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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

CONTESTED CASE NO. W1-11-3326
Case No.: W-1, W-2, W-3, W-4
(Consolidated)

ORDER TO DISMISS STATEMENTS OF
CLAIMANT AND
SET DEADLINE TO FILE PROPOSED
ABSTRACTS

CONTESTED CASE NAME: *In re Lackner*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report
DESCRIPTIVE SUMMARY: The Special Master dismisses Statements of Claimant 39-6918, 39-6973 and 39-13173 and sets August 1, 2018, as the deadline to file proposed abstracts for designated *de minimis* uses.
NUMBER OF PAGES: 2
DATE OF FILING: April 30, 2018

On April 16, 2018, the Arizona State Land Department (ASLD) filed a Report Regarding Its Proposed Ownership of the Water Rights at Issue (Report). After reviewing

1 the claims underlying the potential water rights at issue, ASLD determined to withdraw the
2 following statements of claimant: 39-6918, 39-6973 and 39-13173.

3 The Report included a spreadsheet of the potential water rights that contains a
4 column setting forth ASLD's position as to whether the State of Arizona owns the referenced
5 water right. It further requested 90 days to coordinate with the lessee to prepare the proposed
6 abstracts.
7

8 **IT IS ORDERED:**

- 9
- 10 1. Statements of Claimant 39-6918, 39-6973 and 39-13173 are dismissed.
 - 11 2. The Arizona State Land Department and the trustee for the Lackner Living Trust shall
12 file by August 1, 2018:
 - 13 a. Proposed abstracts for water uses described on Exhibit A to the Report for
14 which no dispute exists that the State of Arizona is the owner of the water right.
 - 15 b. A list of proposed water rights for water uses described on Exhibit A to the
16 Report for which a dispute exists as to ownership of the water right.
 - 17 c. The Arizona State Land Department shall file an affidavit signed by the
18 Commissioner of the Arizona State Land Department affirming that the Commissioner
19 has had the opportunity to resolve the claims as required by A.R.S. §45-257(D)(2).
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23 
24 SUSAN WARD HARRIS
25 Special Master

26 On April 30, 2018, the original of the foregoing was
27 delivered to the Clerk of the Maricopa County Superior
28 Court for filing and distributing a copy to all persons
listed on the Court-approved mailing list for this
contested case.