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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. W1-11-2081

ORDER TO FILE STIPULATED  
ABSTRACTS OR STATUS REPORT

CONTESTED CASE NAME: *In re Orie Alvin Owens Sr. et al.*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report  
DESCRIPTIVE SUMMARY: Stipulated abstracts or status report due **October 18, 2022.**  
NUMBER OF PAGES: 12  
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

1 case. The purpose of this proceeding is to adjudicate all of the claimed water rights and resolve  
2 all of the objections filed in contested case W1-11-2081.

3 This case will adjudicate the claims for water rights and resolve objections to Watershed  
4 File Report and Zone 2 Well Report 112-17-DBA-061 (collectively "Report") published in the  
5 Final San Pedro River Watershed Hydrographic Survey Report (1991). The Report identified  
6 potential water rights for domestic and irrigation uses for land located in Section 5 Township  
7 18S Range 21E. The identified source of water for the claimed uses are wells, two of which are  
8 operated by the St. David Irrigation District. A copy of the Report is attached as Attachment A.  
9 A copy of the map prepared for the Report is attached as Attachment B.  
10

11 Orié A. Owens Sr. and Jewell C. Owens filed Statement of Claimant 39-3458 claiming  
12 water for domestic and irrigation uses. The public records of the Arizona Department of Water  
13 Resources do not contain an assignment of Statement of Claimant 39-3458. St. David Irrigation  
14 District filed Statements of Claimant 39-6593 and 39-6594 that include land located in Section  
15 5 Township 18S Range 21E in its description of "Place of Use." Arizona Department of Water  
16 Resources prepared Watershed File Report 112-17-088 that discussed the results of its  
17 investigation of Statements of Claimant 39-6593 and 39-6594.  
18

19 Orié Alvin Owens Sr. *et al.* are named in the Report as the owners of the property  
20 described in 112-17-DBA-061. The St. David Irrigation District has identified the land as  
21 Cochise County tax parcel 121-07-002. The public records of Cochise County Assessor's  
22 Office identify Petra Christensen as the owner of tax parcel 121-07-002. The public records  
23 maintained by the Arizona Department of Water Resources do not contain a Statement of  
24 Claimant filed by Petra Christensen. A copy of the current tax parcel map is attached as  
25 Attachment C.  
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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 regarding the Watershed File Report and Zone  
4 2 Well Report 112-17-DBA-061 published in the Final San Pedro River Watershed  
5 Hydrographic Survey Report (1991). Copies of objections can be found under the case name  
6 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, the current  
10 landowner, all persons who filed objections to the Watershed File Report and Zone 2 Well Report  
11 112-17-DBA-061, all persons who filed objections to Watershed File Report 112-17-088 and  
12 claimants allowed to intervene by order.

13  
14           3.     Court-Approved Mailing List.

15           A.     The initial Court-approved mailing list for this case shall include all  
16 persons listed on Attachment D to this order. The list may be modified only by  
17 filing a motion with the Special Master to amend the Court-approved mailing list.  
18 Litigants are responsible for 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 Court-  
21 approved mailing list.  
22

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

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
OWENS, SR., ORIE ALVIN,	112-17-DBA-061
ET AL.	

APPLICABLE FILINGS AND DECREES

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

W1-11-2081

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
39-0003458		IRRIGATION DOMESTIC	120.00 .56	SWNE05	180S	210E	1881	NESW04	190S	210E
								NWSWNE05	180S	210E

DWR ANALYSIS OF FILINGS AND DECREES

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
39-0003458	IRRIGATION DOMESTIC	IRRIGATION DOMESTIC	DO1,WO1,W99	DM001,IRO01

DIVERSIONS

DIV #	LOCATION SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
DO1	NENSW04	190S	210E	ST. DAVID I.D. DITCH	SURFACE WATER: SAN PEDRO RIVER SHARED
WO1	NWSWNE05	180S	210E	UNNAMED	GROUNDWATER : CATALOGUED
W99	NWSW28	180S	210E	ST. DAVID I.D. WELLS	GROUNDWATER : ZONE 2 SHARED

USES

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
DM001	NWSWNE05	180S	210E	WO1	GROUNDWATER : CATALOGUED		NO	
IRO01	SWNE05	180S	210E	DO1,W99	SURFACE WATER GROUNDWATER : ZONE 2	1935	NO	
IRO02	SWNE05	180S	210E	DO1,W99	SURFACE WATER GROUNDWATER : ZONE 2	1935	NO	

SHARED USES AND DIVERSIONS

- \*\* 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.

PWR SUMMARY

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE	DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
DM001	39-0003458	NONE			GROUNDWATER : CATALOGUED
IRO01	39-0003458	NONE	1881	ST. DAVID I.D. INFO.	SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 2
IRO02	39-0003458	NONE	1916	ST. DAVID I.D. INFO.	SURFACE WATER: SAN PEDRO RIVER GROUNDWATER : ZONE 2

QUANTITIES OF USE

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
DM001							SEE VOLUME 1 - GENERAL ASSESSMENT
IRO01	MAX. OBSERVED REGIONAL	.7	PERM. PSTR	32%	9.9 AF/AC	6.9 AFA	
		.7	AVE. CROP	50%	5.4 AF/AC	3.8 AFA	

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
IROO1	MAX. POTENTIAL	.7	ALFALFA	32%	10.4 AF/AC	7.3 AFA	
IROO2	MAX. OBSERVED	6.8	PERM. PSTR	32%	9.9 AF/AC	67.3 AFA	
	REGIONAL	6.8	AVE. CROP	50%	5.4 AF/AC	36.7 AFA	
	MAX. POTENTIAL	6.8	ALFALFA	32%	10.4 AF/AC	70.7 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 DOMESTIC 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 & IR2 - IRRIGATED PASTURE.

PWR SUMMARY

FILING MADE BY THE ST. DAVID IRRIGATION DISTRICT ALSO APPLY TO IRRIGATION USES (IR1 & IR2) ON  
 THIS PROPERTY. FOR MORE INFORMATION ON THE ST. DAVID IRRIGATION DISTRICT, SEE THE MAJOR USERS  
 REPORTS IN VOLUME 1.

DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS

A COMMENT WAS RECEIVED FROM THE LAND OWNER WHICH INDICATED THAT WELL W1 IS USED FOR DOMESTIC  
 PURPOSES ONLY.

LAND OWNER  
 -----  
 OWENS, SR., ORIE ALVIN,  
 ET AL.

ZONE 2 WELL  
 REPORT NUMBER  
 -----  
 112-17-DBA-061

WELLS	WELL NAMES	WELL LOCATION			WATER USES SERVED	REMARKS
		SECTION	TWNP	RNGE		
W99	ST. DAVID I.D. WELLS	NWSW28	180S	210E	IROO1, IROO2	WI-11-2081 SHARED

WATER USE NUMBERS	WATER USE LOCATION			*** APPARENT FIRST USE ***		APPAR. ANNUAL VOLUME USED	ACRES IRRIGATED
	SECTION	TWNP	RNGE	DATE	BASIS FOR DATE		
IROO1	SWNE05	180S	210E	1881	ST. DAVID I.D. INFO.	3.8 AFA	.7
IROO2	SWNE05	180S	210E	1916	ST. DAVID I.D. INFO.	36.7 AFA	6.8

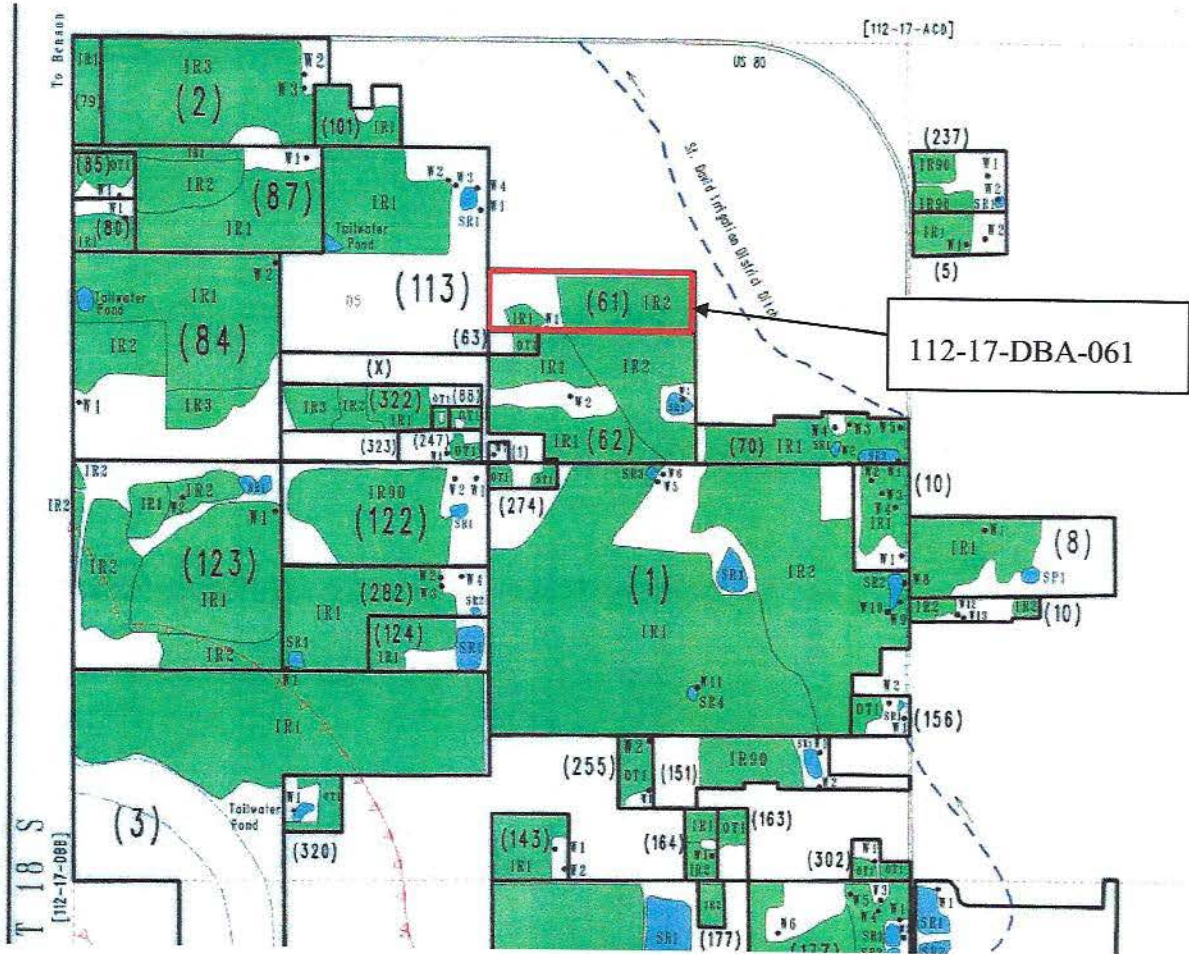
APPLICABLE STATEMENTS OF CLAIMANT	APPLIES TO: WELLS	APPLIES TO: WATER USES
39-0003458	W99	IROO1

EXPLANATION  
 -----

THE APPARENT ANNUAL VOLUME REPORTED FOR IROO1 IS PARTIALLY SUPPLIED BY SURFACE WATER.  
 THE APPARENT ANNUAL VOLUME REPORTED FOR IROO2 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 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 & IR2 - IRRIGATED PASTURE.



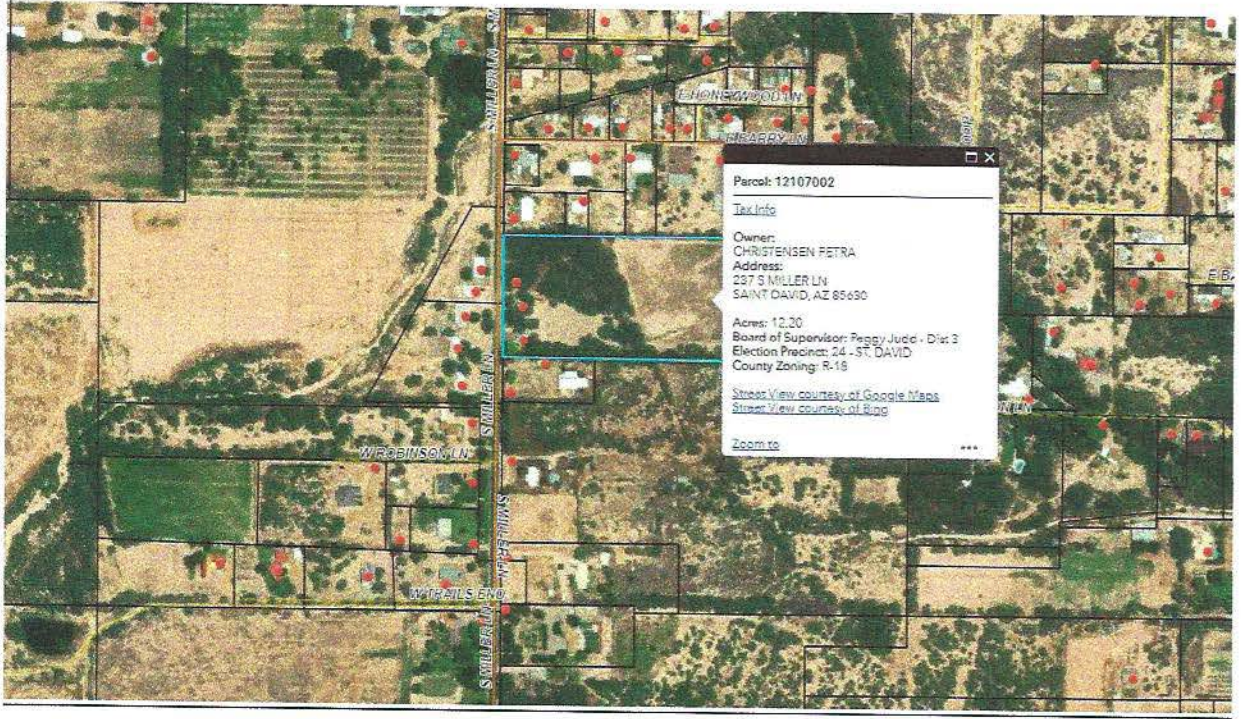
# ATTACHMENT B



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# ATTACHMENT C

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# ATTACHMENT D

1  
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3 Arizona Department of Water Resources  
4 Kimberly Parks  
5 Janet L. Miller  
6 P. O. Box 36020  
7 Phoenix, AZ 85067

8 ASARCO Incorporated  
9 L. J. Caster, B.J. Heiserman, B. J. Pew  
10 Fennemore Craig, P.C.  
11 2394 East Camelback Road  
12 Suite 600  
13 Phoenix, AZ 85016-3429

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

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

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

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

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

Orie and Jewell Owens  
Rt. 1.  
Box 318  
St. David, AZ 85630

Petra Christensen  
237 S. Miller Ln  
Saint David, AZ 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 Weiner  
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,  
2 Salt River Project Agricultural  
3 Improvement and Power District  
4 J. B. Weldon, M. A. McGinnis, M. K. Foy  
5 Salmon, Lewis & Weldon PLC  
6 2850 E Camelback Rd, Ste. 200  
7 Phoenix, AZ 85016

8 Special Master Susan Ward Harris  
9 Superior Court of Arizona  
10 201 W. Jefferson Street  
11 Courtroom 301  
12 Phoenix, AZ 85003

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