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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

CONTESTED CASE NO.
W1-11-3318

ORDER SETTING STATUS
CONFERENCE

CONTESTED CASE NAMES: *In re Bower*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: Status conference set regarding claim for water to irrigate 6,500 square feet of land in Section 3 T7S & R17E and draft abstracts provided to the parties.

NUMBER OF PAGES: 8

DATE OF FILING: June 7, 2019

This is a proceeding to adjudicate the validity of the claim made by Russell L. Richardson and Sheila C. Richardson for water for domestic and irrigation uses. The property at issue is located in two sections: section 34 T6S R17E and section 03 T7S R17E.

1 **Domestic Use**

2 Based on the map filed by Mr. Richardson on February 27, 2019, the source of water
3 for domestic use is a well located in section 34 T6S R17E. The place of use for the domestic
4 water is also on section 34 T6S R17E. Mr. Richardson has provided the coordinates for the
5 well and a proposed abstract is attached as Attachment A.

6 **Irrigation Use associated with a Domestic Use**

7 Based on the map filed by Mr. Richardson on February 27, 2019, the source of water
8 for irrigation use is the same well that provides water for domestic use that is located in section
9 34 T6S R17E. The place of use is an irrigated area of 1.1 acres located on section 34 T6S
10 R17E and section 3 T7S R17E. According to notations on the map, 6,500 square feet of the
11 land is located in section 3 T7S R17E. Thus, 0.95 acres of the irrigated land is in section 34
12 T6S R17E and 0.15 acres of irrigated land is in section 3 T7S R17E. Mr. Richardson claims a
13 total of 4.5 acre feet of water annually. Both the amount of total acreage and the amount of
14 total water claimed is less than the amount ADWR included in the proposed water right for
15 irrigation use.
16

17 The question that remains to be resolved in this case is the priority date for the water
18 right for irrigation. Presumably the priority date for the 0.95 acres in section 34 T6S R17E
19 will be based on the date that William Row homesteaded the property. The patent issued to
20 Mr. Row, which is attached to the Statement of Claim 36-59979 filed by Anthon G.
21 Richardson, applies to 120 acres in section 34 T6S R17E. A form of abstract is attached as
22 Attachment B for the irrigation right to the land in section 34 T6S R17E that applies a pro rated
23 portion of the total irrigation claimed by Mr. Richardson. The patent issued to Mr. Row does
24 not apply to the 0.15 acres in section 3 T7S R17E

25 IT IS ORDERED that status conference shall be held to determine if the parties have
26 any objections to the attached abstracts and to determine whether Mr. Richardson intends to
27 seek a priority date for an irrigation right for section 3 T7S R17E that predates the date of
28

1 Arizona Department of Water Resources' report that it investigated and found that the 0.15
2 acres was irrigated.

3 The Status Conference shall be held on **July 18, 2019**, at 2:45 PM 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

8 Instructions for telephonic appearance:

9 Dial: 602-506-9695 (local)

10 1-855-506-9695 (toll free long distance)

11 Dial Participant Pass Code 357264#

12 
13 SUSAN WARD HARRIS
14 Special Master

15
16 On June 7, 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 the
20 contested case.
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Attachment A

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**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No:	115-04-ADB-009-DM001
2. Owner of Water Right:	Russell L. Richardson and Sheila Richardson
3. Landowner:	Russell L. Richardson and Sheila Richardson
4. Statement of Claimant No.(s):	39-4326
5. Statement of Claimant Name(s):	Russell L. Richardson and Sheila Richardson
6. Lessee or Permittee:	None
7. Basis of Right:	36-59979
8. Beneficial Use	Domestic Use
9. Priority Date	July 19, 1913
10. Quantity:	Not to exceed 1 acre foot per year
11. Place of Use:	SESWSW 34 T6S R17E
12. Point of Diversion:	SESWSW 34 T6S R17E
13. Source of Water:	Well – located at N 32° 51.659 W110° 36.088

Comment: This abstract is for a right to use water for domestic use issued in connection with an abstract for a water right for irrigation use. Water for domestic use is limited to domestic use within the home.

Attachment B

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**Abstract of Water Right
San Pedro Watershed**

1. Proposed Water Right No:	115-04-ADB-009-OT001
2. Owner of Water Right:	Russell Richardson and Sheila Richardson
3. Landowner:	Russell Richardson and Sheila Richardson
4. Statement of Claimant No.(s):	39-4326
5. Statement of Claimant Name(s):	Russell Richardson and Sheila Richardson
6. Lessee or Permittee:	None
7. Basis of Right:	36-59979
8. Beneficial Use	Irrigation Use
9. Priority Date	July 19, 1913
10. Quantity:	3.9 acre feet annually
11. Rate of Maximum Flow:	240 gallons per minute
12. Place of Use:	SESWSW 34 T6S R17E – see attached map (0.95 acres)
13. Point of Diversion:	SESWSW 34 T6S R17E
14. Source of Water:	Well located at GPS coordinates N32° 51.659', W110° 36.088'

