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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. W1-11-1759

ORDER TO CONSOLIDATE

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

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

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

NUMBER OF PAGES: 10

DATE OF FILING: October 8, 2018

This case involves potential water rights for an irrigation use on NWSW 24 T17S R20E
and a primary storage reservoir on NWNESW 24 T17S R20E. The purpose of this case is to
resolve the five objections to Watershed File Report 112-17-ACB-008 published in the Final San
Pedro River Watershed Hydrographic Survey Report (1991). A copy of the Watershed File

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 SOC. The Arizona Department of
6 Water Resources public records do not include any assignments of the SOC 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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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

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 | 170S | 200E | 1977 | | | |
| 36-0026560 | | REC/FISH/WLDLF IRRIGATION | 400.00 | SWSW24 | 170S | 200E | 1900 | 25 | 170S | 200E |
| 36-0026566 | | IRRIGATION DOMESTIC STOCK | | 33 | 160S | 200E | | | | |
| 39-0003875 | | IRRIGATION | 300.00 | SW24 | 170S | 200E | 1910 | NENE36 | 170S | 200E |
| 39-0003882 | | IRRIGATION DOMESTIC STOCK | 3.00 | NESWSW24 | 170S | 200E | 1901 | NESWSW24 | 170S | 200E |
| 39-0003885 | | IRRIGATION | 400.00 | SW24 | 170S | 200E | 1901 | SESWSW24 | 170S | 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, PS001 |
| 36-0026560 | WILDLIFE IRRIGATION | INCIDENTAL IRRIGATION | WO2, WO3 | IROO1 |
| 36-0026566 | IRRIGATION DOMESTIC STOCK | IRRIGATION NONE | DO1 | IROO1, PS001 |
| 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 # | SECTION | TWNP | RNGE | DIVERSION NAME | WATER SOURCE AND CLASSIFICATION |
|-------|----------|------|------|----------------|----------------------------------------------------|
| DO1 | NWSENE17 | 170S | 200E | POMERENE CANAL | SURFACE WATER: SAN PEDRO RIVER |
| WO1 | SESENW24 | 170S | 200E | UNNAMED | SHARED GROUNDWATER : ZONE 2 |
| WO2 | NESWSW24 | 170S | 200E | UNNAMED | SHARED GROUNDWATER : ZONE 2 |
| WO3 | SESWSW24 | 170S | 200E | UNNAMED | SHARED GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER |

USES

| PWR # | SECTION | TWNP | RNGE | SUPPLIED BY DIVERSIONS | WATER SOURCES | PHOTO DATE | SOURCE CHANGE | FACILITY NAME |
|-------|---------|------|------|------------------------|---------------------------------------------------------------|------------|---------------|---------------|
| IROO1 | NWSW24 | 170S | 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 | NWNSW24 | 170S | 200E | 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* | WATER SOURCES AND CLASSIFICATIONS |
|-------|---------------------------|---------------------------|---------------------------|----------------------------------------------------------------------------------|
| IROO1 | 39-0003875 | 36-0026559 | 1983 1983 AERIAL PHOTO | SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER |
| | 39-0003882 | 36-0026560 | | |
| | 39-0003885 | 36-0026566 | | |
| PS001 | 39-0003875 | 36-0026559 | 1983 1983 AERIAL PHOTO | GROUNDWATER : ZONE 2 SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 2 |
| | 39-0003882 | 36-0026560 | | |
| | | 36-0026566 | | |

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

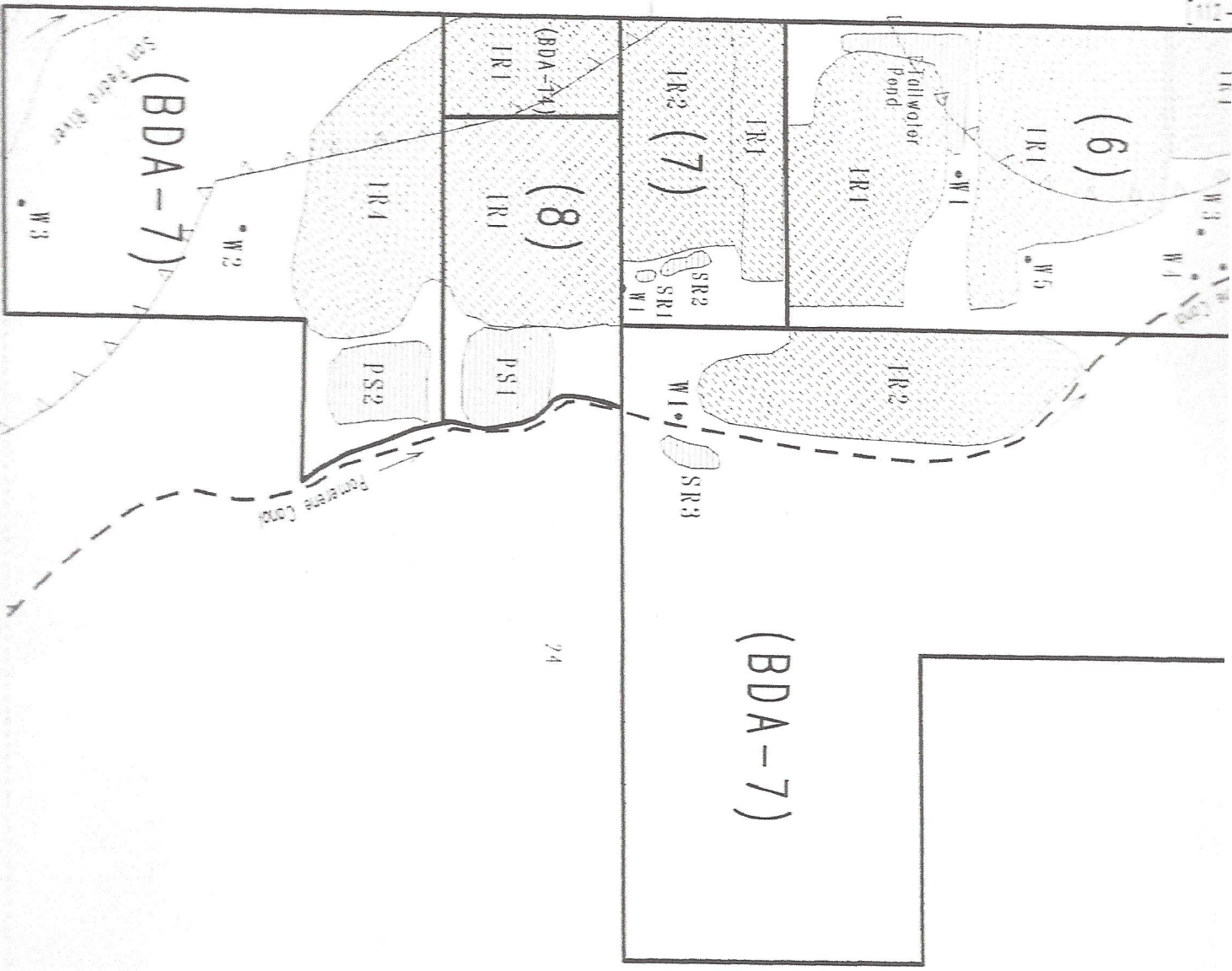
FILINGS MADE BY THE POMERENE WATER USERS ASSOCIATION ALSO APPLY TO WATER USES (IR1, PS1) ON THIS PROPERTY. FOR MORE INFORMATION ON THE POMERENE WATER USERS ASSOCIATION, SEE THE MAJOR USERS REPORTS IN VOLUME 1.

DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS

A COMMENT WAS RECEIVED WHICH CLARIFIED LAND OWNERSHIP.

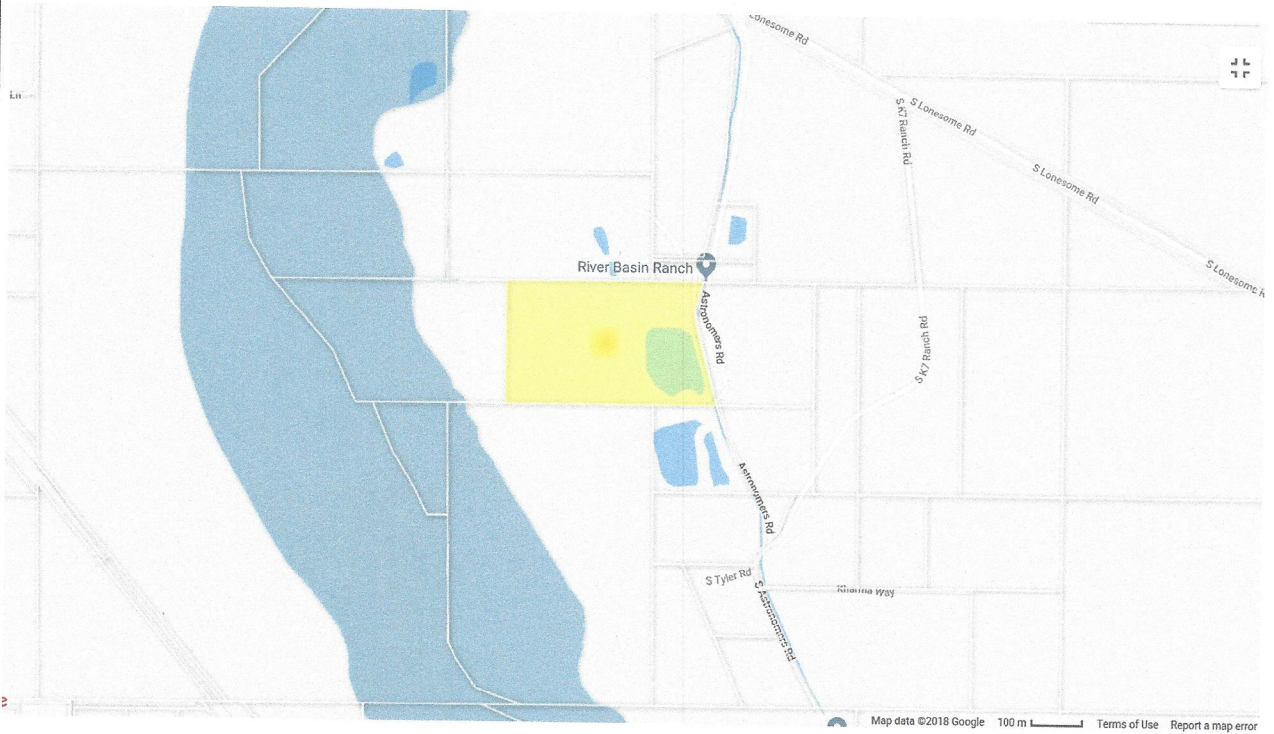
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ATTACHMENT B



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ATTACHMENT C



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ATTACHMENT D

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