

FILED  
10/8/2018  
CHRIS DE ROSE, Clerk  
By R. Dawson  
Deputy

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6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
7 IN AND FOR THE COUNTY OF MARICOPA  
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10 IN RE THE GENERAL ADJUDICATION  
11 OF ALL RIGHTS TO USE WATER IN  
12 THE GILA RIVER SYSTEM AND  
13 SOURCE

Contested Case No. W1-11-1905

ORDER TO CONSOLIDATE

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16 CONTESTED CASE NAME: *In re Harold T. and Daphne L. Matthews*

17 HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

18 DESCRIPTIVE SUMMARY: Order to consolidate contested case no. W1-11-1905 with contested  
19 case no. W1-11-1675.

20 NUMBER OF PAGES: 11

21 DATE OF FILING: October 8, 2018  
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24 This case involves potential water rights for irrigation uses and a small reservoir for use in  
25 the south half of 2 T17S R20E. The purpose of this case is to resolve the five objections to  
26 Watershed File Report 112-17-BAD-011 published in the Final San Pedro River Watershed  
27 Hydrographic Survey Report (1991). A copy of the Watershed File Report 112-17-BDA-011  
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1 (“WFR”) is attached as Attachment A. The WFR listed the sources of water as a well and a  
2 diversion from the San Pedro River into the Pomerene Water Users Association Canal. A copy of  
3 the map prepared for the WFR is attached as Attachment B.

4 The WFR lists Statement of Claimant 39-3813 (“SOC”) as the applicable adjudication  
5 filing. Harold I. Matthews filed the Statement of Claimant. The Arizona Department of Water  
6 Resources public records do not include any assignments of the SOC. According to the Cochise  
7 County Arizona Recorder’s Office, a warranty deed was filed on June 30, 2017 to convey to Least  
8 Agriculture, LLC portions of 2 T17S R20E that included tax parcel 12305001. A copy of the map  
9 prepared by the Cochise County Assessor for tax parcel 12305001 is attached as Attachment C.

10 This case was originally consolidated with and made a part of contested case *In re*  
11 *Pomerene Water Users*, contested case no. W1-11-1676. On August 31, 2018, the Pomerene  
12 Water Users Association filed a Notice of Termination stating that St. David Irrigation District has  
13 claimed the Pomerene diversion structure and the Pomerene canal. By Order dated October 5,  
14 2018, this contested case was separated from the consolidated cases in *In re Pomerene Water*  
15 *Users*. The Notice stated that Least Agriculture, LLC filed a petition to be annexed into the St.  
16 David Irrigation District which has been granted. Accordingly,

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

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23 SUSAN WARD HARRIS  
24 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 Claimant,  
5 Objectors, and the landowner.  
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**ATTACHMENT A**

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
MATTHEWS, HAROLD I. & DAPHNE L.	112-17-BAD-011

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 LOCATION SECTION	TWNP	RNGE
36-0027314		IRRIGATION STOCK	920.67	SW02	170S	200E	1948	NWSW02	170S	200E
36-0080173		IRRIGATION STOCK	1116.00	NWSE02	170S	200E	1908	SESE25	170S	200E
38-0081270		STOCK		SESW02	170S	200E	1972	SESW02	170S	200E
39-0003813		REC/FISH/WLDFL IRRIGATION STOCK	1116.00	NESESE02	170S	200E	1891	SE25	170S	200E
			2.00	SW02	170S	200E		NENESW02	170S	200E
				NWSWSE02	170S	200E				

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
36-0027314	IRRIGATION STOCK	IRRIGATION INCIDENTAL	WO1	IROO1, IROO2, IROO3 IROO4
36-0080173	IRRIGATION STOCK	IRRIGATION INCIDENTAL	DO1	IROO1, IROO2, IROO3 IROO4
38-0081270	STOCK WILDLIFE	STOCK INCIDENTAL	DO1, WO1	SROO1
39-0003813	IRRIGATION STOCK	IRRIGATION INCIDENTAL	DO1, WO1	IROO1, IROO2, IROO3 IROO4, SROO1

D I V E R S I O N S

DIV #	LOCATION SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
DO1	NWSENE36	170S	200E	POMERENE CANAL	SURFACE WATER: SAN PEDRO RIVER
WO1	NENESW02	170S	200E	UNNAMED	SHARED GROUNDWATER : ZONE 2

U S E S

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
IROO1	SE02	170S	200E	DO1, WO1	SURFACE WATER	1935	NO	
	SW02	170S	200E		GROUNDWATER : ZONE 2			
IROO2	SE02	170S	200E	DO1, WO1	SURFACE WATER	1955	NO	
	SW02	170S	200E		GROUNDWATER : ZONE 2			
IROO3	NESW02	170S	200E	DO1, WO1	SURFACE WATER	1979	NO	
	NWSW02	170S	200E		GROUNDWATER : ZONE 2			
IROO4	NESW02	170S	200E	DO1, WO1	SURFACE WATER	1983	NO	
	NWSW02	170S	200E		GROUNDWATER : ZONE 2			
	SESW02	170S	200E					
	SWSW02	170S	200E					

R E S E R V O I R S

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	RESERVOIR NAME	STORAGE PURPOSE
SROO1	NENWSE02	170S	200E	DO1, WO1	SURFACE WATER GRNDWTR : ZONE 2	1935	UPPER RESERVOIR	STOCKWATERING WILDLIFE

\*\* DIVERSION D01 OPERATED BY THE POMERENE WATER USERS ASSOC.  
 (FILE 112-17-89) SUPPLIES WATER TO PWRS IN THIS FILE.

PWR SUMMARY

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE*	DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
IROO1	39-0003813	36-0027314 36-0080173 38-0081270	1912	POMERENE W.U.A. INFO	SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 2
IROO2	39-0003813	36-0027314 36-0080173 38-0081270	1955	1955 AERIAL PHOTO	SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 2
IROO3	39-0003813	36-0027314 36-0080173 38-0081270	1979	1979 AERIAL PHOTO	SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 2
IROO4	39-0003813	36-0027314 36-0080173 38-0081270	1983	1983 AERIAL PHOTO	SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 2
SROO1	39-0003813	36-0027314 36-0080173 38-0081270	1935	1935 AERIAL PHOTO	SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 2

QUANTITIES OF USE

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
IROO1	MAX. OBSERVED REGIONAL	54.9	PERM. PSTR	61%	3.3 AF/AC	181.2 AFA	DEFICIT IRRIGATION
	MAX. POTENTIAL	54.9	AVE. CROP	50%	5.4 AF/AC	296.5 AFA	
IROO2	MAX. OBSERVED REGIONAL	73.3	PERM. PSTR	57%	3.1 AF/AC	227.2 AFA	DEFICIT IRRIGATION
	MAX. POTENTIAL	73.3	AVE. CROP	50%	5.4 AF/AC	395.8 AFA	
IROO3	MAX. OBSERVED REGIONAL	3.8	PERM. PSTR	61%	3.3 AF/AC	12.5 AFA	DEFICIT IRRIGATION
	MAX. POTENTIAL	3.8	AVE. CROP	50%	5.4 AF/AC	20.5 AFA	
IROO4	MAX. OBSERVED REGIONAL	1.6	PERM. PSTR	61%	3.3 AF/AC	5.3 AFA	DEFICIT IRRIGATION
	MAX. POTENTIAL	1.6	AVE. CROP	50%	5.4 AF/AC	8.6 AFA	
SROO1	MAX. AREA/CAP	LT 2.0	ALFALFA	61%	5.4 AF/AC	8.6 AFA	LTE 15.0 AF

EXPLANATION

DIVERSIONS

D1 - DIVERSION FROM THE SAN PEDRO RIVER INTO THE POMERENE WATER USERS ASSOCIATION CANAL.  
 W1 - WELL PROVIDES WATER FOR IRRIGATION, STOCKWATERING, AND WILDLIFE USES.

USES AND RESERVOIRS

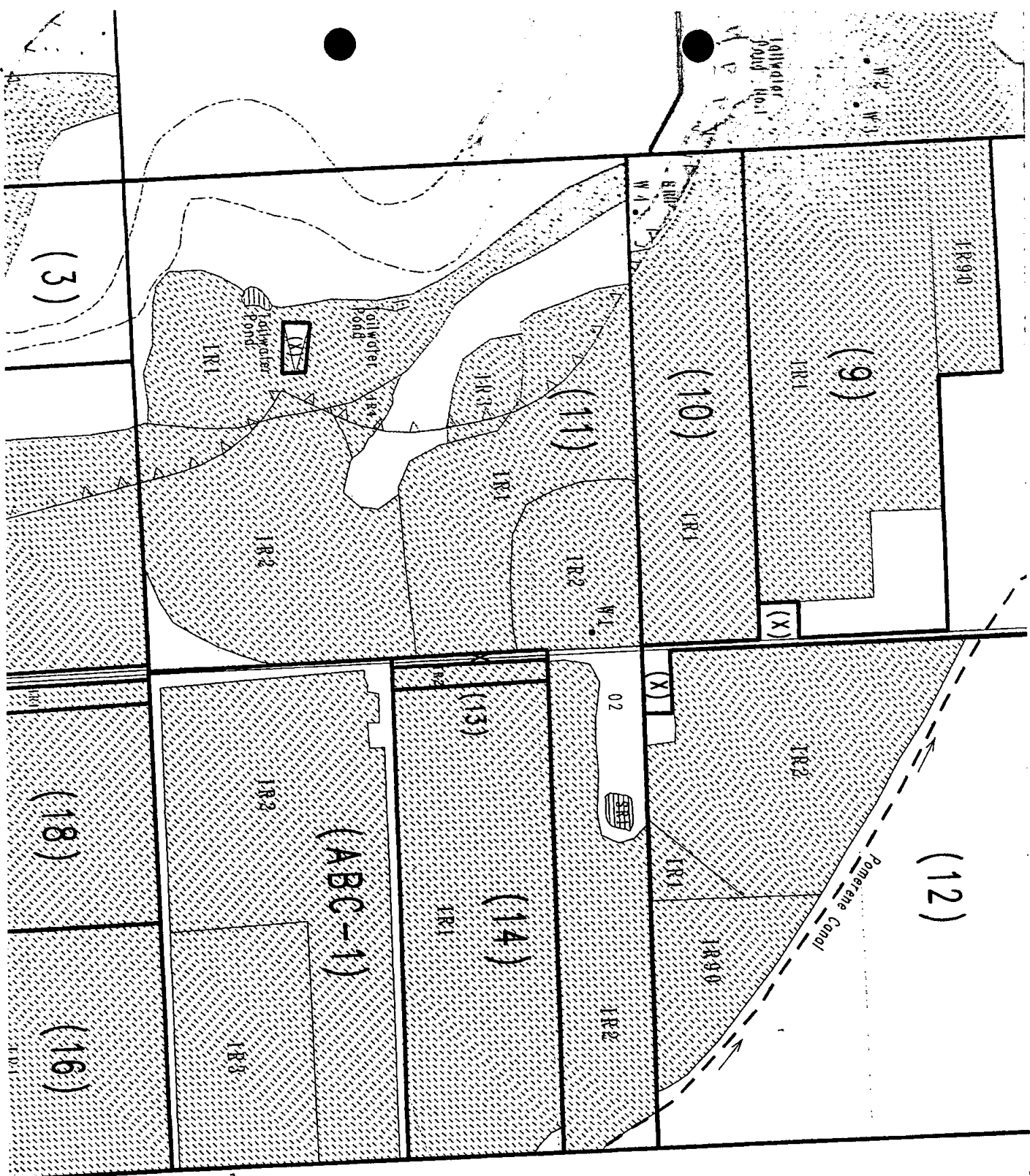
IR1-IR4 - IRRIGATED PASTURE.  
 SR1 - SMALL RESERVOIR, SUPPLIED BY DIVERSION D1 AND WELL W1. IS USED FOR STOCKWATERING AND WILDLIFE PURPOSES.  
 DOMESTIC WATER USE IS SUPPLIED BY THE POMERENE DOMESTIC WATER USERS ASSOCIATION.

PWR SUMMARY

FILINGS MADE BY THE POMERENE WATER USERS ASSOCIATION ALSO APPLY TO IRRIGATION USES (IR1-IR4) ON THIS PROPERTY. FOR MORE INFORMATION ON THE POMERENE WATER USERS ASSOCIATION, SEE THE MAJOR USERS REPORTS IN VOLUME 1.

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**ATTACHMENT B**



[112-17-ABC]

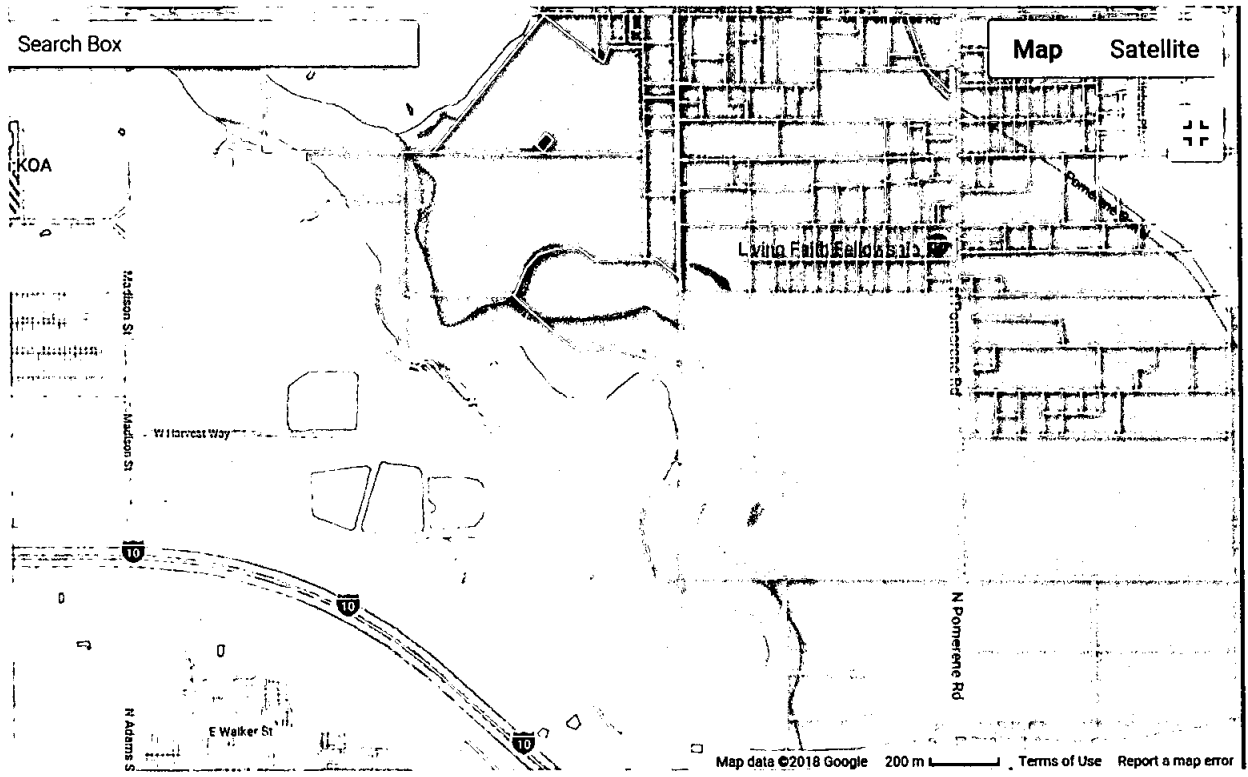
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# ATTACHMENT D

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