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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. W1-11-2192  
ORDER TO INITIATE CASE AND  
CONSOLIDATE

CONTESTED CASE NAME: *In re Linares B. and Bestina E. Johnson*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.  
DESCRIPTIVE SUMMARY: Order to initiate contested case no. W1-11-2192 and consolidate  
it with *In re St. David Irrigation District*, contested case no. **W1-11-1675**  
NUMBER OF PAGES: 7  
DATE OF FILING: June 21, 2021

This case involves claims for water rights for domestic and irrigation uses in section 28  
T18S R21E. Santiago Garcia filed Statement of Claimant 39-5470 for the claimed water uses.  
The Arizona Department of Water Resources public records do not include an assignment of the  
Statement of Claimant.

1 The Arizona Department of Water Resources investigated the claims and submitted its  
2 results in Watershed File Report 112-17-DCA-018 (“WFR”), which was published in the Final  
3 San Pedro River Watershed Hydrographic Survey Report (1991). The WFR listed one well as  
4 the source of water. A copy of the WFR is attached as Attachment A. The purpose of this case  
5 is to resolve the four objections made to the WFR. The Objectors are included in Attachment B.  
6

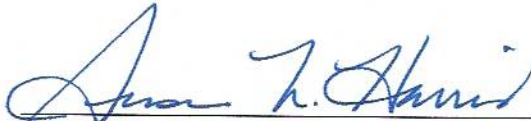
7 According to the Cochise County Assessor, the property included in the WFR consists of  
8 tax parcel no. 121-35-002. It lists Juan R and Lisa Gongora as the current owners of the property.  
9 By a filing dated June 1, 2022, the St. David Irrigation District represented that the well included  
10 in the WFR is registered to the St. David Irrigation District and that this case should be  
11 consolidated with *In re St. David Irrigation District*.

12 Accordingly,


13 **IT IS ORDERED:**

- 14
- 15 1. Contested Case, Consolidation, Designation and Docket Number. This Order  
16 initiates contested case no. W1-11-2192. This contested case is consolidated  
17 with *In re St. David Irrigation District*, Contested Case No. W1-11-1675.  
18
  - 19 2. Litigants. The litigants in this contested case are the Claimant, landowners, all  
20 persons who filed objections to the Watershed File Report who are listed on  
21 Attachment B, and claimants who are allowed to intervene by order.  
22
  - 23 3. Court-Approved Mailing List. The initial Court-approved mailing list for this case  
24 shall include all persons listed on Attachment B to this Order. The mailing list shall  
25 be merged with the mailing list for *In re St. David Irrigation District*. Litigants are  
26 responsible for using the current court-approved mailing list.  
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SUSAN WARD HARRIS  
Special Master

On June 21, 2022, the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to all persons listed on the Court-approved mailing list for this contested case.

  
Emily Natale

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# ATTACHMENT A

LAND OWNER	WATERSHED FILE REPORT NUMBER
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JOHNSON, LINARES B. & BESTINA E.	112-17-DCA-018

APPLICABLE FILINGS AND DECREES

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES *W1-11-2192*

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
39-0005470		IRRIGATION DOMESTIC	220.00 1.00	28	180S	210E	1977	SWNWSW28	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
39-0005470	IRRIGATION DOMESTIC	IRRIGATION NONE	WO1	IROO1

DIVERSIONS

DIV #	LOCATION SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
WO1	SWNWSW28	180S	210E	UNNAMED	GROUNDWATER : ZONE 2

USES

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO SOURCE DATE	CHANGE FACILITY NAME
IROO1	NWSW28	180S	210E	WO1	GROUNDWATER : ZONE 2	1964	NO

PWR SUMMARY

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE*	DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
IROO1	39-0005470	NONE	1964	1964 AERIAL PHOTO	GROUNDWATER : ZONE 2

QUANTITIES OF USE

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
IROO1	MAX. OBSERVED	5.7	PERM. PSTR	61%	3.3 AF/AC	18.8 AFA	DEFICIT IRRIGATION
	REGIONAL	5.7	AVE. CROP	50%	5.4 AF/AC	30.8 AFA	
	MAX. POTENTIAL	5.7	ALFALFA	61%	5.4 AF/AC	30.8 AFA	

EXPLANATION

FILINGS AND DECREES  
 FILING 39-5470 - CLAIMS IRRIGATION AND DOMESTIC WATER USES. NO DOMESTIC USE WAS FOUND AT THE CLAIMED LOCATION.

DIVERSIONS  
 W1 - WELL PROVIDES WATER FOR IRRIGATION USES.

USES AND RESERVOIRS  
 IR1 - IRRIGATION OF PASTURE.

LAND OWNER	ZONE 2 WELL
-----	REPORT NUMBER
JOHNSON, LINARES B.	112-17-DCA-018
& BESTINA E.	

WELLS	WELL NAMES	WELL LOCATION			WATER USES SERVED	REMARKS
		SECTION	TWNP	RNGE		
W01	UNNAMED	SWNWSW28	180S	210E	IRO01	W1-11-2192

WATER USE NUMBERS	WATER USE LOCATION			*** APPARENT FIRST USE ***		APPAR. ANNUAL VOLUME USED	ACRES IRRIGATED
	SECTION	TWNP	RNGE	DATE	BASIS FOR DATE		
IRO01	NWSW28	180S	210E	1964	1964 AERIAL PHOTO	30.8 AFA	5.7

APPLICABLE STATEMENTS OF CLAIMANT	APPLIES TO:	APPLIES TO:
	WELLS	WATER USES
39-0005470	W01	IRO01

EXPLANATION

W1 - WELL PROVIDES WATER FOR IRRIGATION USES.  
 IR1 - DEFICIT IRRIGATION OF PASTURE.

# ATTACHMENT B

1  
2  
3 Arizona Department of Water Resources  
4 Kimberly Parks  
5 1110 West Washington, Suite 310  
6 Phoenix, AZ 85007

7 ASARCO Incorporated  
8 Lauren J. Caster  
9 Fennemore Craig, P.C.  
10 2394 East Camelback Road  
11 Suite 600  
12 Phoenix, AZ 85016-3429

13 Garcia Santiago  
14 8655 Scott Street  
15 Rosemead, CA 91770

16 Gila River Indian Community  
17 Thomas L. Murphy  
18 Office of the General Counsel  
19 P. O. Box 97  
20 Sacaton, AZ 85147

21 Juan and Lisa A. Gongora  
22 410 E Summers Ln  
23 Saint David, AZ 85630

24 Magma Copper Company (BHP)  
25 John D. Burnside  
26 Snell & Wilmer, L.L.P.  
27 400 East Van Buren Street  
28 Suite 1900  
Phoenix, AZ 85004

Salt River Valley Water Users Association  
and the Salt River Project Agricultural  
Improvement and Power District  
J. B. Weldon, M. A. McGinnis, M. K. Foy  
Salmon, Lewis & Weldon PLC  
2850 E Camelback Rd, Ste 200  
Phoenix, AZ 85016

San Carlos Apache Tribe  
Tonto Apache Tribe  
Joe P. Sparks and Laurel A. Hermann  
The Sparks Law Firm, P.C.  
7503 First Street  
Scottsdale, AZ 85251-4573

U. S. Department of Justice  
R. Lee Leininger  
Natural Resources Section  
999 18<sup>th</sup> Street, So Terrace, Ste. 370  
Denver, CO 80202

Yavapai-Apache Nation  
Camp Verde Reservation  
Susan B. Montgomery and Robyn L.  
Interpreter  
Montgomery & Interpreter, PLC  
3301 E. Thunderbird Road  
Phoenix, AZ 85032