

OFFICE OF THE SPECIAL MASTER
ARIZONA GENERAL STREAM ADJUDICATION
SUPERIOR COURT OF ARIZONA

February 3, 2010

Tim Eigo
Editor, *Arizona Attorney*
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Dear Editor:

Regarding *Robert Glennon Wants You To Flush Less* (Feb. 2010), I spoke with Professor Glennon and reminded him that much more of substance and significance has been decided in the Gila River Adjudication since 1992 than your article mentioned.

Court decrees have adjudicated water rights for the Saguaro National Monument (Rincon Mountain Unit), Coronado National Memorial, and certain public water reserves on Bureau of Land Management lands.

For nearly 80 years, subflow has been the most controversial issue of Arizona water law. The Arizona Supreme Court has defined subflow and directed how to find it on the ground. Today, we have a proposed map of the subflow zone of the San Pedro River Watershed. These are significant accomplishments in Arizona's history.

Arizona has approved more Indian water rights settlements than any other state. The Court has approved five settlements and one in the Little Colorado River Adjudication. These agreements go through the Congress and the White House. The agreement involving the Gila River Indian Community has been called the largest Indian water rights settlement in American history. Last month, the United States House of Representatives passed the legislation that would resolve the water rights claims of the White Mountain Apache Tribe. These agreements, which addressed longstanding issues, are being implemented.

The Court has answered important questions of federal reserved water rights law for the San Pedro Riparian National Conservation Area, Fort Huachuca, and State Trust Lands.

Low funding has impacted progress, and when appropriated, funds have been rolled back. The case may seem to be overly ambitious, but many decisions of historic significance and future importance have been made.

Sincerely,

/s/ George A. Schade, Jr.

George A. Schade, Jr.
Special Master
Arizona General Stream Adjudication

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