

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: May 24, 2004

CIVIL NO. W1-11-1174  
(Consolidated)

ORDER DIRECTING THE UNITED  
STATES TO FILE  
A STATUS REPORT

CONTESTED CASE NAME: *In re PWR 107 Claims.*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

DESCRIPTIVE SUMMARY: The Special Master requests the United States to file on or before August 27, 2004, a status report regarding settlement.

NUMBER OF PAGES: 2.

DATE OF FILING: May 24, 2004.

**ORDER**

On May 20, 2004, a status conference was held. The Arizona Department of Water Resources ("ADWR") described the field investigations it has done. The United States indicated that the parties have had settlement discussions during the past year, and proposed abstracts of water right attributes have been exchanged. The United States has previously indicated that thirty claims have been amended, and the remaining claims will be withdrawn. It appears that the objections will be resolved by settlement or dismissal of the water right claims.

The Special Master wants to give the parties the opportunity to settle this case using the same procedures that resulted in the partial decrees entered in *In re Saguardo National Monument (Rincon Mountain Unit)*, W1-11-2782, and *In re Coronado National Memorial*, W1-11-556 and W1-11-1132. During the next ninety days, the United States will confer with the other parties to determine if a settlement agreement involving all water right claims in this case can be reached.

This contested case is based on sixteen watershed file reports (“WFRs”) contained in the Final San Pedro River Watershed Hydrographic Survey Report (1991) (“HSR”) and the objections filed to those WFRs. If the objections to the forty water right claims are resolved by settlement or dismissal of claims, ADWR will not need to prepare a supplemental contested case HSR. Because ADWR can review its water right records and other information, including that provided by the parties, related to these claims, the Special Master plans to direct ADWR to advise the Special Master of its recommendations regarding any settlement agreement. A comprehensive technical report is not contemplated but rather a review and recommendations regarding a settlement agreement. This direction will be made if a settlement agreement is reached.

Accordingly, IT IS ORDERED that the United States shall file on or before **Friday, August 27, 2004**, a report on the status of settlement negotiations.

DATED: May 24, 2004.

/s/ George A. Schade, Jr.  
GEORGE A. SCHADE, JR.  
*Special Master*

The foregoing delivered this 24th day of May, 2004, to the Distribution Center, Maricopa County Superior Court Clerk’s office, for copying and mailing to those parties who appear on the Court-approved mailing list for Contested Case No. W1-11-1174 (Consolidated) dated October 30, 2003.

/s/ KDolge  
Kathy Dolge