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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. W1-11-3115

ORDER TO STAY CASE

CONTESTED CASE NAME: *In re Edward H. and Bettie M. Gegax*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: Case stayed.

NUMBER OF PAGES: 2

DATE OF FILING: March 30, 2020

The Arizona Department of Water Resources filed a Meeting Report on March 20, 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 Bettie Gegax.

The source of water for the claimed water right 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

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

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

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14 SUSAN WARD HARRIS
15 Special Master

16 On March 30, 2020, the original of the foregoing was
17 delivered to the Clerk of the Maricopa County Superior
18 Court for filing and distributing a copy to all persons
19 listed on the Court-approved mailing list for this contested
20 case.
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