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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. W1-11-1776

ORDER TO INITIATE CASE AND  
CONSOLIDATE

CONTESTED CASE NAME: *In re Venice J. Higginbotham, Trustee of Ronald B. Higginbotham Decedent's Trust*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.  
DESCRIPTIVE SUMMARY: Order to initiate contested case no. W1-11-1776 and consolidate it with *In re St. David Irrigation District*, contested case no. **W1-11-1675**  
NUMBER OF PAGES: 8  
DATE OF FILING: September 23, 2019

This case involves claims for water rights for irrigation, small reservoir, and domestic uses in section 36 T17S R20E. Ronald Higginbotham filed Statements of Claimant 39-5917 and 39-11370 for the claimed water uses. The public records of Arizona Department of Water

1 Resources include an assignment of the Statement of Claimant 39-5917 to Venice J.  
2 Higginbotham, Trustee of Ronald B. Higginbotham Decedent's Trust ("Claimant") and no  
3 assignment for Statement of Claimant 39-11370.

4 The Arizona Department of Water Resources investigated the claims and submitted its  
5 results in a Watershed File Report 112-17-ACC-073 ("WFR"), which was published in the  
6 Final San Pedro River Watershed Hydrographic Survey Report (1991). The WFR listed two  
7 wells as the sources of water. A copy of the WFR is attached as Attachment A. The purpose  
8 of this case is to resolve the ten objections made to the WFR. The Objectors are included in  
9 Attachment B. According to the Cochise County Assessor, the property included in area  
10 mapped for the WFR consists of tax parcel nos. 124-24-023A, 124-24-011D, 124-24-011E, and  
11 124-24-011F as follows:  
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Taxpayer	Tax Parcel No.
JOHN A & CHERI D RITZ LIVING TRUST	124-24-011C
DAUN AVERA PRUETT	124-24-011E
JOHN I & AMANDA J MALBOEUF	124-24-011F
RONALD B HIGGINBOTHAM DECEDENT'S TRUST	124-24-023A

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20 Accordingly,

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22 **IT IS ORDERED:**

- 23 1. Contested Case, Consolidation, Designation and Docket Number. This Order  
24 initiates contested case no. W1-11-1776. This contested case is consolidated  
25 with *In re St. David Irrigation District*, Contested Case No. W1-11-1675.  
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2. Litigants. The litigants in this contested case are the Claimant, landowners, all persons who filed objections to the watershed file report who are listed on Attachment B, and claimants who are allowed to intervene by order.
3. Court-Approved Mailing List. The initial Court-approved mailing list for this case shall include all persons listed on Attachment B to this Order. The mailing list shall be merged with the mailing list for *In re St. David Irrigation District*.
4. The St. David Irrigation District shall file a consent in this contested case with copies mailed to those individuals listed on Attachment B by **October 25, 2019** signed by the landowners listed above who consent to be represented by St. David Irrigation District in *In re St. David Irrigation District*.

  
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SUSAN WARD HARRIS  
Special Master

On September 23, 2019, 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.

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**ATTACHMENT A**

LAND OWNER	WATERSHED FILE
-----	REPORT NUMBER
HIGGINBOTHAM, RONALD B.	112-17-ACC-073
& VENICE JOY	

APPLICABLE FILINGS AND DECREES

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

W1-11-1776

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
36-0012142		IRRIGATION DOMESTIC	45.00	NESW36	17OS	21OE	1979	NESW36	17OS	21OE
39-0005917	QUE.RECD	IRRIGATION STOCK	320.00	SWSE36	17OS	20OE	1979	SESESE36	17OS	20OE
39-0011370	QUE.RECD	IRRIGATION DOMESTIC STOCK	2.00 4.00 2.00	SWSE36	17OS	20OE	1983	SWSE36	17OS	20OE

DWR ANALYSIS OF FILINGS AND DECREES

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
36-0012142	IRRIGATION DOMESTIC	IRRIGATION DOMESTIC		DMOO1, IROO1, IROO2
39-0005917	IRRIGATION STOCK	IRRIGATION INCIDENTAL	WO1	IROO1, IROO2, SROO1
39-0011370	IRRIGATION DOMESTIC STOCK	IRRIGATION DOMESTIC STOCK	WO1	SROO1

DIVERSIONS

DIV #	LOCATION SECTION	TWNP	RNGE	DIVERSION NAME	WATER SOURCE AND CLASSIFICATION
WO1	SWNWSE36	17OS	20OE	UNNAMED	GROUNDWATER : ZONE 2
WO2	SESESE36	17OS	20OE	UNNAMED	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER

USES

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
DMOO1	SWNWSE36	17OS	20OE		GROUNDWATER : CATALOGUED		NO	
IROO1	NWSE36	17OS	20OE	WO1	GROUNDWATER : ZONE 2	1983	NO	
IROO2	NESE36	17OS	20OE	WO1, WO2	GROUNDWATER : ZONE 1	1983	NO	
	NWSE36	17OS	20OE		GROUNDWATER : ZONE 2			
	SESE36	17OS	20OE					
	SWSE36	17OS	20OE					

RESERVOIRS

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	RESERVOIR NAME	STORAGE PURPOSE
SROO1	SWNWSE31	17OS	20OE	WO1	GRNDWTR : ZONE 2	1983	UNNAMED	IRRIGATION STOCKWATERING WILDLIFE
SROO2	SWSESE31	17OS	20OE	WO2	GRNDWTR : ZONE 1	1983	EL ARROYO POND	IRRIGATION STOCKWATERING WILDLIFE

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE* DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
DMOO1	NONE	36-0012142		
IROO1	39-0005917 39-0011370	36-0012142	1979 FILING 39-5917	GROUNDWATER : CATALOGUED GROUNDWATER : ZONE 2
IROO2	39-0005917 39-0005917 39-0011370	36-0012142	1983 1983 AERIAL PHOTO	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
SROO1	39-0005917 39-0011370	NONE	1983 1983 AERIAL PHOTO	GROUNDWATER : ZONE 2 GROUNDWATER : ZONE 2
SROO2	NONE	NONE	1983 1983 AERIAL PHOTO	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER

Q U A N T I T I E S O F U S E

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
DMOO1							
IROO1	MAX. OBSERVED REGIONAL	.9	PERM. PSTR	32%	9.9 AF/AC	8.9 AFA	SEE VOLUME 1 - GENERAL ASSESSMENT
	MAX. POTENTIAL	.9	AVE. CROP	50%	5.4 AF/AC	4.9 AFA	
IROO2	MAX. OBSERVED REGIONAL	16.4	ALFALFA	32%	10.4 AF/AC	9.4 AFA	162.4 AFA
	MAX. POTENTIAL	16.4	PERM. PSTR	32%	9.9 AF/AC	88.6 AFA	
SROO1	MAX. AREA/CAP	LT 2.0	AVE. CROP	50%	5.4 AF/AC	170.6 AFA	
SROO2	MAX. AREA/CAP	LT 2.0	ALFALFA	32%	10.4 AF/AC	LTE 15.0 AF LTE 15.0 AF	

E X P L A N A T I O N

FILINGS AND DECREES

FILINGS 39-5917 & 39-11370 - UNIFORM QUESTIONNAIRES WERE RECEIVED WHICH PROVIDED MORE DETAILED INFORMATION ON THE IRRIGATION AND STOCKWATERING USES.

DIVERSIONS

W1 & W2 - WELLS PROVIDE WATER FOR IRRIGATION, STOCKWATERING, AND WILDLIFE USES.

USES AND RESERVOIRS

DM1 - DOMESTIC USE.

IR1 & IR2 - IRRIGATED PASTURE.

SR1 - SMALL RESERVOIR, SUPPLIED BY WELL W1, IS USED FOR IRRIGATION, STOCKWATERING, AND WILDLIFE PURPOSES.

SR2 - SMALL RESERVOIR, SUPPLIED BY WELL W2, IS USED FOR IRRIGATION, STOCKWATERING, AND WILDLIFE PURPOSES.

# ATTACHMENT B

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14 Chandler, AZ 85225

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16 R. Lee Leininger  
17 Natural Resources Section  
18 999 18<sup>th</sup> Street, So Terrace, Ste. 370  
19 Denver, CO 80202

20 Yavapai-Apache Nation  
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