

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

Contested Cases Nos.  
W1-11-556 and  
W1-11-1132  
(Consolidated)

ORDER AND PARTIAL DECREE  
OF STIPULATED WATER  
RIGHTS IN THE SAN PEDRO  
RIVER WATERSHED FOR THE  
CORONADO NATIONAL  
MEMORIAL

This matter came before the Court on the Final Hydrographic Survey Report for the San Pedro River Watershed (1991) ("San Pedro HSR") and objections to that report; consideration of the San Pedro HSR and objections were referred to Special Master John E. Thorson and, subsequently, to Special Master George A. Schade, Jr.; the Special Masters organized and conducted proceedings in Contested Cases Nos. W1-11-556 and W1-11-1132 involving the water rights of the United States of America appurtenant to the Coronado National Memorial, a federal reservation of land within the San Pedro River Watershed administered by the United States Department of the Interior, National Park Service; certain parties in both contested cases having reached stipulations that were filed on March 19, 1996,

and on May 2, 2003, as to the water rights in one stockpond, three springs, and twenty wells, to be decreed for the Coronado National Memorial; Special Master Thorson having accepted the stipulation filed on March 19, 1996, and Special Master Schade having accepted the stipulation filed on May 2, 2003; Special Master Schade having filed a report with the Clerk of the Court on May 15, 2003, recommending the approval of both stipulated agreements and abstracts of water rights and having served the involved parties and all persons listed on the Gila River Adjudication Court-Approved Mailing List; the Special Master having given claimants in the Gila River Adjudication, pursuant to A.R.S. § 45-257(A)(2), a period of 180 days, or until November 12, 2003, to file an objection to the report, and until December 8, 2003, to file responses to the objections; the Bella Vista Water Company, Inc. and Pueblo Del Sol Water Company (the "Water Companies") having filed an objection; the United States having filed a response; and the Court having considered the report and the objection and being fully advised;

THE COURT FINDS that notice of the Special Master's report was given as required by law and prior orders of this Court; the period allowed for filing objections to the Special Master's report was as required by A.R.S. § 45-257(A)(2); the period for filing objections to the report has passed; and the stipulated agreements and abstracts of proposed water rights for the United

States of America within the Coronado National Memorial should be approved.

THE COURT ADJUDICATES AND DECREES the water rights of the United States of America for the Coronado National Memorial as set forth in the twenty-four abstracts of water rights stipulated by the parties and described in Special Master Schade's report of May 15, 2003.

IT IS ORDERED that the twenty-four abstracts of water rights shall be incorporated in the tabulations or lists of all water rights and their relative priorities on the Gila River system and source in the form that the Court shall determine, pursuant to A.R.S. § 45-257(B)(2), to be most appropriate.

IT IS FURTHER ORDERED that the dismissals of Statements of Claimant Nos. 39-8265, 39-11130(D), 39-11130(H), and 39-13637 are accepted.

IT IS FURTHER ORDERED overruling the objection of the Water Companies.

Dated this 20th day of February, 2004.

/s/ Eddward P. Ballinger, Jr.  
The Honorable Eddward P. Ballinger, Jr.  
Judge of the Superior Court

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A copy of this order is mailed to all parties appearing on the Court-approved mailing list for Contested Cases No. W1-11-556 and W1-11-1132 dated May 6, 2003, and the Gila River Adjudication Court-Approved Mailing List, Nos. W-1, W-2, W-3, and W-4 (Consolidated), dated October 6, 2003.