CHRIS DEROSE, Clerk

By Deputy

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. W1-11-1989

ORDER TO CONSOLIDATE

CONTESTED CASE NAME: In re Tucson Pathology Assoc., P.C.

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: Order to consolidated contested case no. W1-11-1989 with contested case no. W1-11-1675

NUMBER OF PAGES: 10

DATE OF FILING: October 8, 2018

This case involves potential water rights for irrigation uses and a small reservoir for use on NESE 23 T17S R20E and NWSW 24 T17S R20E. The purpose of this case is to resolve the four objections to Watershed File Report 112-17-BDA-014 published in the Final San Pedro River Watershed Hydrographic Survey Report (1991). A copy of Watershed File Report

112-17-BDA-014 ("WFR") is attached as Attachment A. The WFR listed the sources of water as wells and a diversion from the San Pedro River into the Pomerene Water Users Association Canal. A copy of the map prepared for the WFR is attached as Attachment B.

The WFR lists Statements of Claimant 39-3875, 39-3882, and 39-3885 ("SOCs") as the applicable adjudication filings. Max Kartchner filed the Statements of Claimant. The Arizona Department of Water Resources public records do not include assignments of the SOCs. According to the Cochise County Arizona Recorder's Office, a warranty deed was filed on December 22, 2010 to convey to Jacob H. Kartchner and Jennifer J. Kartchner portions of the SE 23 T17S R20E and SW 24 T17S R20E that included tax parcel 12418011B. A copy of the map prepared by the Cochise County Assessor for tax parcel 12418011B is attached as Attachment C.

This case was originally consolidated with and made a part of contested case *In re Pomerene Water Users*, contested case no. W1-11-1676. On August 31, 2018, the Pomerene Water Users Association filed a Notice of Termination stating that St. David Irrigation District has claimed the Pomerene diversion structure and the Pomerene canal. By Order dated October 5, 2018, this contested case was separated from the consolidated cases in *In re Pomerene Water Users*. The Notice stated that Jacob H. Kartchner and Jennifer J. Kartchner filed a petition to be annexed into the St. David Irrigation District which has been granted. Accordingly,

IT IS ORDERED that this case is consolidated with St. David Irrigation District, contested case no. W1-11-1675.

SUSAN WARD HARRIS

Special Master

On October 8, 2018, the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to the following persons set forth Attachment D that includes the Claimants, Objectors, and the landowner.

ATTACHMENT A

LAND OWNER

WATERSHED FILE REPORT NUMBER

TUCSON PATHOLOGY ASSOC. P.C.

112-17-BDA-014 .

APPLICABLE FILINGS AND DECREES

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE L SECTION	OCATI TWNP		CLAIM DATE	DIVERSIO SECTION		
36-0026559		IRRIGATION DOMESTIC STOCK	12.90	SWSW24	170S	200E	1977			RNGE
36-0026560 36-0026566		REC/FISH/WLDLF IRRIGATION IRRIGATION DOMESTIC STOCK	400.00	33 23	160S 170S	200E	1979 1800	25	170S	200E
39-0003875 39-0003882		IRRIGATION	300.00	24 NW24 SW24	170\$	200E 200E	1910	NENE36	170\$	200E
		IRRIGATION DOMESTIC STOCK	3.00	NESWSW24	1705	200E	1901	NESWSW24	1705	200E
39-0003885		IRRIGATION	400.00	SW24	1705	200E	1901	SESWSW24	1705	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 WILDLIFE	IRRIGATION NONE INCIDENTAL	WO2	IROO1
36-0026560 36-0026566	IRRIGATION IRRIGATION DOMESTIC	INCIDENTAL IRRIGATION IRRIGATION NONE	WO2, WO3 DO1	IROO1 IROO1, SROO1
39-0003875 39-0003882	STOCK IRRIGATION IRRIGATION DOMESTIC	INCIDENTAL IRRIGATION IRRIGATION NONE	DO 1 WO 2	IROO1 IROO1, SROO1
39-0003885	STOCK IRRIGATION	INCIDENTAL IRRIGATION	жоз	IROO1

DIVERSIONS

	LOCATION			
DIV #	SECTION TWN	P RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
DQ1	NWSENE36 170	S 200E	POMERENE CANAL	SURFACE WATER: SAN PEDRO RIVER
WO1	SESENW24 170	S 200E	UNNAMED	SHARED GROUNDWATER : ZONE 2
WO2	NESWSW24 170	5 200E	UNNAMED	SHARED GROUNDWATER : ZONE 2
MO3	SESWSW24 170	3 200E	UNNAMED	SHARED GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER SHARED

USES

PWR #	SECTION TV	NP RNG	SUPPLIED BY E DIVERSIONS	UATER ANIMANA		SOURCE	FACILITY NAME
IROO1		70S 200		SURFACE WATER GROUNDWATER : ZONE 1	1983	NO	

GROUNDWATER : ZONE 2

LAND OWNER

WATERSHED FILE REPORT NUMBER

TUCSON PATHOLOGY ASSOC.

112-17-BDA-014

P.C.

APPLICABLE FILINGS AND DECREES

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LO	CATIO TWNP	RNGE	CLAIM DATE	DIVERSION SECTION		TION RNGE
36-0026559		IRRIGATION DOMESTIC STOCK REC/FISH/WLDLF	12.90	SWSW24	1705	200E	1977			
36-0026560		IRRIGATION	400.00	SWSW24	1705	200E	1979			
36-0026566		IRRIGATION		33	1605	200E	1800	25	17QS	200E
		DOMESTIC		23	1705	200E				
		STOCK		24	1705	200E				
39-0003875		IRRIGATION	300.00	NW24	1705	200E	1910	NENE36	1705	200E
				SW24	170S	200E				
39-0003882		IRRIGATION DOMESTIC	3.00	NESWSW24	170S	200E	1901	NESWSW24	170\$	200E
		STOCK	. 34							
39-0003885		IRRIGATION	400.00	SW24	170\$	200E	1901	SESWSW24	1705	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	IRRIGATION NONE	WO2	IROO1
	STOCK	INCIDENTAL		•
36-0026560	WILDLIFE IRRIGATION	INCIDENTAL IRRIGATION	W02,W03	IROO1
36-0026566	IRRIGATION DOMESTIC	IRRIGATION NONE	DO1	IROO1, SROO1
	STOCK	INCIDENTAL		
39-0003875	IRRIGATION	IRRIGATION	DO1	IRO01
39-0003882	IRRIGATION Domestic	IRRIGATION NONE	WO2	IROO1, SROO1
	STOCK	INCIDENTAL		
39-0003885	IRRIGATION	IRRIGATION	WO3	IROO1

DIVERSIONS

LOCATION

	LUÇA	1 1 014				
DIV #	SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION	

DO1 NWSENE36 170S 200E POMERENE CANAL SURFACE WATER: SAN PEDRO RIVER SHARED WO1 SESENW24 170S 200E UNNAMED GROUNDWATER : ZONE 2

SHARED GROUNDWATER : ZONE 2 W02 NESWSW24 170S 200E UNNAMED SHARED

WO3 SESWSW24 170S 200E UNNAMED GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER

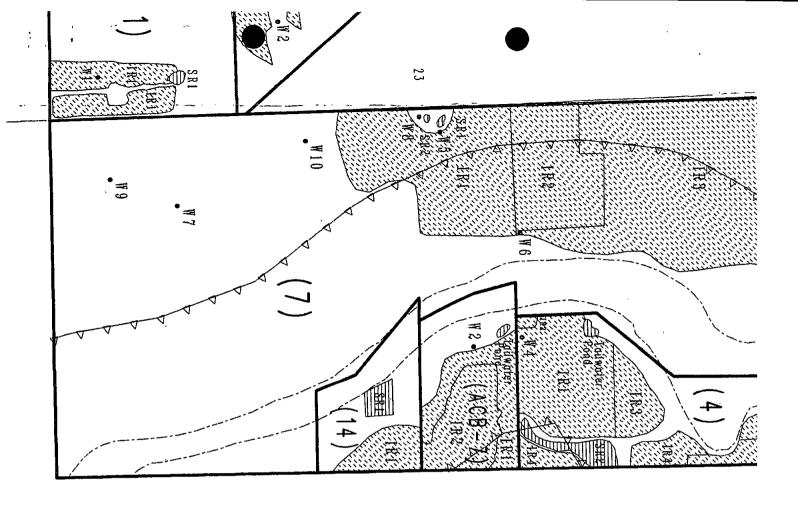
SHARED

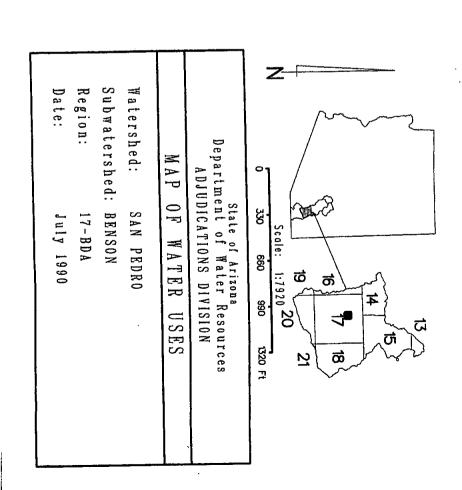
USES

	LOCA	MOITA		SUPPLIED BY	•	PHOTO	SOURCE		
PWR #	SECTION	TWNP	RNGE		WATER SOURCES			FACILITY NAME	
									•
IROQ1	NESE23	1705	200E	DO1,WO1,WO2	SURFACE WATER	1983	NO		
	NWSW24	170S	200E	WO3	GROUNDWATER : ZONE 1				

GROUNDWATER : ZONE 2

ATTACHMENT B





ATTACHMENT C



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ATTACHMENT D

2	
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19	St David, AZ 85630
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