

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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. W1-11-3314
ORDER STAYING ADJUDICATION OF
POTENTIAL WATER RIGHTS

CONTESTED CASE NAME: *In re Iser*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.
DESCRIPTIVE SUMMARY: Adjudication of potential water rights stayed.
NUMBER OF PAGES: 2.
DATE OF FILING: October 29, 2018

An annotated map and statement were timely filed in this case. The map defines the location of irrigated land included in Watershed File Report 115-04-ADB-003 by providing the GPS coordinates for the four corners of the irrigated land. The accompanying statement represents that the “domestic well irrigates the area listed on the map.” The referenced well, as mapped by the ADWR, is located outside the boundary of the subflow zone. No additional information about the well can be found in ADWR’s well registry. Thus, it appears that water pumped from a well and not surface water from Araviapa Creek serves as the source of water

for the land identified on the map and for the potential water rights listed in Watershed File Report 115-04-ADB-003.

At this time, the court has not approved a test to determine the impact of a well located outside the lateral boundaries of the subflow zone on the volume of surface flow and subflow. Thus, it is premature to adjudicate any claims for water rights for use on the land identified in Watershed File Report 115-04-ADB-003 based on the designated well as the source of water. No further action will be taken at this time to adjudicate the potential water rights for domestic or irrigation use. Accordingly,

IT IS ORDERED staying the adjudication of the potential water rights listed in Watershed File Report 115-04-ADB-003 until such time as a court-approved test exists with respect to wells located outside the boundaries of the subflow zone.

IT IS FURTHER ORDERED that any party objecting to the stay or to the conclusion that water pumped from the well located by ADWR on its map filed September 25, 2018 is the source of water for potential water rights in Watershed File Report No. 115-04-ADB-003 shall file such objection no later than **November 30, 2018**.



SUSAN WARD HARRIS
Special Master

On October 29, 2018, the original of the foregoing was delivered to the Clerk of the Maricopa County Superior Court for filing and distributing a copy to all persons listed on the Court-approved mailing list for this contested case.