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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. W1-11-3119
ORDER TO STAY CASE


CONTESTED CASE NAME: *In re Augustine and Martha Avechuco*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report
DESCRIPTIVE SUMMARY: Case stayed.
NUMBER OF PAGES: 2
DATE OF FILING: March 31, 2020

The Arizona Department of Water Resources filed a Meeting Report on March 25, 2020. It reports that no parties have offered any historical evidence that there may be a pre-1919 water use on the property owned by Augustine and Martha Avechuco and James and Sandra Goad.

The source of water for the claimed water right in this case are wells that ADWR has determined are located in the subflow zone. Thus, an issue arises as to whether the owner of a well who began pumping water after 1919 in the subflow zone but did not take the action

1 necessary to secure an appropriable water right under applicable Arizona law has an existing
2 appropriative water right. Similar issues are pending in *In re Town of Huachuca*, W1-11-0245
3 and *In re Whiting Ranches*, W1-11-3397. Arizona Department of Water Resources requested
4 on behalf of the parties that this case be stayed and no further action taken until the issue or a
5 substantially similar issue is decided in *In re Town of Huachuca*, W1-11-0245 and *In re Whiting*
6 *Ranches*, W1-11-3397.

7 For good cause shown, it is ordered that this contested case is stayed and no further action
8 shall be taken in this case to determine the claims for water rights made by Augustine and Martha
9 Avechuco and James and Sandra Goad until a determination is made *In re Town of Huachuca*,
10 W1-11-0245 and *In re Whiting Ranches*, W1-11-3397 about the action that the owner of a well
11 located in the subflow zone who begins pumping water after 1919 must take to have a right to
12 appropriable water.

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16 SUSAN WARD HARRIS
Special Master

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18 On March 31, 2020, the original of the foregoing was
19 delivered to the Clerk of the Maricopa County Superior
20 Court for filing and distributing a copy to all persons
21 listed on the Court-approved mailing list for this contested
22 case.
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