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4 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
5 **IN AND FOR THE COUNTY OF MARICOPA**

6 IN RE THE GENERAL ADJUDICATION  
7 OF ALL RIGHTS TO USE WATER IN  
8 THE GILA RIVER SYSTEM AND  
SOURCE

W-1 (Salt)  
W-2 (Verde)  
W-3 (Upper Gila)  
W-4 (San Pedro)

9 Contested Case No.: **W1-11-0473**

10 **ORDER FOR STATUS REPORT AND**  
11 **ORDER VACATING OCTOBER 23,**  
12 **2023, STATUS CONFERENCE**

13 **CONTESTED CASE NAME:** *In re City of Tombstone*

14 **HSR INVOLVED:** San Pedro River Watershed Hydrographic Survey Report.

15 **DESCRIPTIVE SUMMARY:** Order to file a joint status report by **October 23, 2023**, and  
16 vacating the October 23, 2023, status conference.

17 **NUMBER OF PAGES:** 6

18 On September 29, 2023, the City of Tombstone ("City") filed an Expedited Motion to  
19 Continue Scheduling Conference and Motion to Extend Stay. This case was initiated in  
20 February 2019 and there have been at least five (5) requests from the City to extend time or  
21 reschedule conferences. The City has claims for 25 surface water springs and three (3) wells.  
22 The adjudication of the wells has already been stayed until the Arizona Department of Water  
23

1 Resources (ADWR) completes a report on the subflow depletion test. A decision from the  
2 Court on this report will be no earlier than March 2024. The claims for the springs have been  
3 stayed since October 2020 pending collection of three years of spring flow data. The City  
4 now requests that ALL claims, surface springs and wells, be adjudicated together and requests  
5 a stay of all claims until after the completion of the subflow depletion test.

6 During the past three years, the Court received an annual status report regarding the  
7 progress of this case. The October 23, 2023, status conference was the opportunity for the  
8 City and any Objectors to provide the Court an update for the last twelve months. In lieu of  
9 a status conference, the Court requires a written update. .

10 **IT IS ORDERED** that the parties will file a joint status report by **October 23, 2023**.

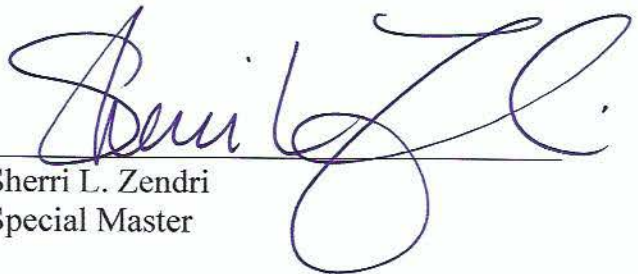
11 The report shall include, at a minimum, updates on the following:

- 12 1. Progress on collection of spring flow data, especially Clark and Rock Springs.
- 13 2. If Clark and Rock Springs still have not had any data collection, an action plan,  
14 including dates, of how data will be collected or estimated.
- 15 3. Progress, or an action plan, regarding debris removal, repairs, and  
16 improvements to the springs where they are necessary for data collection.
- 17 4. The status of any negotiations including whether any party still has unresolved  
18 objections and what are the objections.
- 19 5. Why the City has changed course and decided all claims should be resolved  
20 together.
- 21 6. Without providing the locations of the City's wells (for security purposes),  
22 provide an estimated distance of the wells from the subflow boundary.

1 Once the status report is reviewed, the Court will determine if all claims for the City should  
2 be stayed and adjudicated together.

3 **IT IS FURTHER ORDERD** vacating the status conference scheduled for Monday,  
4 October 23, 2023, at 1:30 p.m.

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6 Dated this 5 of October, 2023.

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9 Sherri L. Zendri  
10 Special Master

11 The original of the foregoing was delivered to the  
12 Clerk of the Maricopa County Superior Court on  
13 October 5, 2023 for filing and  
14 distributing a copy to all persons listed on the  
15 Court approved mailing list for this Contested  
16 Case.

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23  
  
Emily Natale



Court Approved Mailing List  
In re City of Tombstone, contested case no. W1-11-0473  
W1-11-0473 (26 Names)  
Prepared by the Special Master  
10/5/2023

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