

FILED  
10/08/2018  
CHRIS DE ROSE, Clerk  
By R. Davidson  
Deputy

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6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
7 IN AND FOR THE COUNTY OF MARICOPA  
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10 IN RE THE GENERAL ADJUDICATION  
11 OF ALL RIGHTS TO USE WATER IN  
12 THE GILA RIVER SYSTEM AND  
13 SOURCE

Contested Case No. W1-11-1759

ORDER TO CONSOLIDATE

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16 CONTESTED CASE NAME: *In re Luis and Patricia Vega*

17 HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

18 DESCRIPTIVE SUMMARY: Order to consolidate contested case no. W1-11-1759 with  
19 contested case no. W1-11-1675.

20 NUMBER OF PAGES: 10

21 DATE OF FILING: October 8, 2018  
22

23  
24 This case involves potential water rights for an irrigation use on NWSW 24 T17S R20E  
25 and a primary storage reservoir on NWNESW 24 T17S R20E. The purpose of this case is to  
26 resolve the five objections to Watershed File Report 112-17-ACB-008 published in the Final San  
27 Pedro River Watershed Hydrographic Survey Report (1991). A copy of the Watershed File  
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1 Report 112-17-ACB-008 ("WFR") is attached as Attachment A. The WFR listed the sources of  
2 water as wells and a diversion from the San Pedro River into the Pomerene Water Users  
3 Association Canal. A copy of the map prepared for the WFR is attached as Attachment B.

4 The WFR lists Statements of Claimant 39-3875, 39-3882, and 39-3885 ("SOCs") as the  
5 applicable adjudication filings. Max Kartchner filed the SOCs. The Arizona Department of  
6 Water Resources public records do not include any assignments of the SOCs other than an  
7 assignment of 39-3882 to Patricia and Luis Vega. According to the Cochise County Arizona  
8 Recorder's Office, a special warranty deed was filed on December 22, 2010 to convey to Jennifer  
9 Kartchner and Jacob Kartchner portions of SW 24 T17S R20E that included tax parcel  
10 12419008J. A copy of the map prepared by the Cochise County Assessor for tax parcel  
11 12419008J is attached as Attachment C.

12 This case was originally consolidated with and made a part of contested case *In re*  
13 *Pomerene Water Users*, contested case no. W1-11-1676. On August 31, 2018, the Pomerene  
14 Water Users Association filed a Notice of Termination stating that St. David Irrigation District  
15 has claimed the Pomerene diversion structure and the Pomerene canal. By Order dated October 5,  
16 2018, this contested case was separated from the consolidated cases in *In re Pomerene Water*  
17 *Users*. The Notice stated that Jacob H. Kartchner and Jennifer J. Kartchner filed a petition to be  
18 annexed into the St. David Irrigation District which has been granted. Accordingly,  
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20 **IT IS ORDERED** that this case is consolidated with *St. David Irrigation District*,  
21 contested case no. W1-11-1675.  
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24   
25 SUSAN WARD HARRIS  
26 Special Master  
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1 On October 8, 2018, the original of the foregoing was  
2 delivered to the Clerk of the Maricopa County Superior  
3 Court for filing and distributing a copy to the following  
4 persons set forth Attachment D that includes the Claimants,  
5 Objectors, and the landowner.  
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**ATTACHMENT A**

LAND OWNER	WATERSHED FILE REPORT NUMBER
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VEGA, LUIS EDUARDO & PATRICIA ANN	112-17-ACB-008

APPLICABLE FILINGS AND DECREES

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
36-0026559		IRRIGATION DOMESTIC STOCK	12.90	SWSW24	17OS	200E	1977			
36-0026560		REC/FISH/WLDLF IRRIGATION	400.00	SWSW24	17OS	200E				
36-0026566		IRRIGATION DOMESTIC STOCK		33	16OS	200E	1900	25	17OS	200E
39-0003875		IRRIGATION	300.00	SW24	17OS	200E	1910	NENE36	17OS	200E
39-0003882		IRRIGATION DOMESTIC STOCK	3.00	NW24	17OS	200E	1901	NESWSW24	17OS	200E
39-0003885		IRRIGATION	400.00	SW24	17OS	200E	1901	SESWSW24	17OS	200E

DWR ANALYSIS OF FILINGS AND DECREES

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
36-0026559	IRRIGATION DOMESTIC STOCK	IRRIGATION NONE	WO2,WO3	IROO1,PSOO1
36-0026560	WILDLIFE IRRIGATION	INCIDENTAL IRRIGATION	WO2,WO3	IROO1
36-0026566	IRRIGATION DOMESTIC STOCK	IRRIGATION NONE	DO1	IROO1,PSOO1
39-0003875	IRRIGATION	INCIDENTAL IRRIGATION	DO1	IROO1
39-0003882	IRRIGATION DOMESTIC STOCK	IRRIGATION NONE	WO2	IROO1,SROO1
39-0003885	IRRIGATION	INCIDENTAL IRRIGATION	WO3	IROO1

DIVERSIONS

DIV #	LOCATION SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
DO1	NWSENE17	17OS	200E	POMERENE CANAL	SURFACE WATER: SAN PEDRO RIVER
WO1	SESENW24	17OS	200E	UNNAMED	SHARED GROUNDWATER : ZONE 2
WO2	NESWSW24	17OS	200E	UNNAMED	SHARED GROUNDWATER : ZONE 2
WO3	SESWSW24	17OS	200E	UNNAMED	SHARED GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER

USES

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
IROO1	NWSENE17	17OS	200E	DO1,WO1,WO2 WO3	SURFACE WATER GROUNDWATER : ZONE 1 GROUNDWATER : ZONE 2	1983	NO	

PWR #	SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	RESERVOIR NAME	STORAGE PURPOSE
PS001	NWNESW24	17OS	20OE	DO1,WO1,WO2	SURFACE WATER GRNDWTR : ZONE 2	1983	UNNAMED	IRRIGATION STOCKWATERING WILDLIFE

SHARED USES AND DIVERSIONS

\*\* DIVERSION DO1 OPERATED BY THE POMERENE WATER USERS ASSOC.  
(FILE 112-17-89) SUPPLIES WATER TO PWRS IN THIS FILE.  
\*\* WATER FROM WO1 FOUND IN FILE (112-17-BDA-7) IS USED IN THIS FILE  
\*\* WATER FROM WO2 FOUND IN FILE (112-17-BDA-7) IS USED IN THIS FILE  
\*\* WATER FROM WO3 FOUND IN FILE (112-17-BDA-7) 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	39-0003875 39-0003882 39-0003885	36-0026559 36-0026560 36-0026566	1983	1983 AERIAL PHOTO	SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER GROUNDWATER : ZONE 2
PS001	39-0003875 39-0003882	36-0026559 36-0026560 36-0026566	1983	1983 AERIAL PHOTO	SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 2

QUANTITIES OF USE

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
IROO1	MAX. OBSERVED	15.4	ALFALFA	45%	7.4 AF/AC	114.0 AFA	
	REGIONAL	15.4	AVE. CROP	50%	5.4 AF/AC	83.2 AFA	
	MAX. POTENTIAL	15.4	ALFALFA	45%	7.4 AF/AC	114.0 AFA	
PS001	MAX. AREA/CAP	4.2				19.8 AF	

EXPLANATION

FILINGS AND DECREES

FILINGS 36-26559, 36-26566 & 39-3882 - CLAIM DOMESTIC WATER USES. NO DOMESTIC USE WAS FOUND AT THE CLAIMED LOCATIONS.

DIVERSIONS

D1 - DIVERSION FROM THE SAN PEDRO RIVER INTO THE POMERENE WATER USERS ASSOCIATION CANAL.  
W1-W3 - WELLS PROVIDE WATER FOR IRRIGATION, STOCKWATERING, AND WILDLIFE USES.

USES AND RESERVOIRS

IR1 - IRRIGATED ALFALFA.  
PS1 - PRIMARY STORAGE RESERVOIR, SUPPLIED BY D1, W1 & W2, IS USED FOR IRRIGATION, STOCKWATERING, AND WILDLIFE PURPOSES.

SHARED USES AND DIVERSIONS

W1-W3 - WELLS ARE SHARED WITH W.F.R. #112-17-BDA-7.  
PS1 - WATER FROM PS1 IS ALSO USED IN W.F.R.'S #112-17-BDA-7 & #112-17-BDA-14.  
PRIMARY STORAGE RESERVOIR PS2, FOUND IN W.F.R. #112-17-BDA-7, PROVIDES WATER TO USES IN THIS W.F.R.

PWR SUMMARY

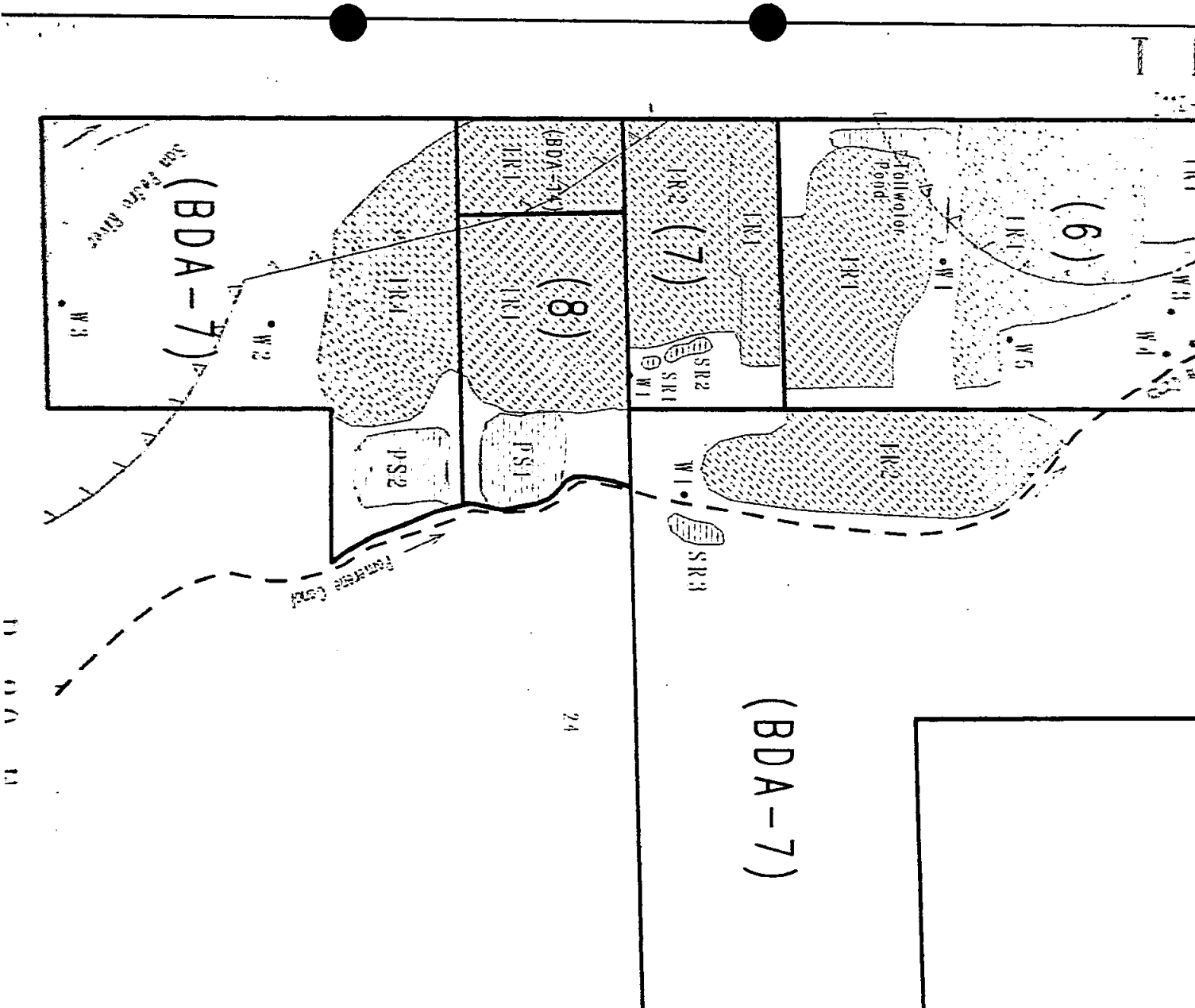
FILINGS MADE BY THE POMERENE WATER USERS ASSOCIATION ALSO APPLY TO WATER USES (IR1, PS1) ON THIS PROPERTY. FOR MORE INFORMATION ON THE POMERENE WATER USERS ASSOCIATION, SEE THE MAJOR USERS REPORTS IN VOLUME 1.

DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS

A COMMENT WAS RECEIVED WHICH CLARIFIED LAND OWNERSHIP.

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**ATTACHMENT B**



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(BDA-7)

(BDA-7)

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(BDA-2A)

SOM PASTURE RING

Tollwater Pond

PS2

PS1

SR3

SR2  
SR1  
W1

W2

W3

W5

W4

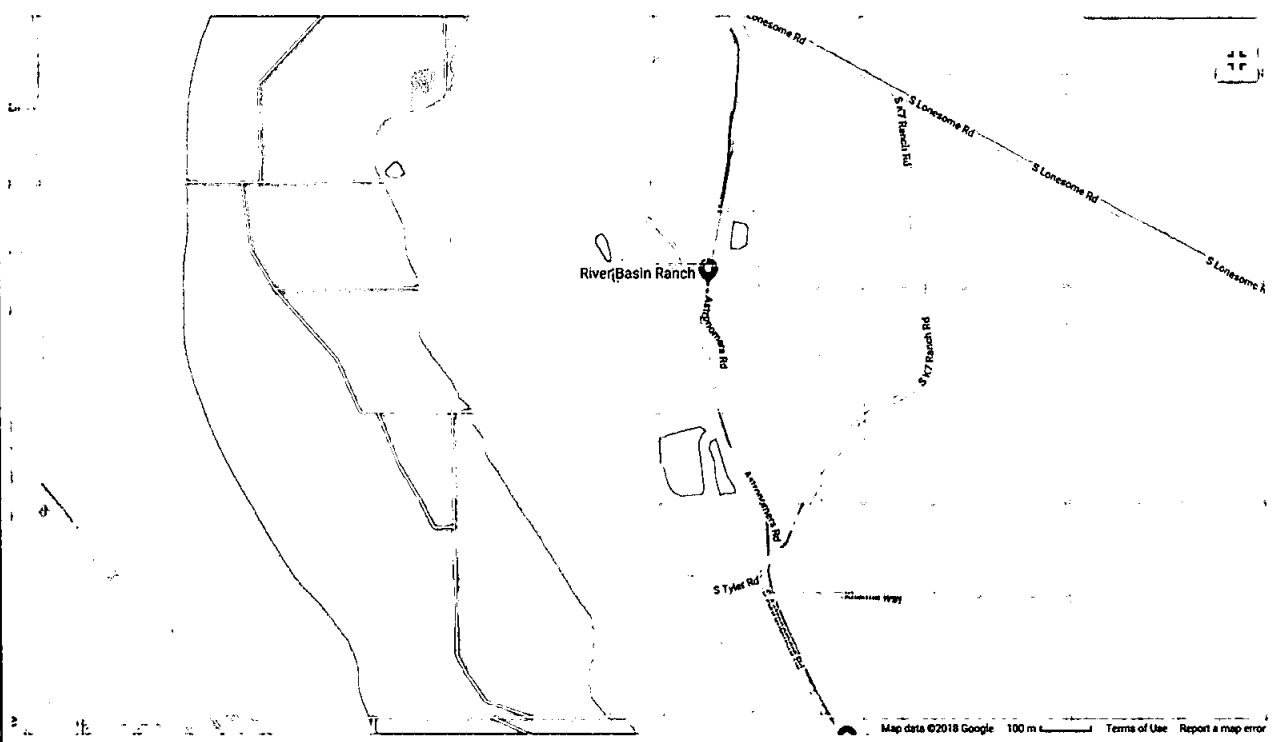
FORESTED COR

[112 17 ACRES]



# ATTACHMENT C

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# ATTACHMENT D

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