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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. W1-11-2128
ORDER TO FILE STIPULATED
ABSTRACTS OR STATUS REPORT

CONTESTED CASE NAME: *In re Robin L. and Linda M. Richey*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report
DESCRIPTIVE SUMMARY: Stipulated abstracts or status report due **October 18, 2022.**
NUMBER OF PAGES: 13
DATE OF FILING: August 31, 2022

This contested case had been consolidated with *In re St. David Irrigation District*,
contested case W1-11-1675. It was severed by Order dated August 30, 2022, in accordance with
Case Management Order dated July 21, 2022, governing the second phase of that consolidated
case. The purpose of this proceeding is to adjudicate all of the claimed water rights and resolve
all of the objections filed in this contested case W1-11-2128.

1 This case will adjudicate the claims for water rights and resolve objections to Watershed
2 File Report and Zone 2 Well Report 112-17-DBB-23 (collectively "Report") published in the
3 Final San Pedro River Watershed Hydrographic Survey Report (1991). The Report identified
4 potential water rights for domestic and irrigation uses for land located in Section 6 Township
5 18S Range 21E. The identified sources of water for the identified uses are surface water from
6 the San Pedro River and two wells operated by the St. David Irrigation District. A copy of the
7 Report is attached as Attachment A. A copy of the map prepared for the Report is attached as
8 Attachment B.
9

10 Robin or Linda Richey filed Statements of Claimant 39-3460 and Jim and Gwen
11 Mayberry filed Statement of Claimant 39-4012. St. David Irrigation District filed Statements
12 of Claimant 39-6593 and 39-6594 that include land located in Section 6 Township 18S Range
13 21E in its description of "Place of Use." Arizona Department of Water Resources prepared
14 Watershed File Report 112-17-088 that discussed the results of its investigation of the water
15 uses on the land shown on Attachment B.
16

17 The St. David Irrigation District has identified the land as Cochise County tax parcels
18 121-15-024 and 121-15-025A. The Cochise County Assessors' Office identifies the landowners
19 of those tax parcels as Cochise County Investments LLC. Copies of the maps prepared by
20 the Cochise County Assessors' Office are attached as Attachment C. A copy of the map
21 prepared by Arizona Department of Water Resources that identifies the tax parcels included in
22 the Report is attached as Attachment D.
23

24 The public records maintained by the Arizona Department of Water Resources do not
25 contain assignments of any of the Statements of Claimant. The public records maintained by
26 the Arizona Department of Water Resources do not contain Statements of Claimant filed by
27 Cochise County Investments LLC.
28

1 **IT IS ORDERED:**

2 1. Contested Case. This contested case will address the Statements of Claimant
3 identified above and the objections that were filed to Watershed File Report and Zone 2 Well
4 Report 112-17-DBB-23 published in the Final San Pedro River Watershed Hydrographic Survey
5 Report (1991) and Watershed File Report 112-17-088. Copies of objections can be found under
6 the case name and number on the following website:
7 [http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)
8 [asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)

9 2. Litigants. The litigants in this contested case are the Claimants, St. David
10 Irrigation District, the current landowners, all persons who filed objections to the Watershed File
11 Report and Zone 2 Well Report 112-17-DBB-23, all persons who filed objections to Watershed
12 File Report 112-17-088, and claimants allowed to intervene by order.

13 3. Court-Approved Mailing List.

14 A. The initial Court-approved mailing list for this case shall include all
15 persons listed on Attachment D to this order. The list may be modified only by
16 filing a motion with the Special Master to amend the Court-approved mailing list.
17 Litigants are responsible for using the current Court-approved mailing list.

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

21 C. Claimants wishing to be added or removed from the mailing list shall file
22 a motion with the Special Master. Parties allowed to intervene will be
23 automatically added to the mailing list.
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ATTACHMENT A

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
RICHEY, ROBIN L.	112-17-DBB-023
& LINDA M.	

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 *W1-11-2128*

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
39-0003460		IRRIGATION	100.00	NWSWNE06	180S	210E	1881	NESW04	190S	210E
		DOMESTIC	1.00					SWNWNE06	180S	210E
		STOCK	.22							
39-0004012		IRRIGATION	214.00	NENENW06	180S	210E	1898	NWNWNE06	180S	210E
		DOMESTIC	1.00	NWNWNE06	180S	210E				
		STOCK	1.00							

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
39-0003460	IRRIGATION DOMESTIC STOCK	IRRIGATION DOMESTIC INCIDENTAL	DO1,WO1,W99	DMOO1,IROO1
39-0004012	IRRIGATION DOMESTIC STOCK	IRRIGATION DOMESTIC INCIDENTAL	WO1	DMOO1,IROO1

D I V E R S I O N S

DIV #	LOCATION SECTION TWNP RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
DO1	NENWSW04 190S 210E	ST. DAVID I.D. DITCH	SURFACE WATER: SAN PEDRO RIVER SHARED
WO1	SWNWNE06 180S 210E	UNNAMED	GROUNDWATER : ZONE 2
W99	NWSW28 180S 210E	ST. DAVID I.D. WELLS	GROUNDWATER : ZONE 2 SHARED

U S E S

PWR #	LOCATION SECTION TWNP RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
DMOO1	SWNWNE06 180S 210E	WO1	GROUNDWATER : ZONE 2		NO	
IROO1	NWNE06 180S 210E	DO1,WO1,W99	SURFACE WATER	1935	NO	
	SWNE06 180S 210E		GROUNDWATER : ZONE 2			

S H A R E D U S E S A N D D I V E R S I O N S

** DIVERSION DO1 OPERATED BY THE ST DAVID IRRIGATION DISTRICT (FILE 112-17-88) SUPPLIES WATER TO PWRS IN THIS FILE.
 ** DIVERSION W99 OPERATED BY THE ST DAVID IRRIGATION DISTRICT (FILE 112-17-88) SUPPLIES WATER TO PWRS IN THIS FILE.

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
DMOO1	39-0003460 39-0004012	NONE		GROUNDWATER : ZONE 2
IROO1	39-0003460 39-0004012	NONE	1881 ST. DAVID I.D. INFO.	SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 2

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
DM001							SEE VOLUME 1 - GENERAL ASSESSMENT
IROO1	MAX. OBSERVED	10.9	PERM. PSTR	45%	7.0 AF/AC	76.3 AFA	
	REGIONAL	10.9	AVE. CROP	50%	5.4 AF/AC	58.9 AFA	
	MAX. POTENTIAL	10.9	ALFALFA	45%	7.4 AF/AC	80.7 AFA	

E X P L A N A T I O N

DIVERSIONS

D1 - DIVERSION FROM THE SAN PEDRO RIVER INTO THE ST. DAVID IRRIGATION DISTRICT DITCH.
 W1 - WELL PROVIDES WATER FOR IRRIGATION, DOMESTIC, AND STOCKWATERING USES.
 W99 - WELLS W1 & W2, WHICH ARE OWNED AND OPERATED BY THE ST. DAVID IRRIGATION DISTRICT (SDID),
 ARE USED TO SUPPLEMENT SURFACE WATER DIVERTED FROM THE SAN PEDRO RIVER BY SDID DIVERSION D1 FOR
 IRRIGATION USES WITHIN THE DISTRICT.

USES AND RESERVOIRS

DM1 - DOMESTIC USE.
 IR1 - IRRIGATED PASTURE.

PWR SUMMARY

FILINGS MADE BY THE ST. DAVID IRRIGATION DISTRICT ALSO APPLY TO IRRIGATION USES (IR1) ON THIS
 PROPERTY. FOR MORE INFORMATION ON THE ST. DAVID IRRIGATION DISTRICT, SEE THE MAJOR USERS
 REPORTS IN VOLUME 1.

LAND OWNER	ZONE 2 WELL
-----	REPORT NUMBER
RICHEY, ROBIN L.	112-17-DBB-023
& LINDA M.	

WELLS	WELL NAMES	WELL LOCATION			WATER USES SERVED	REMARKS
		SECTION	TWNP	RNGE		
W01	UNNAMED	SWNWNE06	180S	210E	DMOO1, IROO1	WI-11-2128 SHARED
W99	ST. DAVID I.D. WELLS	NWSW28	180S	210E	IROO1	

WATER USE NUMBERS	WATER USE LOCATION			*** APPARENT FIRST USE ***		APPAR. ANNUAL VOLUME USED	ACRES IRRIGATED
	SECTION	TWNP	RNGE	DATE	BASIS FOR DATE		
DMOO1	SWNWNE06	180S	210E				
IROO1	NWNE06	180S	210E	1881	ST. DAVID I.D. INFO.	58.9 AFA	10.9
	SWNE06	180S	210E				

APPLICABLE STATEMENTS OF CLAIMANT	APPLIES TO: WELLS	APPLIES TO: WATER USES
39-0003460	W01, W99	DMOO1, IROO1
39-0004012	W01	DMOO1, IROO1

EXPLANATION

THE APPARENT ANNUAL VOLUME REPORTED FOR IROO1 IS PARTIALLY SUPPLIED BY SURFACE WATER.

** WATER FROM W99 FOUND IN FILE (112-17-88) IS USED IN THIS FILE.

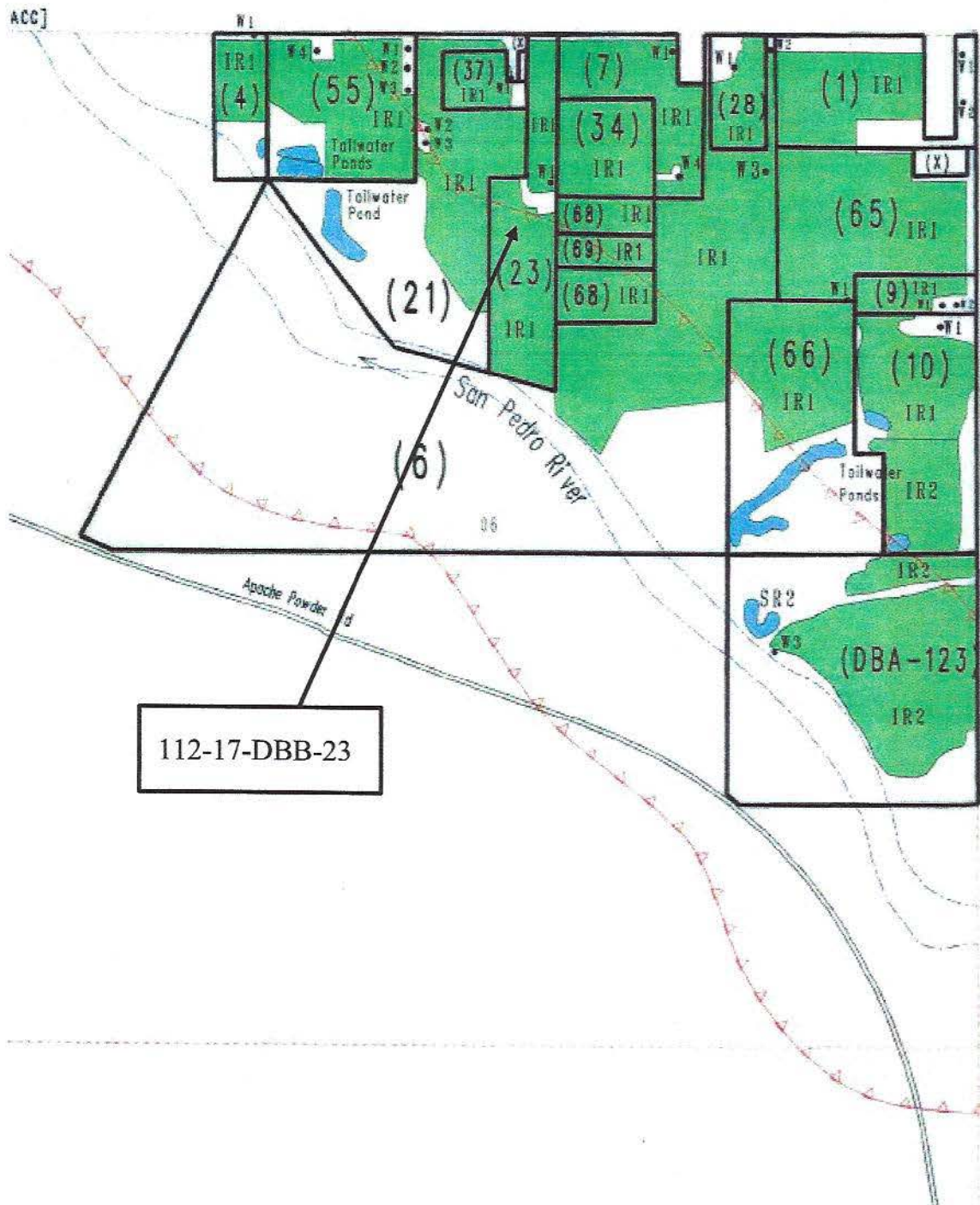
W1 - WELL PROVIDES WATER FOR IRRIGATION, DOMESTIC, AND STOCKWATERING USES.

W99 - WELLS W1 & W2, WHICH ARE OWNED AND OPERATED BY THE ST. DAVID IRRIGATION DISTRICT (SDID), ARE USED TO SUPPLEMENT SURFACE WATER DIVERTED FROM THE SAN PEDRO RIVER BY SDID DIVERSION D1 FOR IRRIGATION USES WITHIN THE DISTRICT.

DM1 - DOMESTIC USE.

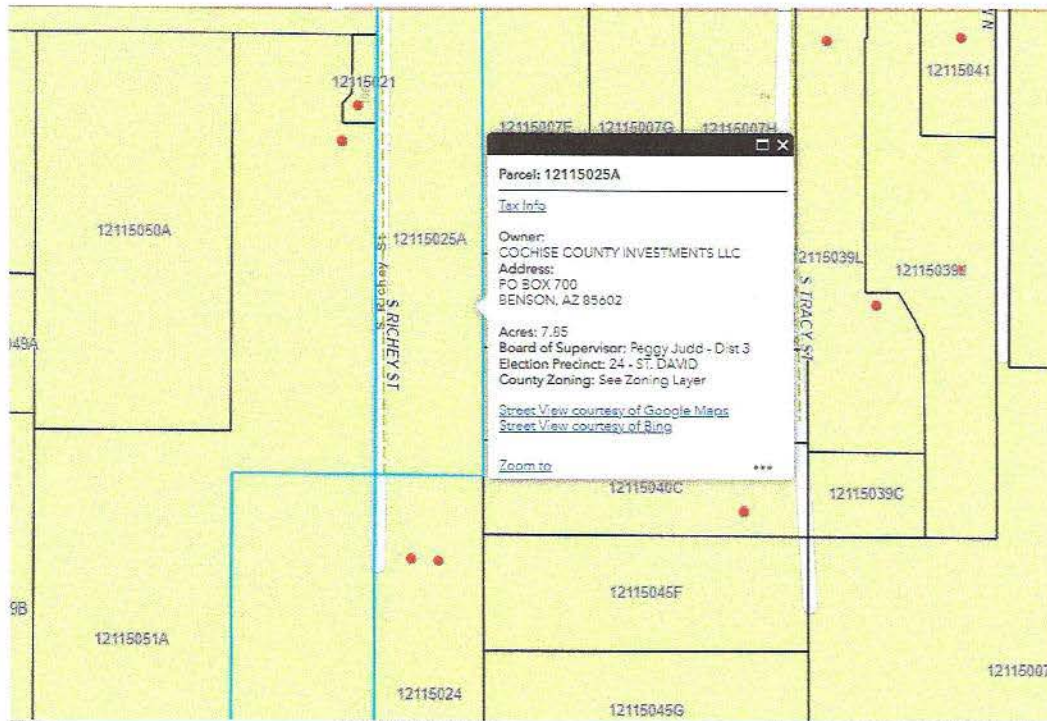
IR1 - IRRIGATED PASTURE.

ATTACHMENT B



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ATTACHMENT C



ATTACHMENT E

1
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3 Arizona Department of Water Resources

4 Kimberly Parks
5 P. O. Box 36020
6 Phoenix, AZ 85067

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

13 BHP Copper, Inc.
14 John D. Burnside
15 Snell & Wilmer, L.L.P.
16 400 E. Van Buren Street, Ste 1900
17 Phoenix AZ 85004

18 Charles Cahoy
19 City of Phoenix
20 200 W. Washington 13th Flr.
21 Phoenix, AZ 85003

22 City of Mesa
23 Wilbert J. Tabel
24 City Attorney's Office
25 P. O. Box 1466
26 Mesa, AZ 85211-1466

27 Clerk of the Superior Court
28 Maricopa County
Attn: Water Case
601 West Jackson Street
Phoenix, AZ 85003

Cochise County Investments LLC
P.O. Box 700
Benson, Az 85602

D. A. Brown, J. Albert Brown, Amy Brown
Garrett W. Perkins
Brown & Brown Law
P. O. Box 1890
St. Johns, AZ 85936

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

Jennie Winkler & Kelly Schwab
City of Chandler
City Attorney's Office
Mail Stop 602, P. O. Box 4008
Chandler, AZ 85244-4008

Jim Esker Mayberry
Rt. 1 Box 91
St. David, Arizona 85630

Robin and Linda Richey
Rt. 1
Box 95
St. David, Arizona 85630

San Carlos Apache Tribe
Joe P. Sparks and Laurel A. Herrmann
The Sparks Law Firm, P.C.
7503 First Street
Scottsdale, Az 85251-4573

Tonto Apache Tribe
Richard Palmer, Jr., Jeremiah Wiener
And Lauren Mulhern
Rosette, LLP
565 W. Chandler Blvd. Suite 212
Chandler, AZ 85225

Yavapai Apache Nation
S. Montgomery, R. Interpreter, J. Tomkus
Montgomery & Interpreter, Plc
3301 E. Thunderbird Road
Phoenix, AZ 85032

1 Salt River Valley Water Users Association,
Salt River Project Agricultural
2 Improvement and Power District
John B. Weldon, Jr. and Mark A. McGinnis
3 Salmon, Lewis & Weldon PLC
2850 E Camelback Rd, Ste. 200
4 Phoenix, AZ 85016

United States
Josh Edelstein Phoenix Field Solicitor
Office of the Solicitor
U.S. Department of the Interior
Sandra Day O'Connor U.S. Courthouse
Ste. 404 401 W. Washington St., SPC 44
Phoenix, AZ 85003

5
6 Special Master Susan Ward Harris
Superior Court of Arizona
7 201 W. Jefferson Street
Suite 3A
8 Phoenix, AZ 85003

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