

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: January 4, 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 requests that the United States and the objectors file a status report on or before July 1, 2002.

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 January 4, 2002.

ORDER

On December 21, 2001, the United States and the objectors filed a report on the status of discussions regarding a full or partial settlement or further litigation of the claims associated with this contested case. The original abstracts for the ten wells were revised and are undergoing “a few minor revisions,” and most of the objectors “have expressed their approval of the revised abstracts and have acknowledged the continued validity of the abstracts for the three springs.” The parties are exchanging information regarding “the factual basis for the reserved right to groundwater” that might be associated with the well abstracts.

The parties do not believe that at this time the Superior Court, Special Master or the Arizona Department of Water Resources need to make “any determinations” in order “to facilitate the final disposition of contested case number W1-11-556.” The parties “believe that there exists an excellent prospect for a full settlement of the objections raised in contested case number W1-11-556, [and] “[t]herefore, no discussions occurred regarding a litigation schedule or the need for a pretrial conference.”

The report states that the records associated with contested case number W1-11-556 do not show that Silas Kisto filed any objections. Counsel for Silas Kisto did not submit any comments to the author of the report.

Objections filed in contested case number W1-11-1132 were discussed as these might be resolved as part of the ongoing discussions due to the acquisition of an inholding. Counsel “believe that they should be given until June 30, 2002 to resolve the objections filed in contested case numbers W1-11-556 and W1-11-1132.”

The Special Master thanks the parties for their efforts to resolve the objections filed in both of these contested cases.

Accordingly, IT IS ORDERED:

1. The United States and the objectors in this contested case shall file on or before **Monday, July 1, 2002**, a report on the status of discussions regarding a full or partial settlement or further litigation of the claims associated with this contested case and contested case number W1-11-1132.

2. Counsel for Silas Kisto shall advise the Special Master on or before **Friday, January 25, 2002**, of the reasons why they should be allowed to participate in this contested case and remain on the mailing list. Any changes of mailing address and telephone number should be included.

DATED: January 4, 2002.

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

The original of the foregoing sent on January 4, 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/ K Dolge
Kathy Dolge