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7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF ARIZONA**

9 United States of America, et al.,

10 Plaintiffs,

11 vs.

12 Gila Valley Irrigation District, et al.,

13 Defendants.
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Case No.: CV31-59-TUC-SHR
(a/k/a Globe Equity No. 59)

WATER COMMISSIONER’S
ORDER OF APPORTIONMENT
NO. 1-2025
AND THE ALLOCATION OF
APPORTIONMENT TO UVD TBI
ACRES

ORDER NO. 1-2025

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17 Article VIII (2) of the Decree entered on June 29, 1935, in this matter provides
18 that on the first day of January of each calendar year, or as soon thereafter as there is
19 water stored in San Carlos Reservoir (the “Reservoir”), which is available for release
20 from Coolidge Dam for conveyance to and diversion on the lands of the San Carlos
21 Project, the Gila Water Commissioner shall apportion for the ensuing irrigation
22 year, to the Upper Valley Defendants (“UVDs”) an amount of water equal to the
23 available storage, after appropriate deductions for losses, and shall permit the diversion of
24 said amount of water from the natural flow of the Gila River for irrigation of the lands of
25 the UVDs in disregard of the prior rights of the plaintiff but within the duty of water

1 limitations of the Decree (six acre-feet per acre during each irrigation season) and subject
2 to the actual consumptive use limitation of Article VIII (2).

3 Articles IX and X of the Decree provide that when, under the rule and method of
4 apportionment stated in Article VIII, there is apportioned to the UVDs an amount of
5 water from the natural flow of the Gila River, there also shall be apportioned to the
6 parties named in Articles IX and X, for the purposes therein specified, an amount of
7 water per acre corresponding with the amount per acre apportioned to the UVDs under
8 Article VIII.

9 Article VIII (2) further provides that the Commissioner shall make additional
10 apportionments from time to time, if and when water shall flow into the Reservoir, and
11 shall be stored there and become added to the available stored water in the Reservoir,
12 which apportionments shall be made and calculated in the same manner as the first
13 apportionment.

14 The Court has ordered that only lands then being irrigated (“TBI”) may receive
15 natural flow of the Gila River. Therefore, in allocating the apportionments made pursuant
16 to Article VIII (2), the Commissioner allocates the water apportioned to the UVDs, to the
17 lands reported as TBI. Because the amount of acreage reported as TBI may change from
18 time to time, when the TBI acreage changes, it is necessary and appropriate for the
19 Commissioner to re-allocate the amount of water apportioned under Article VIII (2) to
20 the revised number of TBI acres. However, the total amount of water calculated and
21 apportioned pursuant to Article VIII (2) does not change unless there has also been an
22 additional apportionment because of added stored water available for release in the
23 Reservoir.

24 Notwithstanding the total amount of water apportioned or the allocation of the
25 total apportionment to TBI acres, the Commissioner will not permit the six acre-feet
limitation to be exceeded.

1 THEREFORE, under the authority contained in Article VIII (2) of the Gila
2 Decree, and after appropriate deductions for losses, an apportionment is made to the
3 UVDs as of January 1, 2025, in the amount of 128,296 acre-feet of water. Accordingly,
4 based upon 19,260.47 TBI acres, as of January 1, 2025, there are allocated 6.60 acre-feet
5 of water to each TBI acre. Attached hereto is the computation sheet for apportionment
6 and allocation of apportionment.

7 FURTHER, under the authority contained in Articles IX and X of the Decree there
8 is apportioned an equivalent amount of water per acre to the lands and for the purposes
9 specified in Articles IX and X of the Gila Decree.

10 PROVIDED, however, and notwithstanding the foregoing, diversions from the
11 natural flow of the Gila River shall not exceed the duty of water limitations of the Decree
12 or the limitations otherwise specified in Articles IX and X of the Decree.

13 The above apportionments are in addition to and not exclusive of the right to
14 divert in regular order of priority when the same is available, limited to a maximum
15 diversion of six acre-feet per acre of apportioned and priority water, and also limited, as
16 appropriate, to actual consumptive use of 120,000 acre-feet of water per year as
17 determined by the method set forth in the Decree.

18 SO ORDERED this 3rd day of January 2025.

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 /s/ Patricia A. Doyle
Patricia A. Doyle
Gila Water Commissioner

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**Computation of Apportionment and Allocation of Apportionment
from San Carlos Reservoir**

Lake Elevation 2400 hrs. December 31, 2024	2,446.93
Storage at 2400 hrs. December 31, 2024	158,912 ac-ft
Estimated Evaporation, Transit & Seepage Loss	30,616 ac-ft
<u>Total Available for Apportionment</u>	<u>128,296 ac-ft</u>

Apportionment No. 1-2025: 128,296 acre-feet

Allocation per acre TBI based on TBI of 19,260.47 acres: 6.66 a/f/a