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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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9 IN RE THE GENERAL
10 ADJUDICATION OF ALL RIGHTS TO
11 USE WATER IN THE GILA RIVER
12 SYSTEM AND SOURCE

W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)
Consolidated

13 Contested Case No. W1-11-1675

14 CASE MANAGEMENT ORDER

15 CONTESTED CASE NAME: *In re St. David Irrigation District*

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

17 DESCRIPTION: Procedures established for adjudication of water rights in the second phase of
18 this contested case and designation of initial Watershed File Reports to be considered.

19 NUMBER OF PAGES: 7

20 DATE OF FILING: July 21, 2022

21 This contested case involves more than one hundred contested cases that have been
22 initiated and consolidated under this contested case, *In re St. David Irrigation District*, W1-11-
23 1675. This contested case involves claims for potential water rights investigated by Watershed
24 File Reports ("WFRs") for locations within the exterior boundaries of the St. David Irrigation
25 District (the "District").

1 This case has been segregated into phases for the purposes of adjudicating the objections
2 to the WFRs. *See* Minute Entry filed August 21, 2019. The first phase, now concluded,
3 addressed three broad issues with case-wide impact. The second phase will adjudicate the claims
4 and determine the attributes of individual water rights claimed by the District and the members
5 of the District. Due to the large number of WFRs and claims at issue, it is appropriate to adopt
6 the litigation approach proposed by the District at the Status Conference on January 10, 2022,
7 pursuant to which the District shall successively designate groups of approximately five WFRs,
8 which will be aggregated for the purpose of scheduling pretrial procedures, as directed by the
9 Court.

10 Accordingly, based on good cause shown,

11 **IT IS ORDERED:**

12 **1. Arizona Rules of Civil Procedure.** The Arizona Rules of Civil Procedure shall
13 govern the proceedings including time periods, page limits, permitted pleadings, form of
14 motions, required disclosures, and discovery, except as specifically set forth in this Case
15 Management Order and other procedural orders entered in this case.

16 **2. Map of the District.** The District shall provide a map showing the boundaries of
17 the District and among the layers included on the map shall be the individual parcels designated
18 by county taxpayer parcel number; a USGS topographical map or an aerial photograph that shows
19 section, township and range; the canals and ditches operated and maintained by the District; and
20 the wells that are the claimed points of diversion. The map shall be filed by **December 23, 2022.**

21 **3. Initial Designation of WFRs.** The initial group of WFRs designated by the
22 District for adjudication are as follows: 112-17-DBA-61, 112-17-DBA-87, 112-17- DBA-88,
23 112-17-DBA-322, 112-17-DBB-21, 112-17-DBB-23, and 112-17-DBB-37. *See* Exhibit A.
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1 **4. Notice of Designation.** The District shall disclose each group of designated WFRs
2 by filing and serving upon all persons on the court-approved mailing list, a notice of designation
3 listing the designated WFRs and attaching, for each water right claimed, a proposed abstract of
4 water right. Each proposed abstract shall identify the owner and attributes of the subject water
5 right and shall attach a map depicting the point(s) of diversion and boundaries of the subject
6 property and place of use in relation to the boundaries of the WFR.

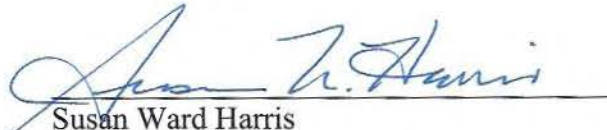
- 7 a. The District shall use its best efforts to group WFRs based on close
8 geographical proximity that form cohesive groups with shared points of
9 diversion and means of delivery.
- 10 b. The notice of designation shall include for each claimed water right a brief
11 explanation of the calculations utilized by the District to determine the
12 quantity.
- 13 c. The District shall only designate WFRs for which all claim filings are
14 complete and available on ADWR's website at the time of the notice.
- 15 d. To make the most efficient use of time the District shall endeavor to only
16 designate WFRs for which it has documentation to establish the elements
17 required for each of the attributes of the claimed water rights.

18 **5. Discussions Among the Parties.** Service of each notice of designation shall
19 commence a 60-day period for settlement discussions to determine whether agreement can be
20 reached among the District and all objectors on stipulated abstracts for any or all of the claimed
21 water rights.

22 **6. Stipulations and Status Report.** At the conclusion of the 60-day period, the
23 District shall file stipulated abstracts or, to the extent an agreement has not been reached on all
24 claimed water rights, a status report. The status report shall identify each attribute of the water
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1 right that remains in dispute and propose a pretrial schedule to address each WFR for which all
2 objections have not been resolved by stipulation. The status report shall also describe the scope
3 and status of any pending or anticipated claim filings pertaining to any of the WFRs addressed
4 by the status report. The Stipulations or Status Report for the WFRs designated in paragraph 3
5 above shall be filed on **September 19, 2022**.

6 **7. Scheduling Conference.** Following receipt of the status report, the Court shall set
7 the date for the parties to file disclosures required by Rule 26.1 of the Arizona Rules of Civil
8 Procedures. It shall also set the date for a scheduling conference for entry of a pretrial schedule
9 to adjudicate the claims included in each WFR for which all objections have not been resolved
10 by stipulation. The date by which the District shall provide its next notice of designation shall
11 also be set at the scheduling conference.

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Susan Ward Harris
Special Master
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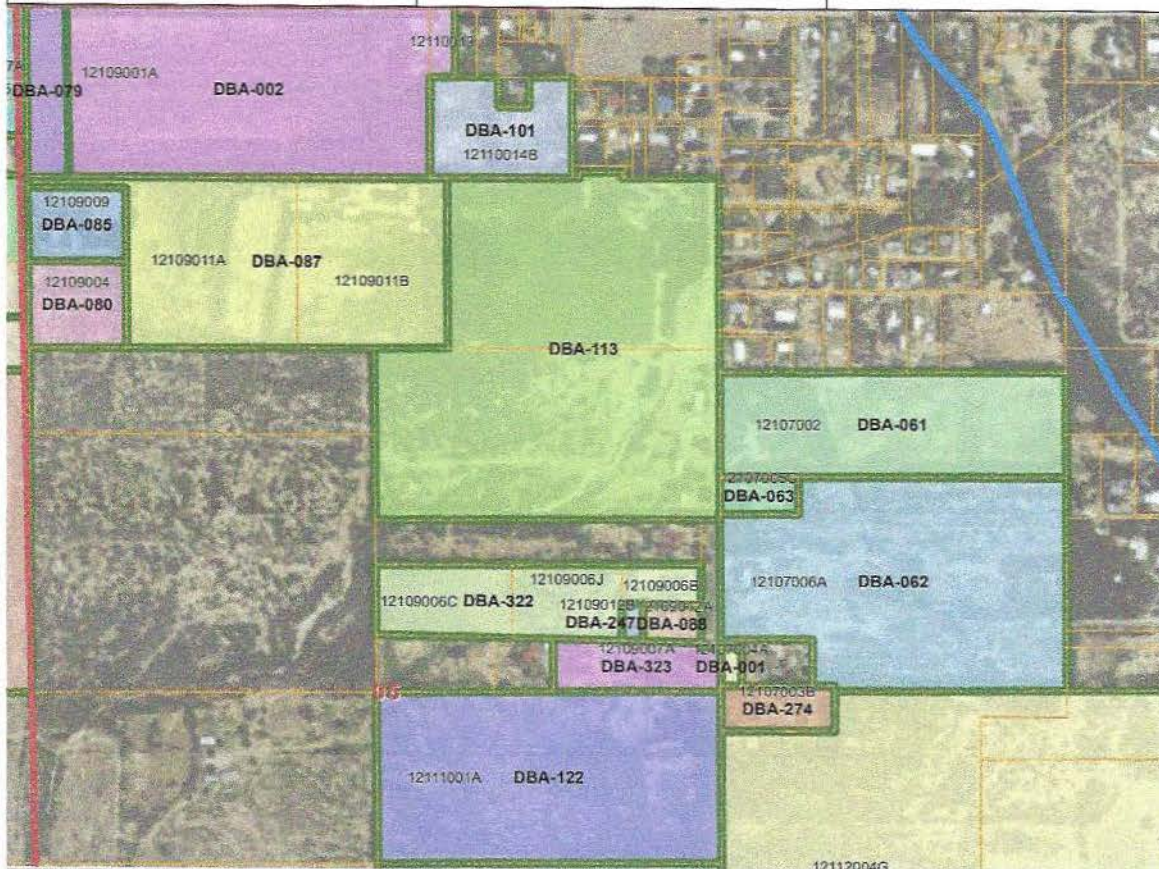
17 On July 21, 2022, the original of the foregoing was
18 delivered to the Clerk of the Maricopa County Superior
19 Court for filing and distributing a copy to all persons listed
20 on the Court-approved mailing list for this contested case
21 and a courtesy copy to all persons listed on Exhibit A.

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Emily Natale
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Exhibit A

Watershed File No.	Tax Parcel No.	Taxpayer
112-17-DBA-61	12107002	Petra Christensen 237 S Miller Ln Saint David, Az 85630
112-17-DBA-87	12109011A 12109011B	Barbara Jo Salomon 181 W Stecker St Saint David, Az 85630
112-17-DBA-88	12109012A	William Warskow Revocable Trust 330 S Miller Ln Saint David, Az 85630
112-17-DBA-322	12109006C 12109006J 12109006B	Jeremy V & Janine F Wiley 131 W Trails End St David, Az 85630 Emerson B & Wendy Gooding C/O Stewart Title & Trust Of Phoenix Inc Po Box 263 Saint David, Az 85630 Williams Sarena Lynn & Williams Brian James 324 S Miller Ln Saint David, Az 85630



Watershed File No.	Tax Parcel No.	Taxpayer
112-17-DBB-21	12115047 12115048 12115049A 12115049B 12115050A 12115051A	Mayberry Revocable Trust 2230 E Cherokee Way Sierra Vista, Az 85650 Jimmie Young Mayberry 721 W Star Dust Trl Saint David, Az 85630 Cochise County Investments LLC PO Box 700 Benson, Az 85602
112-17-DBB-23	12115025A 12115024	Cochise County Investments LLC PO Box 700 Benson, Az 85602
112-17-DBB-37	12115050A 12115051A	Carter and Faye Mayberry 852 S. LaMesa Dr. Benson, AZ 85630 Cochise County Investments LLC PO Box 700 Benson, Az 85602

