M M A R Y

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE* DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
-----	-----	-----	-----	-----
NONE	39-0001018	NONE		

E X P L A N A T I O N

FILINGS AND DECREES  
 FILING 39-1018 - CLAIMS AN IRRIGATION WATER USE. NO IRRIGATION WAS FOUND AT THE CLAIMED LOCATION.






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**ATTACHMENT B**





**Legend**

-  Investigated Areas
-  Township
-  Section
-  Q
-  QQQ



**Alfredo & Maryvel Rivera**  
 Watershed File Report 111-23-DA-030

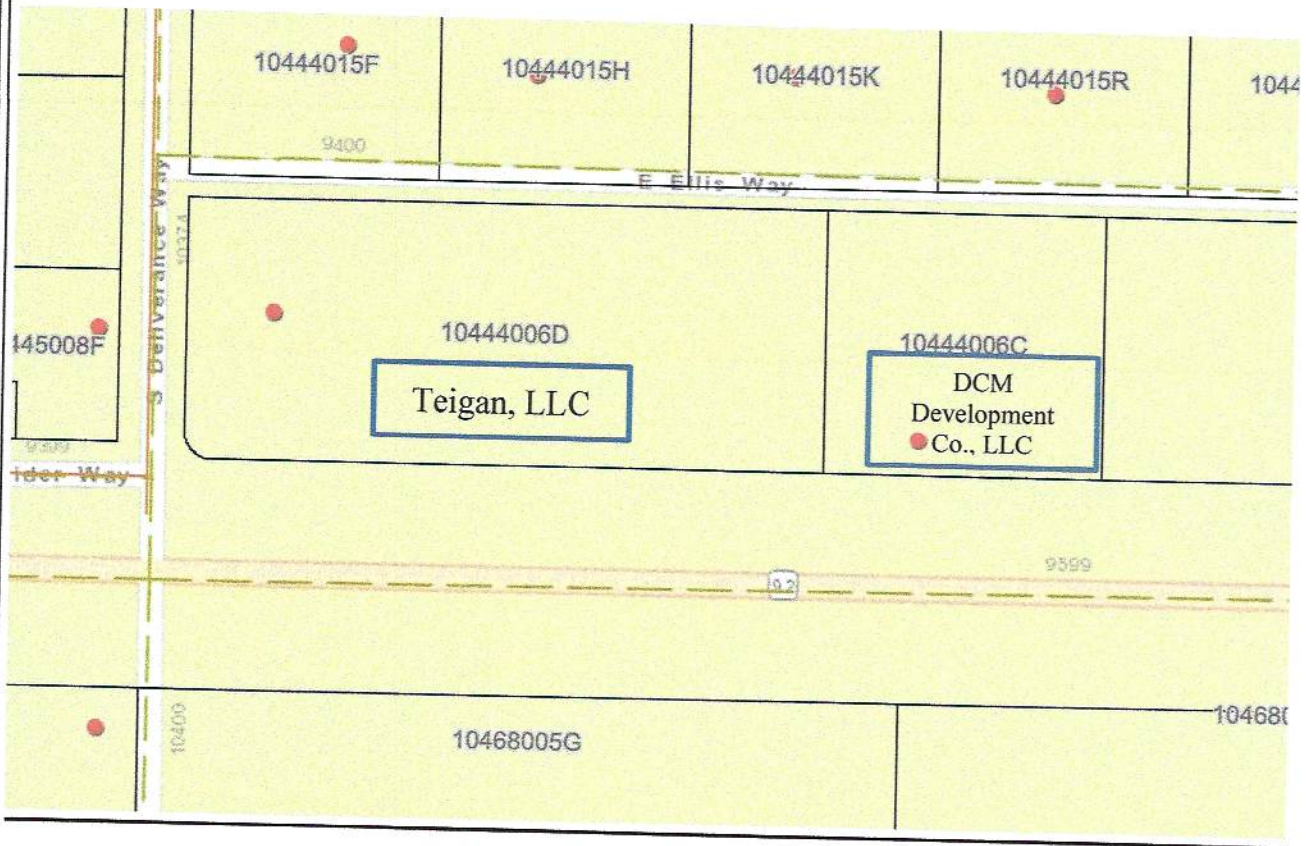
**Township 23S Range 22E**  
**Section 31**



**ADWR August 2021**



# ATTACHMENT C



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# ATTACHMENT D

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

9 Clerk of the Superior Court  
10 Maricopa County  
Attn: Water Case  
11 601 West Jackson Street  
Phoenix, AZ 85003

12 DCM Development Co., LLC  
13 C/O David Lechner  
4122 E. Grant Rd.  
14 Tucson, AZ 85712

15 Gila River Indian Community  
16 Linus Everling and Thomas L. Murphy  
Office of the General Counsel  
17 P. O. Box 97  
18 Sacaton, AZ 85147

19 Jacob G. Goldberg  
3306 E. Camelback Rd.  
20 Phoenix, AZ 85012

21 Joe P. Sparks and Laurel A. Herrmann  
The Sparks Law Firm, P.C.  
22 7503 First Street  
23 Scottsdale, AZ 85251-4573

24 Richard Palmer, Jr., Jeremiah Weiner  
and Lauren Mulhern  
25 Rosette, LLP  
565 W. Chandler Blvd. Suite 212  
26 Chandler, AZ 85225

27 S. Montgomery, R. Interpreter, J. Tomkus  
28 Montgomery & Interpreter, Plc

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3301 E. Thunderbird Road  
Phoenix, AZ 85032

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

Teigan, LLC  
C/O Bruce A. Rydel  
2138 Minnehaha Ave. E.  
St. Paul, MN 55119



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**ATTACHMENT E**

**CLERK OF THE COURT  
SUPERIOR COURT OF ARIZONA**

Jeff Fine  
Clerk

**MARICOPA COUNTY  
Customer Service Center  
601 West Jackson  
Phoenix, AZ 85003**

602 372-4115  
Water Case Clerk

**CONSENT FOR ELECTRONIC RECEIPT OF WATER CASE DOCUMENTS**

In an effort to provide more timely and cost effective distribution of copies of filed Water Case documents, the Clerk of the Superior Court would like implement electronic distribution via email. To do so, we require your consent to receive copies of documents electronically at an email address provided to our office.

This consent is voluntary and can be rescinded if you so choose. If you no longer wish to receive Water Case documents from the Clerk of Superior Court electronically, please send written notification to the Clerk of the Superior Court Water Case Specialist at the email address below requesting that all future records be sent in paper form.

Please note that if you consent to receive documents via email, you must notify the Clerk's Office of any change to your email address to avoid delay in receiving future filings. In the event there is no valid email address on file with the Clerk of the Superior Court Water Case Specialist, documents will be mailed to the address provided.

If you wish to consent to receive future documents via email, please either fill out the information below and mail to our office or provide the below information to [Mayra.Antelo@Maricopa.Gov](mailto:Mayra.Antelo@Maricopa.Gov).

Preferred email address:

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Alternate email address:

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Physical address:

---

Phone number:

---

Firm Name:

---

Name [Printed]:

---

Signature:

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Date:

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Thank you,

Mayra Antelo  
Clerk of the Superior Court  
Water Case Specialist  
(602) 372-5375 options 7,1,3,4

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**ATTACHMENT F**





## Court Connect Hearing Notice for In re Alfredo & Maryvel Rivera

*This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.*

*All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.*

**Participants:** Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

**Case Name:** In re Alfredo & Maryvel Rivera, Contested Case No. W1-11-1033

**Start Date/Time:** October 21, 2021 at 2:00 p.m.

**JOIN COURT CONNECT HEARING**

**Dial-in Information:** +1 917-781-4590

**Private Dial-in Information:** for privacy purposes, you can block your phone number by dialing \*67 +1 917-781-4590

**Dial-in Access Code:** 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)

