

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

) Nos. W-1 - W-4 (Consolidated)
)
) Contested Case No. W1-11-605
)
) ~~[proposed]~~ DECREE OF FEDERAL
) RESERVED WATER RIGHTS FOR
) FORT HUACHUCA
)
)
)

On January 4, 1982, the United States Army Communications Command and The Fort filed two Statements of Claimant (SOC) which were docketed under numbers 39-10774 and 39-10775. Statement of Claimant No. 39-10774 was amended on August 5, 1991, and on January 16, 2002. As amended, this statement of claimant states that the basis of the claim is "federal reserved water rights" for "military installation purposes," with a date of priority of October 28, 1881. Statement of Claimant No. 39-10775 was amended on May 7, 1992 and again on August 5, 1992. As amended, the statement of claimant states

1 that the basis of the claim is "federal reserved water rights" for "military installation
2 purposes," with a date of priority of October 28, 1881. Objections to the SOC's were lodged
3 by numerous parties. Special Master John E. Thorson initiated this contested case, *In re*
4 *Fort Huachuca*, Contested Case Number W1-11-605, in February, 1995.

5 This case was divided into two phases. In the first phase, numerous findings of fact
6 and conclusions of law were entered and approved. *See Report of the Special Master;*
7 *Motion for Adoption of Report; and Notice for Filing Objections to the Report*, April 4,
8 2008 ("Phase 1 Report") approved and modified by *Order Granting the Special Master's*
9 *Motion for Adoption of the April 4, 2008 Report Regarding Fort Huachuca*, September 7,
10 2011 ("September 2011 Order"). The second phase consisted of an 18-day trial that
11 occurred between October 3, 2016 and February 14, 2017. The Court issued an Order
12 Quantifying Federal Reserved Water Rights for Fort Huachuca on September 6, 2024. This
13 decree implements the Court's Orders.

14 DECREE

15 As described in more detail in the attached abstract, the United States has a federal
16 reserved water right to 1,548 AFA of water from the groundwater appurtenant to Fort
17 Huachuca, all of Huachuca Canyon streamflow, and all of Garden Canyon streamflow to
18 be used for military and military related purposes (including uses for morale, welfare and
19 recreation programs), with a priority date of October 29, 1881. If the United States ever
20 constructs infrastructure and storage allowing it to use the decreed streamflow water, then
21 its federal reserved water right to groundwater, measured on a basis concurrent with its use
22 of the surface water use, would be reduced by that use.

IT IS ORDERED approving the abstract of water rights concerning Fort Huachuca attached hereto as Exhibit 1. That abstract shall be included in the final decree for this general stream adjudication to be entered and approved by the Court pursuant to Section 45-257(B) of the Arizona Revised Statutes and Section 17 of the Rules for Proceedings Before the Special Master.

Dated: 12 December 2024

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Hon. Mark H. Brain

EXHIBIT

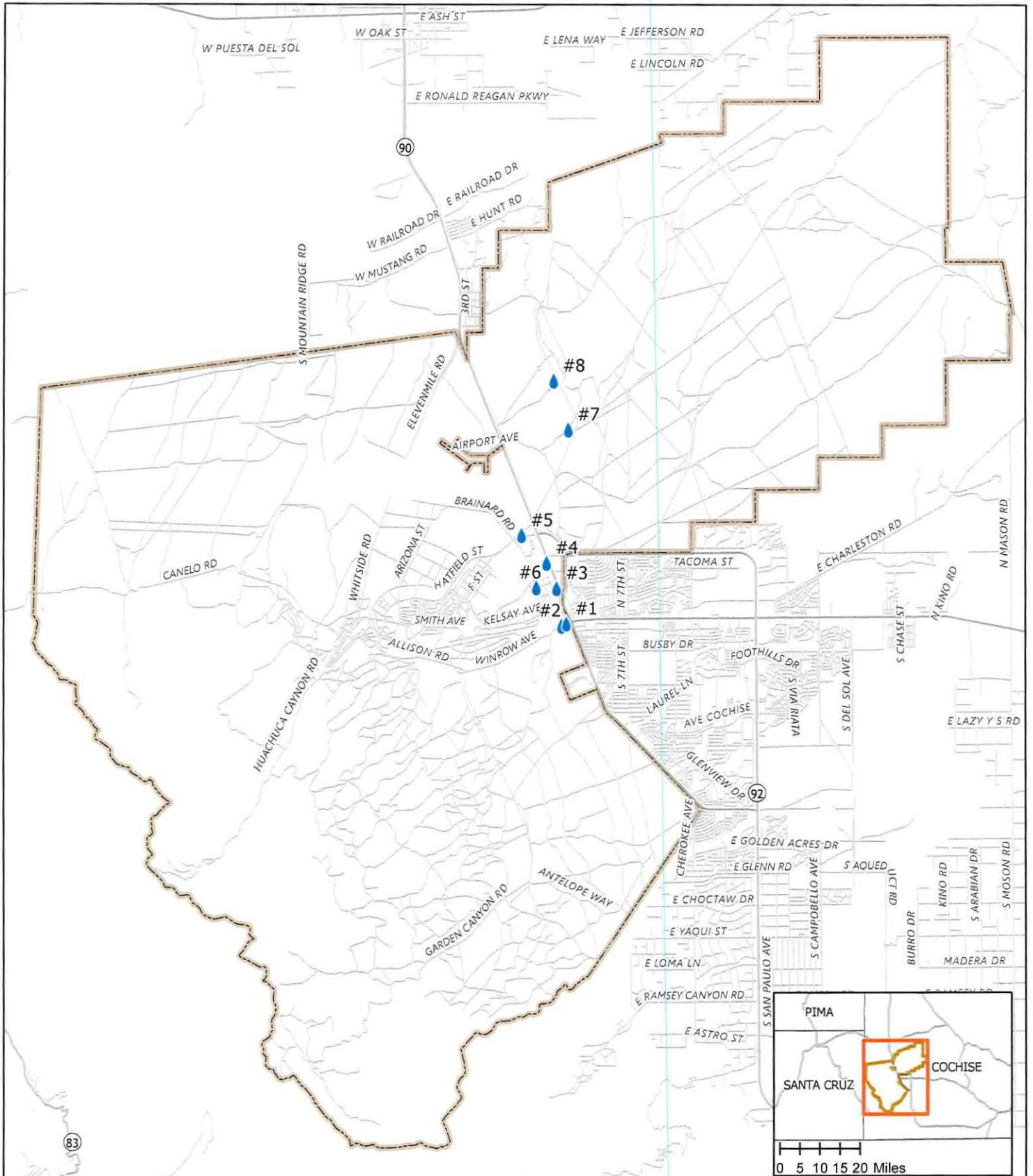
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(Includes Abstract and Map)

ABSTRACT OF FEDERAL RESERVED WATER RIGHT FOR FORT HUACHUCA

1. Proposed Water Right:	111-23-73MIL
2. Owner of Water Right:	United States on behalf of the Department of the Army
3. Landowner	United States on behalf of the Department of the Army
4. Statement(s) of Claimant	39-10774 and 39-10775
5. Lessee or Permittee	None
6. Basis of Right	Federal Reserved Water Right
7. Beneficial Use	Military and Military Related Purposes, to include Morale, Welfare, and Recreation.
8. Priority Date	October 28, 1881
9. Quantity	1,548 AFA
10. Place of Use	Fort Huachuca, Cochise County, Arizona (see attached map)
11. Point of Diversion	Wells withdrawing groundwater underlying Fort Huachuca, Cochise County, Arizona (see attached map) Surface diversions in Huachuca Canyon and Garden Canyon within the boundaries of Fort Huachuca (see attached map)
12. Source of Water	Groundwater and stream flows in Huachuca Canyon and Garden Canyon
13. Facility Name	Various facilities on Fort Huachuca
Additional Information	The Fort is authorized to use groundwater sources for up to the full quantity of the right, but if infrastructure and storage are constructed allowing for use of streamflow water from Huachuca and/or Garden Canyon, the amount of groundwater use will be reduced by the amount of streamflow use.

Fort Huachuca



Legend

- Water Production Well
- Fort Huachuca Boundary

0 1 2 3 Miles
 0 1 2 3 Kilometers
 Scale: 1:125,000



09 October 2024
 WGS 84 UTM Zone 12N

Disclaimer Statement: Fort Huachuca Department of Public Works Environmental and Natural Resources Division makes no warranties, expressed or implied, with respect to the information shown on the map.