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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. W1-11-1840

ORDER SETTING A
STATUS CONFERENCE

CONTESTED CASE NAME: *In re K-7 Development, Inc.*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report
DESCRIPTIVE SUMMARY: Status conference set for **April 21, 2022 at 3:30 p.m.**
NUMBER OF PAGES: 11
DATE OF FILING: March 8, 2022

Arizona Department of Water Resources timely filed a map on March 3, 2022 that identified the boundaries of the land investigated by Watershed File Report 112-17-BA-084 (the “WFR”) and the surrounding subflow zone. A copy of the map is attached as Attachment A.

This contested case will adjudicate claims made for rights to appropriable water for domestic and irrigation use on land that the Cochise County Assessor has identified as owned by Diamond II Bar Group LLC, STOA Farming LLC, Camco AZ, LLC, Cody & Alexandria Malboeuf,

1 the City of Benson, San Pedro Real Estate LLC, Benjamin Arvin Kilpatrick, and Danny Max and
2 Jennifer Pickering as follows:

Owner	Tax Parcel(s)
Diamond II Bar Group LLC	123-08-003B0
	123-08-003Q2
STOA Farming LLC	123-08-003P3
Camco AZ, LLC	123-08-003M6
	123-08-003L7
	123-08-003J9
	123-08-003H4
Cody & Alexandria Malboeuf	123-08-003N5
	123-08-003E7
City of Benson	123-07-022H6
	123-07-02503
	123-07-010B7
	123-07-024A9
San Pedro Real Estate LLC	123-07-024C7
	123-07-024B8
Benjamin Arvin Kilpatrick	123-07-022J1
Danny Max & Jennifer Pickering	123-07-022K0

16
17 **IT IS ORDERED:**

18 1. Litigants. The litigants in this contested case are the Claimants, the current
19 landowners, all persons who filed objections to the WFR, and parties who are allowed to intervene
20 by order. No person or entity other than those listed in this paragraph 1 are litigants in this case.

21 2. Court-Approved Mailing List. The Court-approved mailing list for this case is
22 amended to remove:

- 23 Cochise Caverns LLC
- 24 First American Title Insurance Co. Trust #8628
- 25 Gail M. Hartley Exempt Marital Trust
- 26 Gateway Trade Park
- 27 Woodland Trust
- 28

1 Because the map submitted by ADWR provided clear boundaries of the land included
2 in the WFR, the Court-approved mailing list shall be amended to add the following
3 landowners:

4 Diamond II Bar Group LLC
5 STOA Farming LLC
6 Camo AZ, LLC
7 Cody & Alexandria Malbouef
8 Benjamin Arvin Kilpatrick
9 Danny Max & Jennifer Pickering

10 An updated Court-approved mailing list is attached as Attachment B.

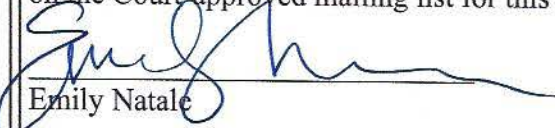
11
12 3. Status Conference. An initial status conference shall be held to determine whether
13 the Claimants or current landowners, intend to pursue claims for rights to appropriable water for
14 irrigation or stock watering use. If no person claiming a water right appears at the Status
15 Conference, then Statement of Claimant 39-4136 and this case will be dismissed and no further
16 action will be taken with respect to the WFR or the objections filed to the WFR.

17 The Status Conference shall be held on **April 21, 2022 at 3:30 p.m.** The Status Conference
18 shall be held using the Court Connect program. Instructions for Court Connect are attached as
19 Attachment C. If you receive this Order by email, click on the red box “Join Court Connect
20 Hearing” on the attached instructions to make an appearance. If you do not receive this Order by
21 email, log into the Court Connect program on the internet by typing
22 <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend
23 telephonically using the telephone number and access code included in the instructions for Court
24 Connect. Alternatively, you may attend telephonically using the following instructions:
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1 Instructions for telephonic appearance:
2 Dial: 602-506-9695 (local)
3 1-855-506-9695 (toll free long distance)
4 Dial Participant Pass Code 357264#

5 
6 SUSAN WARD HARRIS
7 Special Master

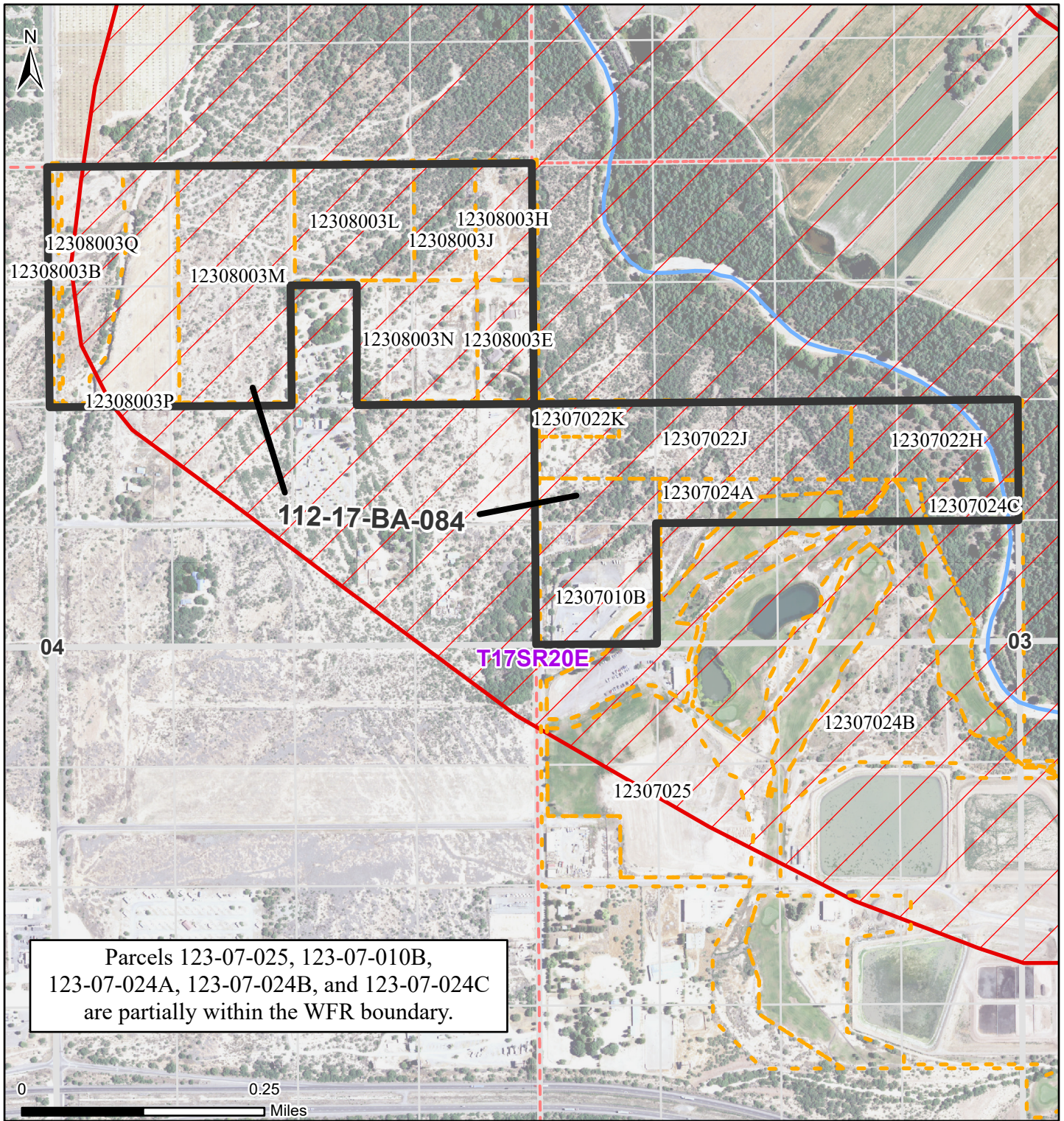
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9 On March 8, 2022, the original of the foregoing was
10 delivered to the Clerk of the Maricopa County Superior
11 Court for filing and distributing a copy to all persons listed
12 on the Court-approved mailing list for this contested case.

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14 Emily Natale

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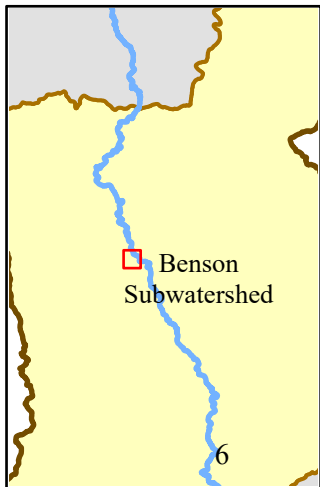
Attachment A



Parcels 123-07-025, 123-07-010B, 123-07-024A, 123-07-024B, and 123-07-024C are partially within the WFR boundary.


Legend

- WFR Boundary
- 10 acre 1/4 1/4 1/4 Section
- 160 acre 1/4 Section
- Section
- San Pedro River
- Subflow Zone
- Cochise County Parcels



WFR Boundary for 112-17-BA-084
 T17S R20E E 1/2 Sec. 3 & W 1/2 Sec. 4

In re K-7 Development, Inc.
 Contested Case W1-11-1840
 Watershed File Report 112-17-BA-084



ADWR March 2022

Data sources include: Cochise County Parcels, Aerial Imagery: NAIP 2019.

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Attachment B

Court Approved Mailing List
In re K-7 Development, Inc., Contested Case No. W1-11-1840
W1-11-1840 (20 Names)
Prepared by the Special Master
3/8/2022

Benjamin Arvin Kilpatrick
General Delivery
Benson, AZ 85602

Bernard Kerley Jr.
Santo Tomas, Route Box 60
Sahuarita, AZ 85629

Camco AZ LLC
PO Box 112
Benson, AZ 85602

City of Benson
P. O. Box 2223
Benson, AZ 85602

Clerk of the Superior Court
Maricopa County
Attn: Water Case
601 West Jackson Street
Phoenix, AZ 85003

Alexandria Malboeuf
P.O. Box 112
Benson, AZ 85602

D. A. Brown, J. Albert Brown, Amy Brown,
Garrett W. Perkins
Brown & Brown Law
P. O. Box 1890
St. Johns, AZ 85936

Danny Max & Jennifer Pickering
PO Box 852
Benson, AZ 85602

Diamond II Bar Group LLC
161 W. 6th St
Benson, AZ 85602

Joe P. Sparks and Laurel A. Herrmann
The Sparks Law Firm, P.C.
7503 First Street
Scottsdale, AZ 85251-4573

Josh Edelstein Phoenix Field Solicitor
Office of the Solicitor
U.S. Department of the Interior
Sandra Day O'Connor U.S. Courthouse
Ste. 404
401 W. Washington St., SPC 44
Phoenix, AZ 85003

Kimberly R. Parks
Arizona Department of Water Resources
P. O. Box 36020
Phoenix, AZ 85067

Mark and Marion Kartchner
3040 N. Bear Canyon Rd
Tucson, AZ 85749

Paul A. Loucks
DeConcini McDonald Yetwin & Lacy, PC
2525 East Broadway Blvd., Suite 200
Tucson, AZ 85716-5300

Richard Palmer, Jr and Jeremiah Weiner
Lauren Mulhern
ROSETTE, LLP.
565 W. Chandler Blvd, Ste. 212
Chandler, AZ 85225

S. Montgomery, R. Interpreter, J.
Tomkus,
Montgomery & Interpreter PLC
3301 E. Thunderbird Road
Phoenix, AZ 85032

San Pedro Real Estate LLC
C/O Tom Barenberg
1745 Shea Center Dr Ste 370
Highlands Ranch, CO 80129

STOA Farming LLC
PO Box 2439
Benson, AZ 85602

Susan Ward Harris
Special Master
Central Court Building, Ste 3A
201 West Jefferson Phoenix,
AZ 85003-2205

Thomas L. Murphy
Gila River Indian Community
Office of the General Counsel
P. O. Box 97
Sacaton, AZ 85147

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Attachment C



Court Connect Hearing Notice for In re K-7 Development, Inc

This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.

All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.

Participants: Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

Case Name: In re K-7 Development, Inc., Contested Case No. W1-11-1840

Start Date/Time: April 21, 2022 at 3:30 p.m.

JOIN COURT CONNECT HEARING

Dial-in Information: +1 917-781-4590

Private Dial-in Information: for privacy purposes, you can block your phone number by dialing *67 +1 917-781-4590

Dial-in Access Code: 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)

