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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. W1-11-1980  
ORDER TO INITIATE CASE AND  
CONSOLIDATE

CONTESTED CASE NAME: *In re Charles Dean and Jo Anne Lee Kartchner*  
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report  
DESCRIPTIVE SUMMARY: Order to initiate contested case no. W1-11-1980 and consolidate it with *In re St. David Irrigation District*, contested case no. W1-11-1675.  
NUMBER OF PAGES: 8  
DATE OF FILING: April 1, 2019

This case involves potential water rights for domestic, irrigation, and small reservoir uses in the south half of section 11 and the north half of section 14 T17S R20E. Charles Dean and Jo Anne Lee Kartchner filed Statements of Claimant 39-2210 through 39-2216 (“SOCs”) for the

1 water uses. The Arizona Department of Water Resources public records do not include  
2 assignments of the SOCs.

3 The Arizona Department of Water Resources investigated the claims and submitted its  
4 results in Watershed File Report 112-17-BDA-001 (“WFR”) published in the Final San Pedro  
5 River Watershed Hydrographic Survey Report (1991). According to the Cochise County Arizona  
6 Recorder’s Office, the property encompassed in the WFR includes tax parcel nos. 123-28-006 and  
7 123-34-003C. It lists Ogilvie Cattle Company LLC as the current owner of the property. The  
8 WFR listed the sources of water as wells. A copy of the Watershed File Report 112-17-BDA-001  
9 is attached as Attachment A. The purpose of this case is to resolve the five objections made to the  
10 WFR. The objectors are included in Attachment B.

11 On August 31, 2018, the Pomerene Water Users Association filed a Notice of Termination  
12 stating that St. David Irrigation District has claimed the Pomerene diversion structure and the  
13 Pomerene canal. At that time, the Pomerene Water Users Association notified the court of those  
14 persons and entities who had petitioned to be annexed into the St. David Irrigation District.  
15 Ogilvie Cattle Company LLC was included on the list of individuals and entities filed with the  
16 court. Accordingly,

17 **IT IS ORDERED:**

18  
19 1. Contested Case, Consolidation, Designation and Docket Number. This contested  
20 case initiates case no. W1-11-1980. The contested case is consolidated with *In St. David*  
21 *Irrigation District*, Contested Case No. W1-11-1675.

22 2. Litigants. The litigants in this contested case are the claimant, landowner, all  
23 persons who filed objections to the listed watershed file reports who are listed on Attachment B,  
24 and claimants who are allowed to intervene by order.

25 3. Court-Approved Mailing List. The initial Court-approved mailing list for this case  
26 shall include all persons listed on Attachment B to this order. This mailing list shall be merged  
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SUSAN WARD HARRIS  
Special Master

On April 1, 2019, the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to the persons listed on Attachment B that includes the Claimants and Objectors.

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**ATTACHMENT A**

LAND OWNER  
 -----  
 KARTCHNER, CHARLES DEAN  
 & JO ANNE LEE  
 REVOLVING TRUST

WATERSHED FILE  
 REPORT NUMBER  
 -----  
 112-17-BDA-001

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
36-0013443		IRRIGATION	1250.00	NE14	170S	200E	1972	SWNE14	170S	200E
36-0013444		IRRIGATION	400.00	SESE11	170S	200E	1947	SWNE14	170S	200E
36-0013445		DOMESTIC STOCK	2.02	NE14	170S	200E	1947	SWNE14	170S	200E
36-0013446		DOMESTIC STOCK	9.21	SESE11	170S	200E	1947	NENE14	170S	200E
36-0013447		IRRIGATION	400.00	NE14	170S	200E	1948	NWNE14	170S	200E
36-0013448		IRRIGATION	50.00	SESE11	170S	200E	1948	SESE11	170S	200E
36-0013449		IRRIGATION	400.00	NE14	170S	200E	1953	SWNE14	170S	200E
36-0081696		IRRIGATION STOCK	6.50	SESE11	170S	200E	1964			
39-0002210		REC/FISH/WLDFL IRRIGATION	1250.00	SESE11	170S	200E	1889	NWSWNE14	170S	200E
39-0002211		IRRIGATION	400.00	SWNE14	170S	200E	1889	NWSWNE14	170S	200E
39-0002212		IRRIGATION	400.00	NE14	170S	200E	1889	SESWNE14	170S	200E
39-0002213		DOMESTIC STOCK	1.23	SESE14	170S	200E	1889	SESWNE14	170S	200E
39-0002214		DOMESTIC STOCK	.79	NE14	170S	200E	1889	NESWNE14	170S	200E
39-0002215		DOMESTIC STOCK	5.52	NENE14	170S	200E	1889	NWNENE14	170S	200E
39-0002216		IRRIGATION	400.00	SESE11	170S	200E	1889	NWNWNE14	170S	200E
39-0012961		DOMESTIC	50.00	NE14	170S	200E	1889	SESWSE11	170S	200E
39-0012962		DOMESTIC	.01	NWNENE14	170S	200E	1947	NWNENE14	170S	200E
39-0012963		IRRIGATION	.01	S2SWSE11	170S	200E	1945	SESESW11	170S	200E
39-0012964		IRRIGATION	12.50	S2SWSE11	170S	200E	1947	NWSWNE14	170S	200E
39-0012965		IRRIGATION	.50	S2SESW11	170S	200E	1948	SWSESW11	170S	200E
39-0012965		IRRIGATION	100.00	S2NE14	170S	200E	1947	SESWNE14	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
36-0013443	IRRIGATION	IRRIGATION	WO1, WO3	IROO1
36-0013444	IRRIGATION	IRRIGATION	WO1, WO3	IROO1, SROO1
36-0013445	DOMESTIC STOCK	DOMESTIC STOCK	WO1, WO3	DMOO1, SROO1
36-0013446	DOMESTIC STOCK	INCIDENTAL CATALOGUED WELL	WO2	DMOO1
36-0013447	IRRIGATION	IRRIGATION	WO4	IROO1, IROO2
36-0013448	IRRIGATION	IRRIGATION	WO1	IROO1, IROO2
36-0013449	IRRIGATION	IRRIGATION	WO1, WO3	IROO1, IROO2
36-0081696	IRRIGATION STOCK	IRRIGATION STOCK	WO1	IROO1, IROO2
39-0002210	RECREATION	INCIDENTAL		
39-0002211	IRRIGATION	IRRIGATION	WO1	IROO1
39-0002212	IRRIGATION	IRRIGATION	WO1	IROO1, IROO2
39-0002213	DOMESTIC STOCK	IRRIGATION CATALOGUED WELL	WO3	IROO1, IROO2
		CATALOGUED WELL	WO2	DMOO1

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
39-0002214	DOMESTIC STOCK	CATALOGUED WELL	WO2	DM001
39-0002215	IRRIGATION	CATALOGUED WELL		
39-0002216	IRRIGATION	IRRIGATION	WO3	IROO1, IROO2
39-0012961	DOMESTIC	DOMESTIC	WO3	IROO1, IROO2
39-0012962	DOMESTIC STOCK	DOMESTIC		DM001
39-0012963	IRRIGATION	INCIDENTAL		DM001
39-0012964	IRRIGATION	IRRIGATION		IROO1
39-0012965	IRRIGATION	IRRIGATION		IROO2
		IRRIGATION		IROO1

D I V E R S I O N S

DIV #	SECTION	TWNP	RNGE	DIVERSION NAME	LOCATION	WATER SOURCE AND CLASSIFICATION
WO1	NWSWNE14	17OS	20OE	LARGE PUMP WELL		GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
WO2	NWNENE14	17OS	20OE	NEW WELL SOUTH		GROUNDWATER : CATALOGUED
WO3	SWSWNE14	17OS	20OE	NEW WELL EAST		GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
WO4	SESESW11	17OS	20OE	NEW WELL WEST		GROUNDWATER : ZONE 2
WO5	SWSWNE14	17OS	20OE	UNNAMED		GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER

U S E S

PWR #	SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
DM001	NWNENE14	17OS	20OE	WO2	GROUNDWATER : CATALOGUED		NO	
IROO1	NE14	17OS	20OE	WO1, WO3, WO4	GROUNDWATER : ZONE 1	1955	NO	
	NW14	17OS	20OE		GROUNDWATER : ZONE 2			
	SE11	17OS	20OE					
	SW11	17OS	20OE					
IROO2	SESW11	17OS	20OE	WO1, WO4, WO5	GROUNDWATER : ZONE 1	1964	NO	
					GROUNDWATER : ZONE 2			

R E S E R V O I R S

PWR #	SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCES	PHOTO DATE	RESERVOIR NAME	STORAGE PURPOSE
SROO1	SESWNE14	17OS	20OE	WO3	GRNDWTR : ZONE 1	1955	NORTH POND	IRRIGATION STOCKWATERING

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
DM001	39-0002213	36-0013445			GROUNDWATER : CATALOGUED
	39-0002214	36-0013446			
	39-0012961				
	39-0012962				
IROO1	39-0002210	36-0013443	1947 FILING	36-13444	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
	39-0002211	36-0013444			GROUNDWATER : ZONE 2
	39-0002212	36-0013445			
	39-0002215	36-0013447			
	39-0002216	36-0013448			
	39-0012963	36-0013449			
	39-0012965	36-0081696			
IROO2	39-0002210	36-0013443	1964	1964 AERIAL PHOTO	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
	39-0002211	36-0013444			GROUNDWATER : ZONE 2
	39-0002212	36-0013445			
	39-0002215	36-0013447			
	39-0002216	36-0013448			
	39-0012964	36-0013449			
		36-0081696			
SROO1	39-0002212	36-0013443	1955	1955 AERIAL PHOTO	GROUNDWATER : ZONE 1 OF THE SAN PEDRO RIVER
	39-0002215	36-0013444			
	39-0002216	36-0013445			
		36-0013449			

PWR #	QUANTIFICATION TYPE	ACRES	CROP TYPE	EFF	WATER DUTY	ESTIMATED VOLUME	REMARKS
DMOO1							
IROO1	MAX. OBSERVED	89.3	MULTI.-DBL.	45%	4.5 AF/AC	401.9 AFA	SEE VOLUME 1 - GENERAL ASSESSMENT
	REGIONAL	107.6	AVE. CROP	50%	5.4 AF/AC	581.0 AFA	
	MAX. POTENTIAL	107.6	ALFALFA	45%	7.4 AF/AC	796.2 AFA	
IROO2	MAX. OBSERVED	5.4	ALFALFA	45%	3.5 AF/AC	18.9 AFA	
	REGIONAL	5.4	AVE. CROP	50%	5.4 AF/AC	29.2 AFA	
	MAX. POTENTIAL	5.4	ALFALFA	45%	7.4 AF/AC	40.0 AFA	
SROO1	MAX. AREA/CAP	LT 2.0				LTE 15.0 AF	

E X P L A N A T I O N

DIVERSIONS

W1 & W3-W5 - WELLS PROVIDE WATER FOR IRRIGATION AND STOCKWATERING USES.  
 W2 - A CATALOGUED WELL PROVIDES WATER FOR DOMESTIC USES.

USES AND RESERVOIRS

DM1 - DOMESTIC USE.  
 IR1 - IRRIGATED MULTIPLE-DOUBLE CROPS (ALFALFA, SMALL GRAINS, AND SORGHUM).  
 IR2 - IRRIGATED ALFALFA.  
 SR1 - SMALL RESERVOIR, SUPPLIED BY WELL W3, IS USED FOR IRRIGATION AND STOCKWATERING PURPOSES.

# ATTACHMENT B

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