

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

ORDER AND PARTIAL DECREE
OF STIPULATED WATER RIGHTS:
SAN PEDRO RIVER WATERSHED
(SAGUARO NATIONAL MONUMENT
[RINCON MOUNTAIN UNIT])

THIS MATTER came before the Court on the Hydrographic Survey Report for the San Pedro River Watershed (HSR) and objections to that report; consideration of the HSR and objections to the HSR having been referred to Special Master John E. Thorson; the Master organizing and conducting proceedings in Contested Case No. W1-11-2782 involving the water rights appurtenant to Saguaro National Monument (Rincon Mountain Unit) (Watershed File Report No. 113-143-029), a federal reservation within the San Pedro River watershed; the litigants to the contested case having reached a stipulation that was filed on March 19, 1996, as to the water rights associated with five springs to be decreed for Saguaro National Monument (Rincon Mountain Unit); the Master accepting the stipulation and proposed water rights; the Master having filed a report with the Clerk of the Court on June 2, 2000, recommending the approval of the stipulated proposed water rights and having served the involved litigants and all persons on the Court-approved mailing list for this adjudication; the 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 29, 2000, to file an objection or comment to the report, and until December 20, 2000, to file responses to the objections; no objections, comments or responses having been filed to the Master's report; and the Court having considered the Master's report and being fully advised;

THE COURT FINDS that notice of the Master's report was given as required by law and the period for filing objections or comments to the report has passed; no objections or comments to the report were filed; and the stipulation among the litigants and their proposed water rights for Saguaro National Monument (Rincon Mountain Unit) should be accepted.

THE COURT ADJUDICATES AND DECREES the water rights for the Saguaro National Monument (Rincon Mountain Unit) as set forth in the five abstracts of proposed water rights stipulated by the involved litigants and reported to the Court in Special Master Thorson's Report of June 2, 2000.

IT IS ORDERED that the five abstracts of proposed 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.

DATED this 11th day of July 2001.

/s/ Eddward P. Ballinger, Jr.

EDDWARD P. BALLINGER, JR.
Judge of the Superior Court