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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	Nos. W-1, W-2, W-3 and W-4 (consolidated) Contested Case No. W1-103 ORDER OF REFERRAL
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CONTESTED CASE NAME: <i>In re Subflow Technical Report.</i>
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.
DESCRIPTIVE SUMMARY: The Court refers the Cone of Depression Test developed by Arizona Department of Water Resources to the Special Master for further proceedings.
NUMBER OF PAGES: 2.
DATE OF FILING: December 8, 2016.

The Arizona Department of Water Resources (“ADWR”) stated in its most recent progress report dated July 11, 2016, that it expects to complete and file a report on its Cone of Depression Test (“Test”) by December 31, 2016. Based on the number of comments that have been filed in response to ADWR’s Progress Reports regarding the development

1 of the Test, the issuance of the Test will undoubtedly engender responses and objections.
2 The issues raised will need to be considered and resolved. Accordingly,

3 **IT IS ORDERED**, referring the consideration of the Cone of Depression Test and
4 responses and objections filed to the Cone of Depression Test to the Special Master. After
5 setting deadlines for filing objections, conducting status conferences to establish an orderly
6 process and holding such evidentiary hearing as she deems necessary, the Special Master
7 shall prepare a report to the Court setting forth recommendations as to whether the Cone of
8 Depression Test should be adopted in whole or in part of modified.
9

10 **IT IS FURTHER ORDERED** denying Freeport Minerals Corporation Motion for
11 Status Conference to Schedule Evidentiary Hearing Concerning Implementation of Cone of
12 Depression Testing on the grounds that the ADWR's Cone of Depression Test can best be
13 evaluated once completed, can be demonstrated and a comprehensive report prepared.
14

15 DATED: December 8, 2016.
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20 _____
21 Mark Brain
22 Judge of the Superior Court

23 On December 8, 2016, the original of the foregoing was delivered to the Clerk of the Maricopa
24 County Superior Court for filing and distributing a copy to all persons listed on the Court approved
25 mailing list for Contested Case No. W1-103.

26 
27 _____
28 Barbara Brown