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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

CIVIL NO. W1-11-3383

ORDER INITIATING CONTESTED
CASE

CONTESTED CASE NAME: *In re the Arizona Chapter of the Nature Conservancy - Claridge Ditch.*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.
DESCRIPTIVE SUMMARY: The Special Master initiates a contested case to address objections to watershed file report 115-05-AC-004 and sets a Scheduling Conference.
NUMBER OF PAGES: 8
DATE OF FILING: February 28, 2017.

This Order initiates a contested case to address objections to watershed file report 115-05-AC-004 that sets forth proposed water rights to the Aravaipa Creek with an apparent first use date of 1867.

1 **IT IS ORDERED:**

2 1. Contested Case Designation and Docket Number. This contested case will
3 address the objections that were filed to the watershed file report 115-05-AC-004, a copy of
4 which is attached as Attachment A, published in the Final San Pedro River Watershed
5 Hydrographic Survey Report (1991).

6 2. Contested Case Designation and Docket Number. The objections filed to the
7 watershed file report 115-05-AC-004 will be resolved as part of *In re the Arizona Chapter of*
8 *the Nature Conservancy – Claridge Ditch*, Contested Case No. W1-11-3383.

9 3. Litigants. The litigants in this contested case are the claimant, namely the
10 Arizona Chapter of the Nature Conservancy, all persons who filed objections to watershed
11 file report 115-05-AC-004 listed on Attachment B, and claimants who are allowed to
12 intervene by order.

13 4. Court-Approved Mailing List.

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

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

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

25 5. Scheduling Conference. Pursuant to §8.03[1], Rules for Proceedings before
26 the Special Master, a scheduling conference shall be held to address the adjudication of this
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1 case including, but not limited to a determination whether this case should be consolidated
2 with W1-11-3304, W1-11-3377, W1-11-3384, and W1-11-3388, a schedule to identify
3 issues, file disclosure statements, conduct discovery, submit prehearing motions, and set a
4 trial date. Any reports or motions the litigants desire to file in advance of the Scheduling
5 Conference shall be filed by **May 4, 2017**. The Scheduling Conference shall be held on
6 **Thursday, May 18, 2017, at 9:30 a.m.** before:

7
8 Special Master Susan Ward Harris
9 Superior Court of Arizona
10 201 West Jefferson Street
11 Courtroom 301
12 Phoenix, AZ 85003-2202

13 Instructions for telephonic appearance:


14 Dial: 602-506-9695 (local)

15 1-855-506-9695 (toll free long distance)

16 Dial Participant Pass Code 357264#

17
18 
19 SUSAN WARD HARRIS
20 Special Master

21 On February 28, 2017, the original of the foregoing
22 was delivered to the Clerk of the Maricopa County
23 Superior Court for filing and distributing a copy to all
24 persons listed on the Court-approved mailing list for
25 this contested case and to all persons listed on the
Court-approved mailing list for W-1, W-2, W-3, and
W-4 (Consolidated).

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27 Barbara K. Brown

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ATTACHMENT A

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
CLARIDGE, WILFORD H.	115-05-AC-004

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

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION SECTION	LOCATION TWNP	RNGE
36-0068497		IRRIGATION DOMESTIC STOCK	240.00	SWSW27	060S	190E	1867	SESW27	060S	190E
39-0003958		IRRIGATION DOMESTIC STOCK	240.00 5.00	SWNW27	060S	190E	1867	SESW27	060S	190E
39-0003974		DOMESTIC STOCK	6.00 1.66 1.10	NENWSW27	060S	190E	1888	NWSW27	060S	190E

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
36-0068497	IRRIGATION DOMESTIC STOCK	IRRIGATION NOT APPLICABLE INCIDENTAL	DO7	IROO1
39-0003958	IRRIGATION DOMESTIC STOCK	IRRIGATION NOT APPLICABLE INCIDENTAL	DO7	IROO1
39-0003974	DOMESTIC STOCK	DOMESTIC INCIDENTAL	WO1	DMOO1

D I V E R S I O N S

DIV #	LOCATION SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
DO7	NWSESW27	060S	190E	CLARIDGE DITCH	SURFACE WATER: ARAVAIPA CREEK SHARED
WO1	NENWSW27	060S	190E	UNNAMED	GROUNDWATER : CATALOGUED

U S E S

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
DMOO1	NENWSW27	060S	190E	WO1	GROUNDWATER : CATALOGUED		NO	
DVOO7	NWSESW27	060S	190E	DO7	SURFACE WATER	1935	NO	CLARIDGE DITCH
IROO1	NWSW27	060S	190E	DO7	SURFACE WATER	1935	NO	

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

** WATER FROM DO7 FOUND IN FILE (115-05-AC-5) IS USED 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	39-0003974	NONE		GROUNDWATER : CATALOGUED
DVOO7	39-0003958	36-0068497	1867 FILING 36-68497	SURFACE WATER: ARAVAIPA CREEK
IROO1	39-0003958	36-0068497	1867 FILING 36-68497	SURFACE WATER: ARAVAIPA CREEK

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
DMOO1							
IROO1	MAX. OBSERVED	26.0	SUMMER PSTR	45%	6.3 AF/AC	163.8 AFA	SEE VOLUME 1 - GENERAL ASSESSMENT
	REGIONAL	26.0	AVE. CROP	50%	5.4 AF/AC	140.4 AFA	
	MAX. POTENTIAL	26.0	ALFALFA	45%	7.4 AF/AC	192.4 AFA	
DIVERSION PWR NOS.	DIVERSION CAPACITY	MAXIMUM DEMAND RATE	DECREED RATE	CERTIFICATED RATE	ESTIMATED VOLUME DIVERTED		
DVOO7	22.7 CFS	.7 CFS				465.9 AFA	

E X P L A N A T I O N

FILINGS AND DECREES

FILINGS 36-68497 & 39-3958 - CLAIM DOMESTIC WATER USES WHICH DO NOT APPLY TO THIS PROPERTY.

DIVERSIONS

D7/DV7 - DIVERSION FROM ARAVAIPA CREEK INTO THE CLARIDGE DITCH.
 W1 - A CATALOGUED WELL PROVIDES WATER FOR DOMESTIC AND STOCKWATERING USES.

USES AND RESERVOIRS

DM1 - DOMESTIC USE.
 DV7 - DIVERSION FROM ARAVAIPA CREEK INTO THE CLARIDGE DITCH.
 IR1 - IRRIGATED PASTURE.

ATTACHMENT B

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Arizona Department of Water Resources
Janet L. Miller
P. O. Box 36020
Phoenix, Arizona 85067

City of Phoenix
Brad Holm and Monique Coady
Phoenix City Attorney's Office
200 West Washington Street, 13th Floor
Phoenix, Arizona 85003-1611

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

The Nature Conservancy
Stephen C. Cann
2424 Spruce Street, Suite 100
Boulder, Colorado 80302

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

San Carlos Apache Tribe
Tonto Apache Tribe
Camp Verde Reservation
Joe P. Sparks, Julia M. R. Kolsrud and
Laurel A. Hermann
The Sparks Law Firm, P.C.
7503 First Street
Scottsdale, AZ 85251-4573

United States
R. Lee Leininger
U.S. Department of Justice
Natural Resources Section
999 18th Street, So Terrace, Suite 370
Denver, CO 80202

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David Negri
U. S. Department of Justice
800 Park Boulevard, #600
Boise , ID 83712

Yavapai-Apache Nation
Susan B. Montgomery/Robyn L. Interpreter
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3301 E. Thunderbird Road
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