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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. W1-11-1343
ORDER TO SHOW CAUSE

CONTESTED CASE NAME: *In re Edward and Ethelyn Lehner*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report
DESCRIPTIVE SUMMARY: **December 20, 2021** deadline set for Phelps Dodge to show cause that Statements of Claimant 39-6018 and 39-6022 shall not be dismissed.
NUMBER OF PAGES: 2
DATE OF FILING: December 6, 2021

On June 2, 1980 Edward Lehner filed Statements of Claimant (“SOC”) 39-6018, 39-6019, 39-6020, 39-6021, 39-6022, and 39-6023 (collectively “SOCs”) for state law rights to use appropriable water on land in Section 21 Township 23S Range 22E. On January 19, 2007 SOC’s 39-6018 and 39-6022 were assigned to Phelps Dodge Corporation.

1 On October 7, 2021 the Court issued Order to Deconsolidate Case and Order Setting
2 Status Conference in this case. As part of this Order the Court set a status conference to be
3 held on December 3, 2021 at 1:30 p.m. The purpose of the status conference was to determine
4 whether the Claimants, including Phelps Dodge Corporation, intend to pursue claims for rights
5 to appropriable water for irrigation and domestic use on the land investigated in Watershed File
6 Report 111-24-CBB-002 ("WFR") published in the Final San Pedro River Watershed
7 Hydrographic Survey Report (1991) and Zone 2 Well Report 111-24-CBB-002. No
8 representative of Phelps Dodge Corporation appeared at the status conference. Due to lack of
9 action and participation in this case,
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13 **IT IS ORDERED** that Phelps Dodge Corporation shall file a response that provides
14 good reason that Statements of Claimant 39-6018 and 39-6022 should not be dismissed and no
15 further proceedings undertaken with respect to claims for water on tax parcel 104-37-001F by
16 **December 20, 2021.**

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20 SUSAN WARD HARRIS
Special Master

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23 On December 6, 2021, the original of the foregoing was
24 delivered to the Clerk of the Maricopa County Superior
25 Court for filing and distributing a copy to all persons
26 listed on the Court-approved mailing list for this
27 contested case.

28 
Emily Natale