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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. W1-11-3124

ORDER TO STAY CASE

CONTESTED CASE NAME: *In re Jose R. and Rita Morales*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: Case stayed.

NUMBER OF PAGES: 2

DATE OF FILING: April 29, 2020

The Arizona Department of Water Resources filed a Meeting Report on April 21, 2020. It reported that the property originally owned by Jose R. and Rita Morales, which was the subject of Zone 2 Well Report 114-04-BAD-008, was subdivided into six parcels. As a result, this contested case should include tax parcel 300-26-011B owned by Jose Ramirez Morales.

Based on the records of the Pinal County Assessor, the landowners who are included in this contested case are as follows:

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Landowner	Tax Parcel No.
300-26-011B	Jose Ramirez Morales
300-26-011D	Felix Morales
300-26-011E	Maria Carolina Morales
300-26-011G	Robert Morales
300-26-011F	Amanda Morales-Calderon and Pablo Calderon
300-26-019A	Amanda Morales-Calderon and Pablo Calderon

The Arizona Department of Water Resources further reported that no parties have offered any historical evidence that there may be a pre-1919 water use on the property owned by the landowners listed above. The source of water for the claimed water rights in this case is a well that ADWR has determined is 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 necessary to secure an appropriable water right has an appropriative water right. Similar issues are pending in *In re Town of Huachuca*, W1-11-0245 and *In re Whiting Ranches*, W1-11-3397. Arizona Department of Water Resources requested on behalf of the parties that this case be stayed and no further action taken until the issue or a substantially similar issue is decided in *In re Town of Huachuca*, W1-11-0245 and *In re Whiting Ranches*, W1-11-3397.

For good cause shown,

IT IS ORDERED that Jose Ramirez Morales shall be added to this contested case and he shall be included on the Court-approved mailing list.

1 IT IS FURTHER ORDERED that this contested case is stayed and no further action shall
2 be taken in this case to determine any claims for water rights until a determination is made *In re*
3 *Town of Huachuca*, W1-11-0245 and *In re Whiting Ranches*, W1-11-3397 about the action that
4 the owner of a well located in the subflow zone who begins pumping water after 1919 must take
5 to have a right to appropriable water.

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9 SUSAN WARD HARRIS
Special Master

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11 On April 29, 2020, the original of the foregoing was
12 delivered to the Clerk of the Maricopa County Superior
13 Court for filing and distributing a copy to all persons listed
14 on the Court-approved mailing list for this contested case.
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