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

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

W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)
(Consolidated)

8 In re Powers Garden Administrative Site

CIVIL NO. W1-11-3423

9
10 ORDER AND DECREE OF STIPULATED
11 FEDERAL RESERVED WATER RIGHTS OF
THE UNITED STATES OF AMERICA IN THE
SAN PEDRO RIVER WATERSHED

12 This matter came before the Court on the Final Hydrographic Survey Report for the San
13 Pedro River Watershed (1991) (“San Pedro HSR”) and objections to that report; consideration of the
14 San Pedro HSR and objections were referred to Special Master George A. Schade, Jr.; the Special
15 Master organized and conducted proceedings in Contested Case No. W1-11-3423 involving federal
16 reserved water rights claimed by the United States of America for the Powers Garden Administrative
17 Site managed by the United States Department of Agriculture, Forest Service, Coronado National
18 Forest, located within the San Pedro River Watershed; the parties in the contested case having
19 reached a stipulated agreement that was filed on May 14, 2013, as to the federal reserved water rights
20 in Powers Garden Spring to be decreed to the United States of America; Special Master Schade
21 having accepted the stipulation and proposed abstracts of water rights set forth in his report; Special
22 Master Schade having filed the report with the Clerk of the Maricopa County Superior Court on
23 September 11, 2013, recommending the approval of the stipulated agreement and the proposed
24 abstracts of water rights, and having served a copy of the report and a proposed decree to the parties

1 and all persons who appear on the Gila River Adjudication Court Approved Mailing List; the Special
2 Master having given claimants in the Gila River Adjudication, pursuant to A.R.S. § 45-257(A)(2), a
3 period of sixty days, or until November 12, 2013, to file objections to the report and proposed decree,
4 no objections having been filed to the Special Master's report or to the proposed decree; and the
5 Court having considered the report and being fully advised;

6 THE COURT FINDS that notice of the Special Master's report was given as required by law
7 and prior orders of this Court; the period of sixty days allowed for filing objections to the report was
8 proper pursuant to A.R.S. § 45-257(A)(2); the period for filing objections to the report and proposed
9 decree has passed; no objections were filed; and the stipulated agreement and proposed abstracts of
10 water rights for the United States of America should be approved.

11 THE COURT ADJUDICATES AND DECREES the federal reserved water rights of the
12 United States of America in Powers Garden Spring as set forth in the two abstracts of water rights
13 stipulated by the parties and set forth in Special Master Schade's report filed on September 11, 2013.

14 IT IS ORDERED that the two abstracts of water rights concerning Powers Garden Spring
15 shall be incorporated in the tabulations or lists of all water rights and their relative priorities in the
16 Gila River System and Source in the form that the Court shall determine to be appropriate.

17 DATED this _____ day of _____, 2013.

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19 _____
20 MARK H. BRAIN
21 Judge of the Superior Court
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