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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. W1-11-3450

ORDER TO STAY

CONTESTED CASE NAME: *In re Anderson Development Corp.*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: Wells located outside the subflow zone provide the claimed sources of water for water rights asserted with a priority date prior to the date of the San Pedro HSR. Case stayed pending approval of the subflow depletion test.

NUMBER OF PAGES: 2

DATE OF FILING: August 12, 2020

Watershed File Report 115-01-BA-001 (“WFR”) identified eight Statements of Claimant: 39-1080, 39-1081, 39-1082, 39-12232, 39-12233, 39-12234, 39-12235, and 39-12433. On December 2, 2019, Bar Seven Cattle Company, LLC filed a partial assignment of Statement of Claimant 39-1080, and assignments of the remaining Statements of Claimant. It also filed amended Statements of Claimant 39-1080, 39-1081, and 39-12232. In a Status Report filed May

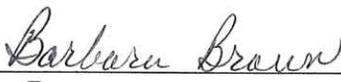
1 6, 2020, counsel for Bar Seven Cattle Company LLC represented that all of the Claimant's water
2 rights at issue in this contested case rely on wells as the source of water with a priority dated
3 prior to 1991.

4 All of the wells listed in the WFR are located outside of the subflow zone as shown on
5 the map prepared by Arizona Department of Water Resources dated December 20, 2019.
6 Accordingly, if the Claimant intends to make a claim for appropriable water to the water pumped
7 from the wells, the determination of any such right must be stayed until the approval of the
8 subflow depletion test. If the Claimant elects to claim that the water from the wells is percolating
9 groundwater and not assert a claim to appropriable water, then the Statements of Claimant will
10 be dismissed.

11 **IT IS ORDERED** that this case is stayed.

12
13 
14 _____
15 SUSAN WARD HARRIS
16 Special Master

17 On August 12, 2020, 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
20 listed on the Court-approved mailing list for this contested
21 case.

22
23 
24 _____
25 Barbara Brown
26
27
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