

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN CHAMBERS (X) IN OPEN COURT ()

SPECIAL MASTER GEORGE A. SCHADE, JR.
Presiding

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

DATE: February 5, 2002

CIVIL NO. W1-11-556

CONTESTED CASE NAME: *In re Coronado National Memorial.*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master removes Silas Kisto and Cox & Cox from the mailing list of this contested case.

NUMBER OF PAGES - 2; Attachment A (Court-approved Mailing List) – 1; Total: 3 pages.

DATE OF FILING: Original sent to the Clerk of the Court on February 5, 2002.

ORDER

Counsel for Silas Kisto have not advised the Special Master why Silas Kisto should be allowed to participate in this contested case as an objector or why counsel and Mr. Kisto should remain on the mailing list. The Special Master asked Cox & Cox to submit this information by January 25, 2002, along with any changes of mailing address and telephone number. The Special Master has not received any information from counsel.

The objection that Alfred S. Cox, Esq. verified and filed on behalf of the Gila River Indian Community on May 18, 1992, and which is part of this contested case, did not name or include Silas Kisto as an objector. The Case Initiation Order that Special Master John Thorson issued on February 9, 1995, commencing this contested case, did

not list or name Silas Kisto as an objector. Furthermore, Mr. Kisto has not filed a motion to intervene in this case. Silas Kisto, therefore, is not an objector in this contested case. It appears that Mr. Kisto's name appeared in this case simply as a result of the fact that previously Cox & Cox represented both the Gila River Indian Community and Silas Kisto, and the mailing lists contained this statement for identification only.

Regarding the main mailing list, the mailing address of Cox & Cox that is on the Gila River Adjudication Court-approved mailing list is P.O. Box 1526, Scottsdale, Arizona 85252-1526. For several months, some mail sent to this address has been returned as undeliverable. The office of the Special Master telephoned Mr. Alfred S. Cox in early December 2001 to bring this situation to the attention of the law firm. To date, the firm has not submitted a correct current mailing address or a new telephone number. The office of the Special Master, in the interest of efficiency, included in the mailing list of this case the new known address of Cox & Cox, which is 2217 North Evergreen, Phoenix, Arizona 85006-1732. The Special Master cannot, however, unilaterally change or remove an address from the main Court-approved mailing list.

Accordingly, IT IS ORDERED:

1. As Silas Kisto is not an objector in this contested case, Silas Kisto and the law firm of Cox & Cox are removed from the mailing list of this case.

2. Mr. Alfred S. Cox and Mr. Alan J. Cox are asked to advise promptly the Court, Mrs. Rose Mae Nokes at the Arizona Department of Water Resources, and the office of the Special Master of the law firm's current mailing address and telephone number.

DATED: February 5, 2002.

/s/ George A. Schade, Jr.

GEORGE A. SCHADE, JR.
Special Master

The original of the foregoing sent on February 5, 2002, to the Clerk of Maricopa County Superior Court for filing; copies mailed to those parties who appear on the Court-approved mailing list for Case No. W1-11-556 dated January 4, 2002 (Attachment A).

/s/ KDolge
Kathy Dolge