

STATEMENT OF CLAIMANT FORM FOR DOMESTIC USE AMENDMENT

CLAIM BEING AMENDED NO. 39-004294

SUPERIOR COURT OF MARICOPA COUNTY

1. Claimant Name: BLM-Safford District Claimant Address: 425 E. 4th St. City: Safford State: AZ Zip Code: 85546 Telephone: 602-428-4040

- 2. Basis of Claim: A. [] Appropriation Right acquired prior to June 12, 1919. B. [] Appropriation Right acquired after June 12, 1919. C. [] Decreed water right. D. [X] Right to withdraw groundwater. E. [] Other, describe:

3. Claimed Priority Date: (month/day/year)

- 4. Source of Water: A. [] Stream: name, tributary to B. [] Spring: name, tributary to C. [] Lake or Reservoir: name, tributary to D. [X] Groundwater

5. A. Legal description of the Point of Diversion: County Cochise, Section 10, Township 23 N/S, Range 22 E/W Legal Subdivision: SE 1/4, SE 1/4, SW 1/4 of the Section

B. Legal Description of Place of Use: (one of the following) County Cochise, Section 10, Township 23 N/S, Range 22 E/W SW 1/4, SE 1/4, SW 1/4 of the Section, or Parcel I.D. or Subdivision Name Block No. Lot No

6. If there are Irrigation, Stockpond or Other Uses supplied from the point of diversion, describe: Livestock watering for 5 Head.

- 7. Means of Diversion: A. [] Instream pump. B. [] Gravity flow into ditch, canal or pipeline. C. [X] Well: Arizona Department of Water Resources Well Registration No. 55-623659 D. [] Other, describe:

8. Number of persons 5 or dwellings 2 served by this use.

9. Annual Volume Claimed: 0.347 acre-feet

10. It may be necessary for a representative from the Department of Water Resources to inspect the place of use and diversion. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant Debbi M. White

11. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? _____

12. Additional comments: _____

(attach additional sheet if required)

13. Mail form(s) to: Department of Water Resources, P.O. Box 2920, Phoenix, Arizona 85062.

14. Notarized Statement:

~~I~~(We), BLM - Safford District
the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my(our) knowledge and belief true, correct and complete.

Debbi M. White

(seal)

July 12, 1992
My Commission Expires:

Sandra M. Phillips
Notary Public

or, _____
Authorized Personnel of the Department of Water Resources

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



SUPPLEMENTAL PROVISION FOR FILING GROUNDWATER CLAIMS

A M E N D E D
STATEMENT OF CLAIMANT

IN THE MATTER OF DETERMINATION OF) File No. 39-11-04294
RELATIVE RIGHTS TO THE USE OF)
WATERS OF THE SAN PEDRO RIVER AND) Filed: 10-9-86 at _____ M
ITS TRIBUTARY WATERSHED, INC.) (date) (time)
ARAVAIPA CK.)

(Print or type. If more space is required, use explanatory at end of form, or attachment.)

1. Name of Claimant: Tenneco West, Inc.
(Last) (First) (M.I.)
P. O. Box 9380 Bakersfield, CA 93389-9380
(Address, City, State, Zip) (Telephone No.)

2. State the nature of the right or use on which claim is based: (indicate, and attach supporting documentation)

- A. Right to surface water initiated by beneficial use prior to June 12, 1919.
Indicate registry number if previously submitted under Water Rights Registration Act _____.
- B. Court Decreed Water Right. Cite Title and Date of Case _____
Cause No. _____ County _____.
- C. Application for permit to appropriate water filed. Application No. _____
Permit No. _____, Certificate of Water Right No. _____.
- D. Claim of Water Right for a Stockpond. Application No. _____.
- E. Other. Describe: Well

3. A. Date of initiation of right: Prior to 1919.
(Month/Day/Year)
B. Date water first used for beneficial purposes: Prior to 1919.
(Month/Day/Year)

4. Purpose, annual amount and annual period of use:

Purpose	Amount	Month/Day	Month/Day
Irrigation	_____ ac.ft./gallons	From _____	to _____
Domestic	_____ ac.ft./gallons	From _____	to _____
Stockwater	_____ ac.ft./gallons	From <u>Jan 1</u>	to <u>Dec 31</u>
Municipal	_____ ac.ft./gallons	From _____	to _____
Power	_____ ac.ft./gallons	From _____	to _____
Mining	_____ ac.ft./gallons	From _____	to _____
Recreation	_____ ac.ft./gallons	From _____	to _____
Wildlife	_____ ac.ft./gallons	From _____	to _____
Other uses	_____ ac.ft./gallons	From _____	to _____

5. A. (1) If for irrigation purposes, describe places of use: (also indicate on map)

Township (N/S)	Range (E/W)	Section	Legal Subdivision	No. of Acres
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

(2) If land reclaimed over period of years, indicate schedule and amount of land reclaimed first and each subsequent year(s): _____

(3) Indicate kind of crops cultivated: _____
Character of soil: _____

B. If for domestic purposes, number of persons: _____, or families: _____.

C. If for stockwater purposes, number and kind of stock watered: _____

- D. If for municipal purposes, population to be served, and estimate of future requirements: _____
- E. If for power purposes, describe type of plant and capacity: _____
- F. If for mining purposes, describe purpose of use, location and character of the mine(s) to be served: _____
- G. If for recreational purposes, describe: _____
- H. If for wildlife purposes, including fish, describe: _____
- I. If for other purposes, describe: _____
6. A. Direct source of public water diverted: _____ tributary to _____ on the _____ watershed.
- B. Point of Diversion (indicate on map): _____, Section _____ Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____ . Ownership _____ .
7. State information on the well which is your source of water supply.
- A. Well registration number: 55-623659
- B. Location of well (indicate on map): SE/SE/SW, Section 10, Township 23S (N/S), Range 22E (E/W), Gila and Salt River Base and Meridian, County Cochise . Ownership _____ .
- C. List the following:
- (1) Date well construction began: UNKNOWN; Date well placed in use: UNKNOWN.
(Month/Day/Year)
 - (2) Location (10 acre subdivision) (indicate on map): SE/SE/SW, Section 10, Township 23 (N/S), Range 22 (E/W).
 - (3) Intent to Drill, File No. D(23/22) 10cd1, or Application for Permit No. _____ .
 - (4) State whether free flowing or pump: Pump. If pump, list type of pump and capacity: Berkala, Submersible.
 - (5) Casing depth 133 ft. Total well depth 133 ft. Diameter of casing 6 inches.
 - (6) Depth to water: 34 ft. (Static Level)
 - (7) Annual amount pumped, or otherwise extracted: _____ Ac.Ft./Gallons
 - (8) State purpose of use: Domestic & Stock.
 - (9) Indicate annual period of use: Jan 1 to Dec 31.
(Month/Day) (Month/Day)
8. Water storage reservoir and/or diverting works:
- A. Location (indicate on map): _____, Section _____, Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____ . Ownership _____ .
- B. Name of storage reservoir and/or diverting works (if known): _____ .
- C. Maximum capacity: _____ Ac.Ft.
- D. Maximum depth of water: _____ ft.
- E. (1) Year construction began: _____ .
(2) Year construction completed: _____ .
(3) Date water first stored: _____ (Month/Year) .
- F. If dam, list following:
(1) Construction material: _____ .
(2) Maximum Length: Top _____ ft.; Bottom _____ ft.
(3) Maximum Width: Top _____ ft.; Bottom _____ ft.
(4) Maximum Height: _____ ft.

(if more space is required, attach separate sheet(s))

STATE OF ARIZONA)
) SS
County of Maricopa)

VERIFICATION

_____, OR Mark Sifferman, attorney
(please print Claimant name) (Claimant representative's name)

being first duly sworn, deposes and says; That the claimant or duly authorized representative, possesses the knowledge and the authorization to execute this verification as to the correctness and truthfulness of the matters set forth in the "Statement of Claimant", except as to those matters alleged upon information and belief, and as to those matters believes them to be true and correct.

Claimant signature

Mark Sifferman

Claimant representative signature

Subscribed and sworn to before me this
3rd day of October, 1986

Constance Phrenben

Notary Public or authorized Employee of
the Department of Water Resources

My Commission expires 5-22-90

(SEAL)

Claimant contends the water pumped by this well is percolating groundwater. Thus, it is not public waters and is not subject to appropriation. However, without prejudice to its position, claimant is filing this statement of claimant form to protect its right to divert these waters should it ever be determined that some or all of the water tapped by this well is in reality subflow of the San Pedro River. Claimant and its predecessors in interest have irrigated and used water for beneficial purposes on these and other nearby lands since prior to 1919.



THOMAS H CHILDERS
VICTOR H VERITY
OF COUNSEL
—
DON BENNETT MOON
COUNSEL

LAW OFFICES OF
MOLLOY, JONES, DONAHUE,
TRACHTA, CHILDERS
& MALLAMO, P. C.

TUCSON OFFICE
ARIZONA BANK PLAZA
33 NORTH STONE
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MARK S. SIFFERMAN
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PHOENIX, ARIZONA 85012

GREEN VALLEY OFFICE
1151 SOUTH LA CANADA DRIVE
SUITE 210
GREEN VALLEY, AZ 85614
(602) 648-0822

October 8, 1986

Surface Water Adjudication
Department of Water Resources
99 East Virginia
Phoenix, Arizona 85004



Re: General Adjudication of Gila River System
Nos. W-1, W-2, W-3, W-4

Dear Sirs:

This office represents Tenneco West, Inc., Tenneco Realty Development Corporation, and Pueblo Del Sol. Previously, claims in the General Adjudication were filed for these clients' wells. These wells are in the San Pedro Water Shed.

Recently, Judge Stanley Z. Goodfarb granted a Motion allowing Tenneco West, Tenneco Realty, and Pueblo Del Sol, to file Amended Statement of Claimant forms for these wells. I enclose a copy of the Order allowing such amendment as well as the Minute Entry from the Court noting the Judge's approval and signature on the Order.

Accompanying this letter are the Amended Statement of Claimant Forms for our clients' water wells. If you have any questions, please feel free to call the undersigned.

Sincerely,

MOLLOY, JONES, DONAHUE, TRACHTA,
CHILDERS & MALLAMO, P.C.


Mark Sifferman

MSS/km
Enclosures



REVIEWED

Docketed Na

Date 6-25-86 By CA

1 John F. Molloy
2 Mark Sifferman
3 Rory C. Hays
4 MOLLOY, JONES, DONAHUE, TRACHTA,
5 CHILDERS & MALLAMO, P.C.
6 4041 N. Central, Suite 2001
7 Phoenix, Arizona 85012
8 Telephone: (602) 263-7769
9 Attorneys for Tenneco West, Inc.,
10 Tenneco Realty Development
11 Corporation, and Pueblo Del Sol

12 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

13 IN AND FOR THE COUNTY OF MARICOPA

14 In re) NOS. W-1, W-2, W-3, W-4
15)
16 THE GENERAL ADJUDICATION) ORDER ALLOWING AMENDED
17 OF THE RIGHTS TO USE WATER) STATEMENT OF CLAIMANT FORMS
18 IN THE GILA RIVER SYSTEM)
19 AND SOURCE)
20) (Assigned to the Hon.
21) Stanley Z. Goodfarb)

22 Upon Motion filed April 10, 1986 by Tenneco West,
23 Inc., for opportunity to file Amended Statement of Claimant
24 Forms; the Court having read the foregoing Motion and heard
25 arguments upon it;

26 IT IS HEREBY ORDERED the Petitioner Tenneco West,
Inc., Tenneco Realty Development Corporation, and Pueblo Del
Sol shall be allowed to submit amended statements of claimant
forms as attached to its motion in the above-entitled
proceeding.

DONE IN OPEN COURT this _____ day of _____,
1986.

The Honorable Stanley Z. Goodfarb

MOLLOY, JONES, DONAHUE, TR. A. CHILDERS & MALLAMO, P.C.
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COPY of the foregoing delivered this 25th day of June, 1986, to:

The Honorable Stanley Z. Goodfarb
Maricopa County Superior Court
201 W. Jefferson
Phoenix, Arizona 85003

COPY of the foregoing mailed this 25th day of June, 1986, to:

Riney B. Salmon, II.
JENNINGS, STROUSS & SALMON
111 W. Monroe, Suite 1600
Phoenix, Arizona 85003

Larry Linser and Paul Bullis
DEPARTMENT OF WATER RESOURCES
99 East Virginia
Phoenix, Arizona 85004

JAMES W. JOHNSON
100 W. Washington, Suite 1700
Phoenix, Arizona 85003

HOWARD A. TWITTY
2702 N. 3rd Street, Suite 4007
Phoenix, Arizona 85004

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DEPARTMENT OF JUSTICE
10 East Pennsylvania Avenue, N.W.
Washington, D.C. 20530

DOUG C. NELSON
11 West Jefferson, Suite 516
Phoenix, Arizona 85003

DAVID CURL
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Tucson, Arizona 85701

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Phoenix, Arizona 85073

TOM GALBRAITH
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Phoenix, Arizona 85003

MICHAEL J. BROPHY and RICHARD N. MORRISON
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Phoenix, Arizona 85003



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2 Phoenix, Arizona 85003-1773
- 3 JAY I. MOYES
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4 Phoenix, Arizona 85004
- 5 KEVIN T. TEHAN
7503 First Street
6 Scottsdale, Arizona 85251
- 7 J. STEVENS SMITH
Box 10 - Young Route
8 Globe, Arizona 85501
- 9 Douglas Miller
CENTRAL ARIZONA WATER CONSERVATION DISTRICT
10 23636 N. 7th Street
Deer Valley, Arizona 85024
- 11 ROBERT S. LYNCH
12 PAUL R. ORME
CARLOS D. RONSTADT
13 2845 E. Camelback, Suite 720
Phoenix, Arizona 85016
- 14 DUANE WYLES
15 P.O. Box 727
Clarkdale, Arizona 86324
- 16 William H. Swan
17 U.S. DEPARTMENT OF INTERIOR
2080 Valley Bank Center
18 Phoenix, Arizona 85073
- 19 BURTON M. APKER
2111 E. Highland, Suite 305
20 Phoenix, Arizona 85016
- 21 Elizabeth Ann Rieke
DEPARTMENT OF WATER RESOURCES
22 99 E. Virginia
Phoenix, Arizona 85004
- 23 CHESTER J. PETERSON
24 2300 Valley Bank Center
Phoenix, Arizona 85073
- 25
- 26



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4 Phoenix, Arizona 85007

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6 630 N. Craycroft, Suite 127
7 Tucson, Arizona 85711

8 WILFORD R. RICHARDSON
9 P.O. Box 247
10 Safford, Arizona 85548-0247

11 WILLIAM H. VEEDER
12 818 18th Street, N.W.
13 Washington, D.C. 20006

14 H. Paul Graves
15 ARIZONA PUBLIC SERVICE COMPANY
16 Legal Department
17 P.O. Box 53999
18 Phoenix, Arizona 85072-03999

19 ROBERT B. HOFFMAN
20 3100 Valley Bank Center
21 Phoenix, Arizona 85073

22 Richard Dauphinais
23 NATIVE AMERICAN RIGHTS FUND
24 1712 "N" Street, N.W.
25 Washington, D.C. 20036
26

Brenda G. Marshall



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SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

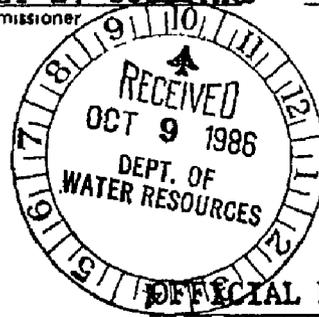
VIVIAN KRINGLE, Clerk

RC11-33390 AUG 12 1986
Code Date

JUDGE STANLEY Z. GOODFARB
Judge or Commissioner

D. Glab
Deputy

- NO. W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)



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

OFFICIAL MAILING LIST:

LEWIS & ROCA

JENNINGS, STROUSS & SALMON

EVANS, KITCHELL & JENCKES

GUST, ROSENFELD, DIVELBESS

SNELL & WILMER

MARTORI, MEYER, HENDRICKS & VICT

STEVEN CARROLL
U.S. Department of Justice
10 East Pennsylvania Avenue, N.W.
Washington, D.C. 20530

L. RICHARD MABERY (Prescott)

ATTORNEY GENERAL
By: JOSEPH CLIFFORD

WILLIAM H. SWAN
U.S. Department of Interior
505 N. 2nd Street, #150
Phoenix, AZ 85004

SPARKS & SILER

DUANE C. WYLES (Clarkdale)

DOUGLAS K. MILLER
Central Arizona Water Conservation
District
23636 North 7th Street
Deer Valley, AZ 85024

ELLIS, BAKER, LYNCH, CLARK AND
PORTER

COX AND COX

KAUFMAN, APKER & NEARHOOD, P.C.

FENNEMORE, CRAIG, von AMMON

TWITTY, SIEVWRIGHT & MILLS

RYLEY, CARLOCK & APPLEWHITE, P.C

ALICIA F. TOCCO

JOHN S. SCHAPER

DOUGLAS C. NELSON

(Continued)

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SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

VIVIAN KRINGLE, Clerk

RC11-33390 AUG 12 1986

Code Date

JUDGE STANLEY Z. GOODFARB
Judge or Commissioner

D. Glab
Deputy

NO. W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)

GENERAL ADJUDICATION

(Continued)



BILL STEPHENS, P.C.

WILFORD R. RICHARDSON (Safford)

LARRY LINSER/PAUL BULLIS
Department of Water Resources
99 East Virginia
Phoenix, AZ 85004

Molloy, Jones, Donahue, Trachta
(Tucson)

Bilby & Shoenhair, P.C.

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SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

39

RECEIVED PROCESSED
JUL 31 '85 JUL 31 '86
Clerk of the Court - Maricopa Co.

VIVIAN KRINGLE, Clerk

RC11-33390 7-25-86

Code Date

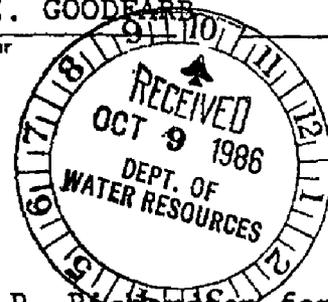
JUDGE STANLEY Z. GOODEARD

D. Glab

Judge or Commissioner

Deputy

- NO. W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)



GENERAL ADJUDICATION

2:36 p.m. Present are: Wilford R. Richardson for Rena H. Blair; Doug C. Nelson for Paloma Ranch; John S. Schaper for Buckeye Irr. Co.; Steve Carroll for the United States; G. R. Carlock for Ryley, Carlock & Applewhite; Margaret Vick for San Carlos Apache Tribe; Joe Sparks & Kevin Tehan for Tonto Apache Yavapai-Apache Indian Community; Paul Bullis for DWR; Mikel Moore for SRP; Riney Salmon for San Carlos Din. Dist.; and Maricopa County Water District #1; Joe Clifford, Asst. Attorney General for State of Arizona; Jennele Morris for cities; Howard A. Twitty for Magma Copper; Byron Lewis for JSTS; Burt Apker for Asarco; Jessica Gonle for Inspiration Copper Co.; Judith M. Dworkin for Martori, Meyer, Hendricks & Victor; Scot C. Stirling for Dept. of Water Resources; Mark S. Fay and Alicia F. Tocco for Arlington Canal Co.; M. James Callahan for City of Phoenix; Mark Sifferman for Tenneco West, et al; William R. Husinger from Cox & Cox for Silas Kisto; James W. Johnson for Kennecott.

Court Reporter, Terry Louis, is present.

The Petitioner, Tenneco West, Inc., Tenneco Realty Development Corporation and Pueblo Del Sol shall be allowed to submit Amended Statements of claimant forms as attached to its motion in the above-entitled proceeding, all in accordance with the Order allowing amended statement of claimant forms.

The mailing list is discussed. On the list will be Jennings, Strouss and Salmon for San Carlos, S.R.P. and M.C.W.D. #1; Gust Rosenfeld for George Greiner; Martori, Meyer, Hendricks & Victor for Rio Rico Properties; Molloy, Jones for Tenenco; Richard Mabery for Verde Ditch Company, Attorney General for the State; Joe Sparks for Tonto, Yavapai and San Carlos Apache Tribes; Douglas K. Miller for Central Arizona Water Conservation District; Verde Valley Water Users

CASE DISTRIBUTION	
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SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

RECEIVED PROCESSED
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RC11-33390 7-25-86 JUDGE STANLEY Z. GOODEN D. Glab
Code Date Judge or Commissioner Deputy

- NO. W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)



by Duane Wyles; Ellis, Baker for the ranching companies designated, Cox & Cox for Gila River Community; Fennemore & Craig for Kennecott; Ryley, Carlock for Roosevelt Water Conservation District; John Schaper for Buckeye Irrigation; Lewis & Roca for Inspiration Copper; Evans, Kitchell & Jenckes for Phelps Dodge; Snell & Wilmer for A.P.S.; Steven Carroll and Bill Swan for the United States; Burton Apker for USARCO; Twitty & Sievwright for Magma Copper Mills; Bilby & Schoenhair for San Pedro Water Users and El Paso Natural Gas; Alicia Tocco for Arlington Canal Company; Doug Nelson for Paloma Ranch; Bill Stephens for various city parties.

As to Bill Veeder or Richard Dauphinais,

IT IS ORDERED denying their remaining on the list as they represent no parties in this case.

Wilford R. Richardson of Safford makes statements to the Court and will remain on the list representing Rena H. Blair.

The List which will go out will be the corrected mailing list.

The Motion to Intervene by Rena Blair is approved and an order will be signed.

As to the issue of the steering committees, Byron Lewis makes proposals that there be three committees.

Joe Sparks, Steven E. Carroll, Joe Clifford, Jennele Morris and John S. Schaper make statements.

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SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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Clerk of the Court -- Maricopa Co.

VIVIAN KRINGLE, Clerk

RC11-33390 7-25-86

JUDGE STANLEY Z. GOODPASTER

D. Glab

Code

Date

Judge or Commissioner

Deputy

NO. W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)



The Court will appoint a steering committee and John S. Schaper will be appointed chairman of the committee; Joe Sparks will be for the Indian tribes, Jennele Morris for the cities, Alvin Schrago for the mines, Byron Lewis for S.R.P., and the Court will designate the remaining members as soon as possible.

At the request of the Court, Mr. Linser reports on D.W.R. progress and answers questions from counsel. A report on computer accessibility will be made in 60 days.

The next meeting will be held on September 26, 1986 at 1:30 p.m. No meeting will be held in August.

3:38 p.m. Meeting adjourns.

The Court has received a Motion to Intervene of Robert P. Foster and Jane Foster, who own real property in the Agua Fria Water System. The Court will hear the Motion to Intervene on September 26, 1986 at the time set for the hearing therein.

In addition, the Court has received a pro per motion to enlarge the time filed by Joseph Dameron. Mr. Dameron has property in the Upper Gila Watershed. The Court will also hear that Motion to Enlarge Time at that time. On the face of the motion received, it would appear that Mr. Dameron has not filed copies of the motion and attachments to anyone. He is instructed to do that as to all parties whose names appear on the mailing list herein.

OFFICE DISTRIBUTION

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SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

VIVIAN KRINGLE, Clerk

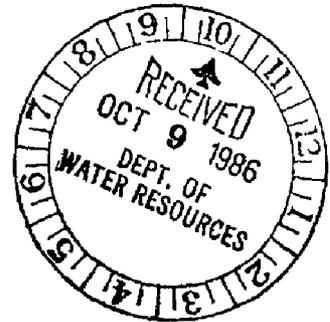
RC11-33390 July 25, 1986 JUDGE STANLEY Z. GOODFARB D. Glab
Code Date Judge or Commissioner Deputy

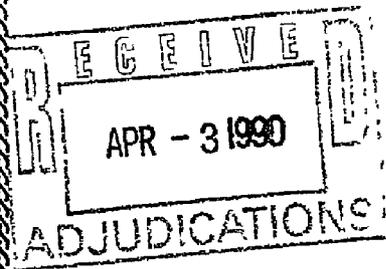
- NO. W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)

General Adjudication (continued)

During the preparation of this minute entry, the Court also received a Motion to Intervene from claimants E. V. Henderson and Dorothy Henderson. That Motion will also be heard on September 26, 1986 at 1:30 p.m. at the same time that the Foster and Dameron Motions are heard.

Copies of the minute entry will be mailed to those on the list as well as attorney for Mr. and Mrs. Foster, David E. Eagle, and Joseph Dameron, who is representing himself.





STATEMENT OF CLAIMANT FORM FOR OTHER USES¹ AMENDMENT

CLAIM BEING AMENDED NO. 39-004295

SUPERIOR COURT OF MARICOPA COUNTY

1. Claimant Name: BLM - Safford District Claimant Address: 425 E 4th St City Safford State: AZ Zip Code 85546 Telephone 602-428-4040

- 2. Basis of Claim: A. [] Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. B. [] Appropriation Right acquired after June 12, 1919. Application No. Permit No. or Certificate of Water Right No. C. [] Decreed water right. Principal litigants, court, date and case no : D. [x] Right to withdraw groundwater Grandfathered Right No E. [] Other, describe:

3. Claimed Priority Date: (month/day/year)

- 4. Use: A. [] Municipal B. [] Commercial or Industrial C. [] Mining D. [x] Stockwatering other than from a stockpond E. [x] Recreation, Fish & Wildlife F. [] Other, describe:

- 5. Source of Water: A. [] Stream name, tributary to B. [] Spring: name, tributary to C. [] Lake or Reservoir: name, tributary to D. [x] Groundwater

6. Legal description of the Point of Diversion: (attach additional sheet if required) 1/4, 1/4, 1/4, Section, Township N/S, Range E/W

7. If there are Irrigation, Domestic or Stockpond uses also supplied from the Point of Diversion, describe

- 8. Means of Diversion: A. [] Instream pump B. [] Gravity flow into ditch, canal or pipeline. C. [] Well: Arizona Department of Water Resources Well Registration No. 55-623658 D. [] Other, describe

¹ See Instructions for explanation of uses in this category

9. Means of Conveyance:

- A. Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: _____
- B. Other, describe: _____

10. Place of Use, if other than point of diversion: (attach additional sheet if required)

County _____

Legal Subdivision	Section	Township	Range
_____	_____	_____ N/S	_____ E/W
_____	_____	_____ N/S	_____ E/W

11. Claimed Right:

- A. Maximum Flow Rate: _____
 - cubic-feet per second
 - gallons per minute
 - Arizona miner's inches
- B. Annual Volume of Water Use: 0.20 acre-feet
- C. Storage Right: _____ acre-feet

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s), place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection. Signature of Claimant: Dell & Molt

14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? _____

15. Mail form(s) to: Department of Water Resources, P.O. Box 2920, Phoenix, Arizona 85062

16. Additional comments: _____

(attach additional sheet if required)

17. Notarized Statement:

I (We), BLM - Safford District
the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my(our) knowledge and belief true, correct and complete.

Dell & Molt

(seal)

July 12, 1992
My Commission Expires:

Sandra M. Phillips
Notary Public

or, _____
Authorized Personnel of the Department of Water Resources

ARIZONA STATE LAND DEPARTMENT
1624 West Adams
Phoenix, Arizona 85007

STATEMENT OF CLAIMANT

(Leave Blank)

IN THE MATTER OF DETERMINATION OF)
RELATIVE RIGHTS TO THE USE OF)
WATERS OF THE SAN PEDRO RIVER AND ITS)
TRIBUTARY WATERSHED, INC. ARAVAIPA CK.)

File No. 39-00 4294
Filed: 6-24-80 at 2:54 P.M.
(date) (time)

The State Land Department has enclosed with the accompanying Notice this form on which claimant shall present as required, the particulars of his claim of right to the subject waters. All applicable portions must be completed. A separate Statement of Claimant must be submitted for each source or point of diversion of public water unless those waters are commingled prior to use. A map published by the United States Geological Survey or a map of equal standard shall be submitted with this Statement showing on the face of the map the particulars of point of diversion, place of use and other pertinent information.

(Print or type. If more space is required, use explanatory at end of form, or attachment.)

1. Name of Claimant: TENNECO WEST, INC.
(Last) (First) (M.I.)

P. O. Box 9380 Bakersfield, CA 93309 (805) 832-9010
(Address, City, State, Zip) (Telephone No.)

2. State the nature of the right or use on which claim is based: (indicate, and attach supporting documentation)

- A Right to surface water initiated by beneficial use prior to June 12, 1919. Indicate registry number if previously submitted under Water Rights Registration Act _____.
- B. Court Decreed Water Right. Cite Title and Date of Case _____ Cause No. _____ County _____.
- C. Application for Permit to Appropriate Water filed. State Land Department Application No. _____, Permit No. _____, Certificate of Water Right No. _____.
- D. Claim of Water Right for a Stockpond. State Land Department Application No. _____.
- E. Other. Describe: Well

3. A. Date of initiation of right: prior to 1919.
(Month/Day/Year)

B. Date water first used for beneficial purposes: prior to 1919.
(Month/Day/Year)

4. Purpose, annual amount and annual period of use:

Purpose	Amount	Month/Day	Month/Day
Irrigation	_____ ac.ft./gallons	From _____ to _____	
Domestic	_____ ac.ft./gallons	From _____ to _____	
Stockwater	_____ ac.ft./gallons	From <u>Jan 1</u> to <u>Dec 31</u>	
Municipal	_____ ac.ft./gallons	From _____ to _____	
Power	_____ ac.ft./gallons	From _____ to _____	
Mining	_____ ac.ft./gallons	From _____ to _____	
Recreation	_____ ac.ft./gallons	From _____ to _____	
Wildlife	_____ ac.ft./gallons	From _____ to _____	
Other Uses	_____ ac.ft./gallons	From _____ to _____	

5. A.(1) If for irrigation purposes, describe place of use: (also indicate on map)
Township (N/S) Range (E/W) Section Legal Subdivision No. of Acres.

(2) If land reclaimed over period of years, indicate schedule and amount of land reclaimed first and each subsequent year(s): _____

5. A.(3) Indicate kind of crops cultivated: _____
 Character of soil: _____
- B. If for domestic purposes, number of persons: _____, or families: _____
- C. If for stockwater purposes, number and kind of stock watered: _____
- D. If for municipal purposes, population to be served, and estimate of future requirements: _____
- E. If for power purposes, describe type of plant and capacity: _____
- F. If for mining purposes, describe purpose of use, location and character of the mine(s) to be served: _____
- G. If for recreational purposes, describe: _____
- H. If for wildlife purposes, including fish, describe: _____
- I. If for other purposes, describe: _____
6. A. Direct source of public water diverted: _____ tributary to _____ on the _____ watershed. See Explanatory
- B. Point of Diversion (indicate on map): _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____ . Ownership _____
- C. Place of use (indicate on map): _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____ . Ownership _____
7. State all other sources of water supply not described in Question 6 of this form.
- A. Type of Source: Well
- B. Location of Source (indicate on map): SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10 Township 23S (N/S), Range 22E (E/W), Gila and Salt River Base and Meridian, County Cochise . Ownership Tenneco West, Inc.
- C. If other source is well, list following:
- (1) Date well construction began: unknown ; Date well place in use: unknown .
 (Month/Day/Year) (Month/Day/Year)
- (2) Location (10 acre subdivision) (indicate on map): SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10 , Township 23S (N/S), Range 22E (E/W), Gila and Salt River Base Meridian, County of Cochise .
- (3) State Land Department Intent to Drill, File No. D(23/22)10cdd, or Application for Permit No. _____ .
- (4) State whether free flowing or pump: pump . If pump, list type of pump and capacity: Berkeley Submersible
- (5) Casing depth 133 ft. Total well depth 133 ft. Diameter of casing 6 inches.
- (6) Depth to water: 34 ft. (Static Level)
- (7) Annual amount pumped, or otherwise extracted: _____ Ac.Ft./Gallons
- (8) State purpose of use: domestic and stock watering
- (9) Indicate annual period of use: Jan 1 to Dec 31
 (Month/Day) (Month/Day)
8. Water storage reservoir and/or diverting works:
- A. Location (indicate on map): _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ , Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____ . Ownership _____
- B. Name of storage reservoir and/or diverting works (if known): _____
- C. Maximum capacity: _____ Ac.Ft.
- D. Maximum depth of water: _____ ft.

8. E. (1) Year construction began: _____.
- (2) Year construction completed _____.
- (3) Date water first stored: _____ (Month/Year).
- F. If dam, list following:
- (1) Construction material: _____
- (2) Maximum Length: Top _____ ft.; Bottom _____ ft.
- (3) Maximum Width: Top _____ ft.; Bottom _____ ft.
- (4) Maximum Height: _____ ft.
- G. If diverting works, describe: _____
9. Distribution works:
- A. If ditch or canal:
- (1) Date construction began: _____
(Month/Day/Year)
- Date construction completed: _____
(Month/Day/Year)
- (2) Length of ditch or canal to first place of use: _____ ft., total
length of ditch or canal: _____ ft.
- (3) Top width: _____ ft.; Bottom width: _____ ft.
- (4) Grade (slope) of ditch: _____
- (5) If ditch or canal owned and/or operated by an association or company or
such other entity, list name of association or company or such other
entity: _____
- B. If pipeline:
- (1) Type: _____ (i.e., aluminum, steel, etc.)
- (2) Diameter: _____ inches
- (3) Length of pipeline to first place of use: _____ ft. and total length
of pipeline: _____ ft.
- (4) Grade (slope) of pipeline: _____
- C. If other, describe: _____
10. Enlargement(s) of storage reservoir and/or diverting and/or distributing works
- A. Date begun: _____
(Month/Day/Year)
- Date completed: _____
(Month/Day/Year)
- B. Describe details of enlargement(s): _____
- C. Dimensions of works as originally constructed and as enlarged: _____

Explanatory

Tenneco West, Inc. contends the water tapped by the above described
well is percolating ground water, and is not subject to appropriations
under Arizona law. Tenneco West, Inc. further contends that there is no
hydrological connection between percolating ground water tapped by this
well and any waters which could conceivably eventually reach the Gila River
Indian Reservation. In the alternative, if the water tapped by this well
is ever determined to be subflow^{of} the San Pedro, or to otherwise be in
 (continued on the next page)

conflict with any claims of the Gila River Indian Tribe, Tenneco West, Inc.'s claims are subject to a priority based upon Tenneco's predecessors in interest use of these waters dating from before 1919.

(if more space is required, attach separate sheet(s))

STATE OF ARIZONA)
County of Pima) SS

VERIFICATION

TENNECO WEST, INC.
(please print Claimant-Affiant's name)

MELVIN JANS, VICE PRESIDENT
(Claimant-Affiant representative's name)

being first duly sworn, deposes and says; That the affiant, or its duly authorized representative, possesses the knowledge and the authorization to execute this verification as to the correctness and truthfulness of the matters set forth in the "Statement of Claimant", except as to those matters alleged upon information and belief, and as to those matters believes them to be true and correct.

For Corporations, Partnerships,
Associations, etc.

Claimant-affiant signature

Tenneco West, Inc. By

Melvin Jans
Claimant-affiant representative's
signature

Claimant-affiant signature

Melvin Jans, Vice President

Attest:

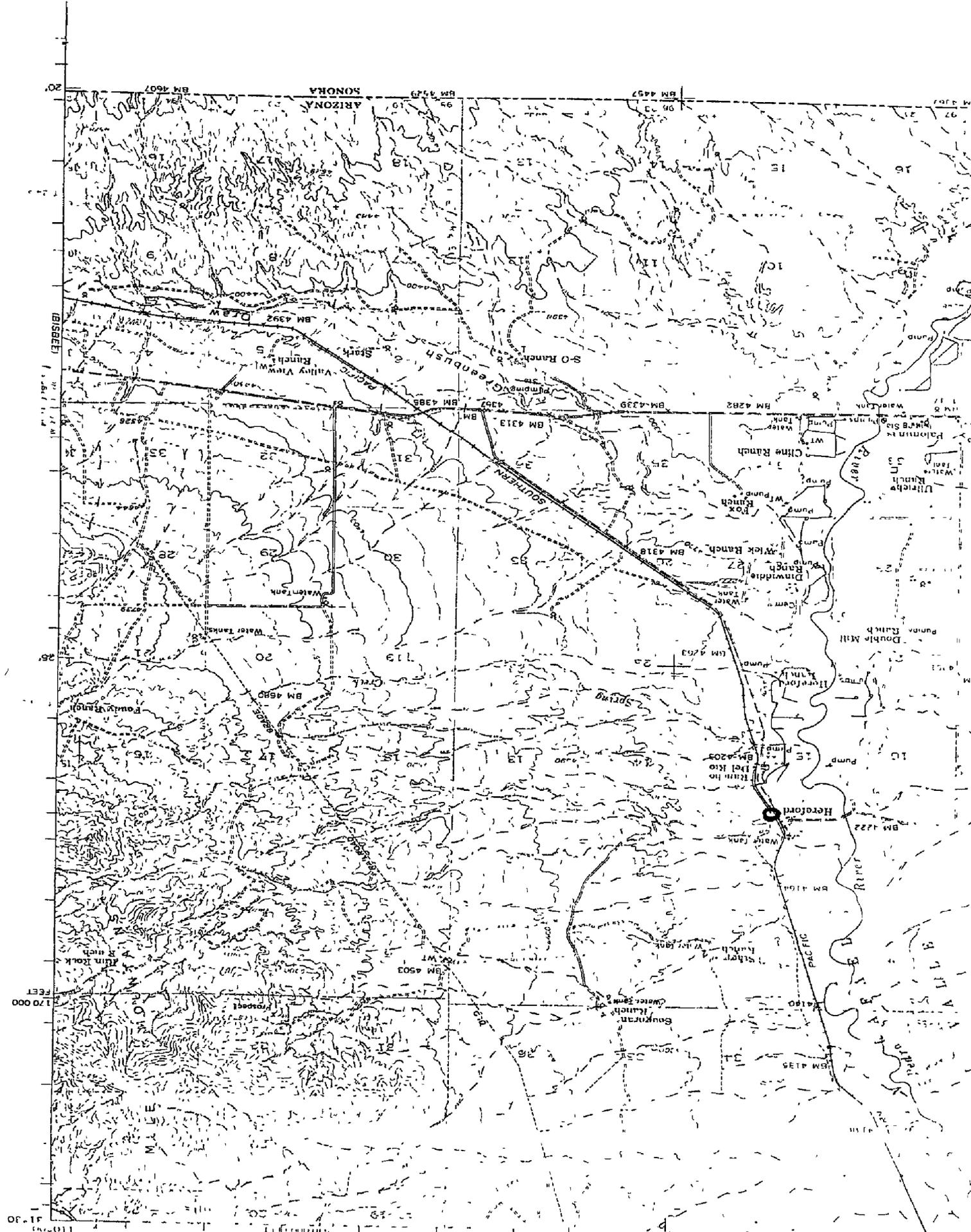
Claimant-affiant representative's
signature

subscribed and sworn to before me this
14th day of June, 1980

SEAL

Kelli Lynn Speir
Notary Public or authorized Officer of the
State Land Department

My Commission expires 2/4/84



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 Tucson, Arizona 85702

STATE OF ARIZONA
 ARIZONA WATER COMMISSION
 WATER RIGHTS ADMINISTRATION
 222 N. CENTRAL AVE - SUITE 550
 PHOENIX, ARIZONA 85004

RECEIPT - ORIGINAL

For: Pueblo del Sol Water Co. (3)
 Tenneco West, Inc. (38)

No 4561

KIND ENTRY	FILE REFERENCE NO.
39	004262
	THRU
39	004302

FL40 SOURCE	ACCOUNT NO.			INT. ACCT.	ITEM DESCRIPTION	RATE	\$ AMOUNT
	AGENCY	CHAPTER	DIV.				
14	432	36		41	Adjudication Filing Fee (SNPD)	20.00	820.00
PAID					DATE	6/23/80 Check # 6920 BB	
					WATER PAYMENT GUESTS 1 CHK NO 6920 41@ 20.00 39 SH PD 820.00 TAX 0.00 TOTAL 820.00 ADJ. CHKR 820.00		

6/24/80

TOTAL

\$ 820.00