111-23-AAA-1 1R94

RECEIVED APR - 3 1990 ADJUDICATIONS

STATEMENT OF CLAIMANT FORM
FOR
IRRIGATION USE
AMENDMENT
SUPERIOR COURT OF MARICOPA COUNTY

CLAIM BEING AMENDED
NO. 39-004301

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. ☒ Right to withdraw groundwater. Grandfathered Right No.____
E. ☐ Other, describe:____

3. **Source of Water:**
A. ☐ Stream: name____, tributary to____
B. ☐ Spring: name____, tributary to____
C. ☐ Lake or Reservoir: name____, tributary to____
D. ☒ Groundwater.

4. **Legal description of the Point of Diversion:** (attach additional sheet if required)
____¼, ____¼, ____¼, Section____, Township____N/S, Range____E/W

5. **If there are Stockpond, Domestic or Other Uses also supplied from the point of diversion, describe:**
____

6. **Means of Diversion:**
A. ☐ Instream pump.
B. ☐ Gravity flow into a ditch, canal or pipeline.
C. ☒ Well: Arizona Department of Water Resources Well Registration No. 55-623595
D. ☐ Other, describe:____

7. **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:____

8. **Place(s) of Use, Annual Water Use and Claimed Priority Date(s):** (attach additional sheet if required)

County: Cochise

Legal Subdivision	Section	Township	Range	Acres	Annual Water Use (acre-feet)	Claimed Priority Date (month/day/year)
NW 1/4	21	23 N/S	22 E/W	120	600	8/64
SW 1/4	21	23 N/S	22 E/W	120	600	8/64
		N/S	E/W			

9. **Claimed Right:**

A Maximum Flow Rate: _____ ☐ cubic-feet per second ☐ gallons per minute ☐ Arizona miner's inches

B. Annual Volume of Water Use: 1200 acre-feet

C. Storage Right: _____ acre-feet

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

11. 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 Delbert Molitor

12. 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? _____

13 Additional comments: _____

(attach additional sheet if required)

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

15. 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.

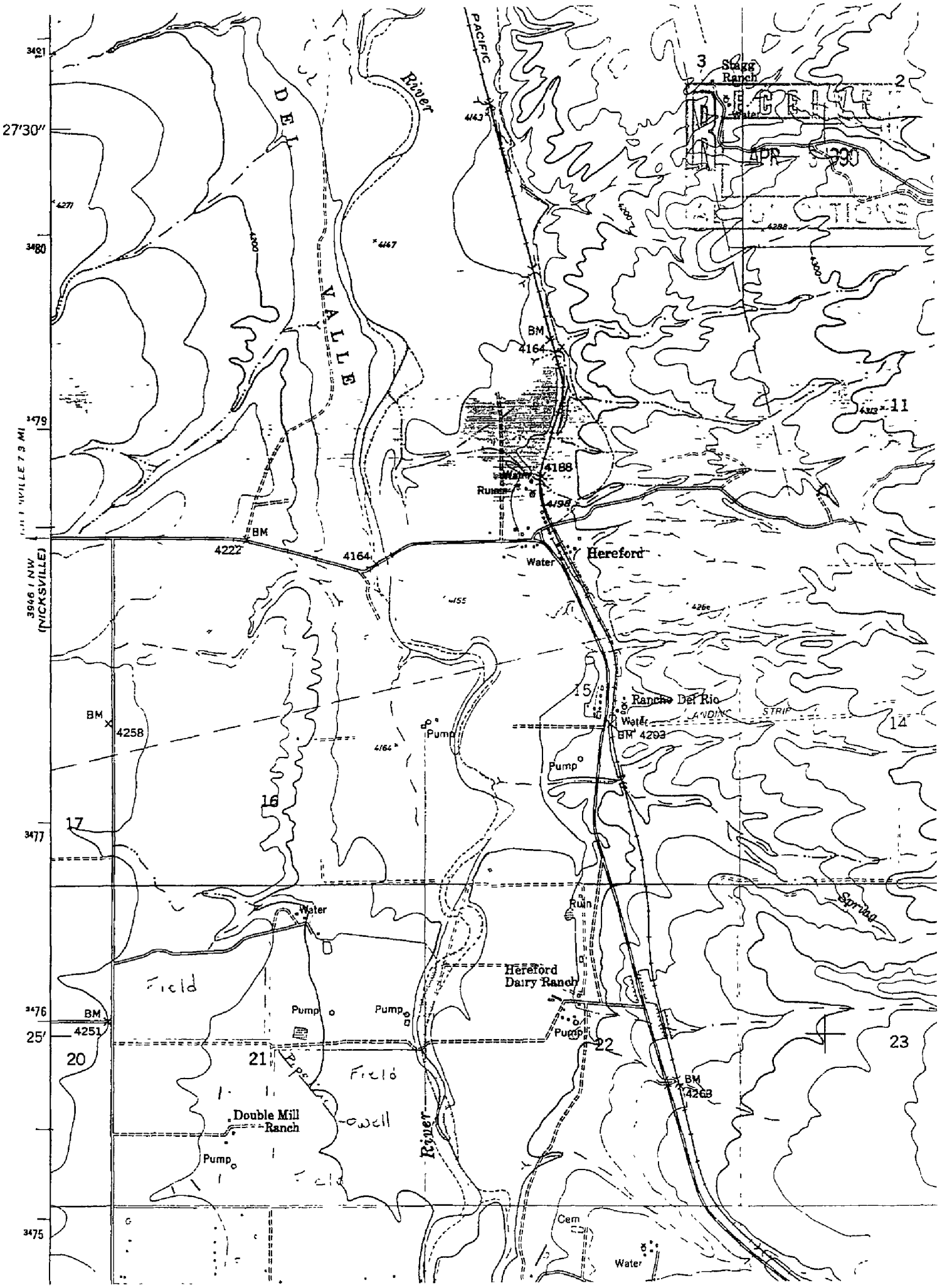
Delbert Molitor

(seal)

July 12, 1992
My Commission Expires:

Sandra M Phillips
Notary Public

or, _____
Authorized Personnel of the Department of Water Resources



PACIFIC
River
DEL
VALLE
Stagg Ranch
Water
BM
4164
4188
Ruin
4198
Hereford
Water
BM
4222
4164
Rancho Del Rio
Water
BM 4203
Pump
Pump
BM
4258
Water
Ruin
Spring
Hereford Dairy Ranch
Pump
Pump
Pump
BM
4251
Field
Field
Double Mill Ranch
Pump
River
BM
4263
Cem
Water
27'30"
25'
3946 I NW (NICKSVILLE)

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

SUPPLEMENTAL PROVISION FOR FILING GROUNDWATER CLAIMS

RECEIVED OCT 9 1986 DEPT. OF WATER RESOURCES

A M E N D E D
STATEMENT OF CLAIMANT

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. 39-11-04301

Filed: 10-9-86 (date) at _____ (time) M

(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. X Other. Describe: Well

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

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

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

Purpose	Amount		Month/Day	Month/Day
Irrigation		ac.ft./gallons	From Jan 1	to Dec 31
Domestic		ac.ft./gallons	From	to
Stockwater		ac.ft./gallons	From	to
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
23S	22E	21	SE 1/4	240

(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: _____

FCSPRNCA2065

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, decribe 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: 55-623595.

B. Location of well (indicate on map): SW/NE/SE, Section 21, 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: 1964 (Month/Day/Year); Date well placed in use: 8/7/64. (Month/Day/Year)

(2) Location (10 acre subdivision) (indicate on map): SW/NE/SE, Section 21, Township 23 (N/S), Range 22 (E/W),

(3) Intent to Drill, File No. D(23-22)21dac or Application for Permit No. _____.

(4) State whether free flowing or pump: Pump. If pump, list type of pump and capacity: Layne & Bowler 1800 gpm.

(5) Casing depth 360 ft. Total well depth 360 ft. Diameter of casing 16 inches.

(6) Depth to water: 60 ft. (Static Level)

(7) Annual amount pumped, or otherwise extracted: _____ Ac.Ft./Gallons

(8) State purpose of use: irrigation.

(9) Indicate annual period of use: Jan 1 (Month/Day) to Dec 31 (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.

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G. If diverting works, describe: _____

9. Distribution works:

A. If ditch or canal:

(1) Date construction began: _____. (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 or 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 the storage reservoir and/or diverting and/or distributing works.

A. Date begun: _____. (Month/Day/Year)

Date completed _____. (Month/Day/Year)

B. Describe details of enlargements(s): _____

C. Dimensions of work as originally constructed and as enlarged: _____

Explanatory

(continued on the next page)

FCSPRNCA2067

(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, 19[illegible].

(SEAL)

Constance Ohrenberg
Notary Public or authorized Employee of the Department of Water Resources

My Commission expires 5-22-90

FCSPRNCA2068

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.

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

GREAT WESTERN BANK PLAZA
4041 NORTH CENTRAL AVENUE
SUITE 2001
PHOENIX, ARIZONA 85012

THOMAS H CHILDERS
VICTOR H VERITY
OF COUNSEL

DON BENNETT MOON
COUNSEL

MARK S. SIFFERMAN
(602) 263-7769

TUCSON OFFICE
ARIZONA BANK PLAZA
33 NORTH STONE
P O BOX 2268
TUCSON, AZ 85702
(602) 622-3531

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

October 8, 1986

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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

John F. Molloy
Mark Sifferman
Rory C. Hays
MOLLOY, JONES, DONAHUE, TRACHTA,
CHILDERS & MALLAMO, P.C.
4041 N. Central, Suite 2001
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Telephone: (602) 263-7769
Attorneys for Tenneco West, Inc.,
Tenneco Realty Development
Corporation, and Pueblo Del Sol

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WATER RESOURCES

REVIEWED
Docketed No
Date 6-25-86 By CA

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

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

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

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, TRACHTA, CHILDERS & MALLAMO, P.C.
ATTORNEYS AT LAW
4041 NORTH CENTRAL AVENUE, SUITE 2001
PHOENIX, ARIZONA 85012
(602) 263-7784

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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

Steven E. Carroll
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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FCSPRNCA2072

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Phoenix, Arizona 85003

FCSPRNCA2073

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CENTRAL ARIZONA WATER CONSERVATION DISTRICT
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Deer Valley, Arizona 85024

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PAUL R. ORME
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Phoenix, Arizona 85016

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Phoenix, Arizona 85073

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Phoenix, Arizona 85016

Elizabeth Ann Rieke
DEPARTMENT OF WATER RESOURCES
99 E. Virginia
Phoenix, Arizona 85004

CHESTER J. PETERSON
2300 Valley Bank Center
Phoenix, Arizona 85073

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(602) 263-7784

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Phoenix, Arizona 85007

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Richard Dauphinais
NATIVE AMERICAN RIGHTS FUND
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Brenda G. Marshall

FCSPRNCA2075

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APPEALS	
BONDS	
CHANGE OF VENUE	
JURY FEES	
REMANDS	
CERTIFICATION DESK	
ACCOUNT SERVICES	
CRIMINAL JUDGMENTS	

SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

VIVIAN KRINGLE, Clerk

RC11-33390 (Code) AUG 12 1986 (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)

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

OFFICIAL MAILING LIST:

LEWIS & ROCA

EVANS, KITCHELL & JENCKES

SNELL & WILMER

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

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

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

KAUFMAN, APKER & NEARHOOD, P.C.

TWITTY, SIEVWRIGHT & MILLS

ALICIA F. TOCCO

DOUGLAS C. NELSON

JENNINGS, STROUSS & SALMON

GUST, ROSENFELD, DIVELBESS

MARTORI, MEYER, HENDRICKS & VICT

L. RICHARD MABERY (Prescott)

ATTORNEY GENERAL
By: JOSEPH CLIFFORD

SPARKS & SILER

DUANE C. WYLES (Clarkdale)

ELLIS, BAKER, LYNCH, CLARK AND PORTER

COX AND COX

FENNEMORE, CRAIG, von AMMON

RYLEY, CARLOCK & APPLEWHITE, P.

JOHN S. SCHAPER

(Continued)

FORM 43-17 REV 3-88

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APPEALS	
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JURY FEES	
REMANDS	
CERTIFICATION DESK	
ACCOUNT SERVICES	
CRIMINAL JUDGMENTS	

SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

VIVIAN KRINGLE, Clerk

RC11-33390 (Code) AUG 12 1986 (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)

RECEIVED OCT 9 1986 DEPT. OF WATER RESOURCES

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.

FORM 43-17 REV 3-86

FCSPRNCA2077

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JURY FEES	
REMANDS	
CERTIFICATION DESK	
ACCOUNT SERVICES	
CRIMINAL JUDGMENTS	

SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

VIVIAN KRINGLE, Clerk

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

NO. W-1
W-2
W-3
W-4

THIS HEARING ONLY LIST

GENERAL ADJUDICATION

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David W. Eagle

Joseph T. Dameron
3357 East Pennsylvania
Tucson, AZ 85714

FORM 43-17 REV. 3-86

FCSPRNCA2078

OFFICE DISTRIBUTION

APPEALS	
BONDS	
CHANGE OF VENUE	
JURY FEES	
REMANDS	
CERTIFICATION DESK	
ACCOUNT SERVICES	
CRIMINAL JUDGMENTS	

SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

RECEIVED JUL 31 '86 PROCESSED JUL 31 '86

Clerk of the Court — Mail Distr. Ctr.

VIVIAN KRINGLE, Clerk

39

RC11-33390 7-25-86 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)

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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

(Continued)

FCSPRNCA2079

[redacted] DISTRIBUTION

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SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

39

RECEIVED JUL 31 '86 PROCESSED JUL 31 '86

Clerk of the Court — Mail Distr. Ctr.

VIVIAN KRINGLE, Clerk

RC11-33390 7-25-86 JUDGE STANLEY Z. GOODFARB D. Glab

Code Date Judge or Commissioner Deputy

RECEIVED OCT 9 1986 DEPT. OF WATER RESOURCES

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.

(Continued)

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SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

RECEIVED JUL 31 '86 POSTED JUL 31 '86
Clerk of the Court — Maricopa Co.

VIVIAN KRINGLE, Clerk

RC11-33390 7-25-86 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)

RECEIVED OCT 9 1986 DEPT. OF WATER RESOURCES

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.

FORM 43-17 REV 3-86

FCSPRNCA2081

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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.

RECEIVED OCT 9 1986 DEPT. OF WATER RESOURCES

SW NE SE 21 - BLM 23- STOP SW

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. 39-004301

Filed: 6-24-80 (date) at 2:55 PM (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 2268 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. X 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. X 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 Jan 1	to Dec 31
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): _____

FCSPRNCA2083

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): _____ ¼ _____ ¼, Section _____ Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____. Ownership _____

C. Place of use (indicate on map): _____ ¼ _____ ¼, 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): NE ¼ SE ¼, Section 21 Township 23 S (N/S), Range 22 E (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: 1964 (Month/Day/Year); Date well place in use: 8/64 (Month/Day/Year).

(2) Location (10 acre subdivision) (indicate on map): SW ¼ NE ¼ SE ¼ Section 21, Township 23 S (N/S), Range 22 E (E/W), Gila and Salt River Base Meridian, County of Cochise.

(3) State Land Department Intent to Drill, File No. D(23/22)21dac or Application for Permit No. _____.

(4) State whether free flowing or pump: pump. If pump, list type of pump and capacity: Layne & Bowler Turbine

(5) Casing depth 350 ft. Total well depth 350 ft. Diameter of casing 16 inches.

(6) Depth to water: 35 ft. (Static Level)

(7) Annual amount pumped, or otherwise extracted: _____ Ac.Ft./Gallons

(8) State purpose of use: stock watering.

(9) Indicate annual period of use: Jan 1 (Month/Day) to Dec 31 (Month/Day)

8. Water storage reservoir and/or diverting works:

A. Location (indicate on map): _____ ¼ _____ ¼, Section _____, Township _____ (N/S), Range _____ (E/W), Gila and Salt River Baseand 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)
)SS
County of PIMA)
)

VERIFICATION

TENNECO WEST, INC., MALVIN JANS, VICE PRESIDENT
(please print Claimant-Affiant's name) (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.

Tenneco West, Inc. By

Melvin Jans

Claimant-affiant representative's signature

Claimant-affiant signature

Claimant-affiant signature

Melvin Jans, Vice President

Attest:

Claimant-affiant representative's signature

Subscribed and sworn to before me this 19th day of June, 1980

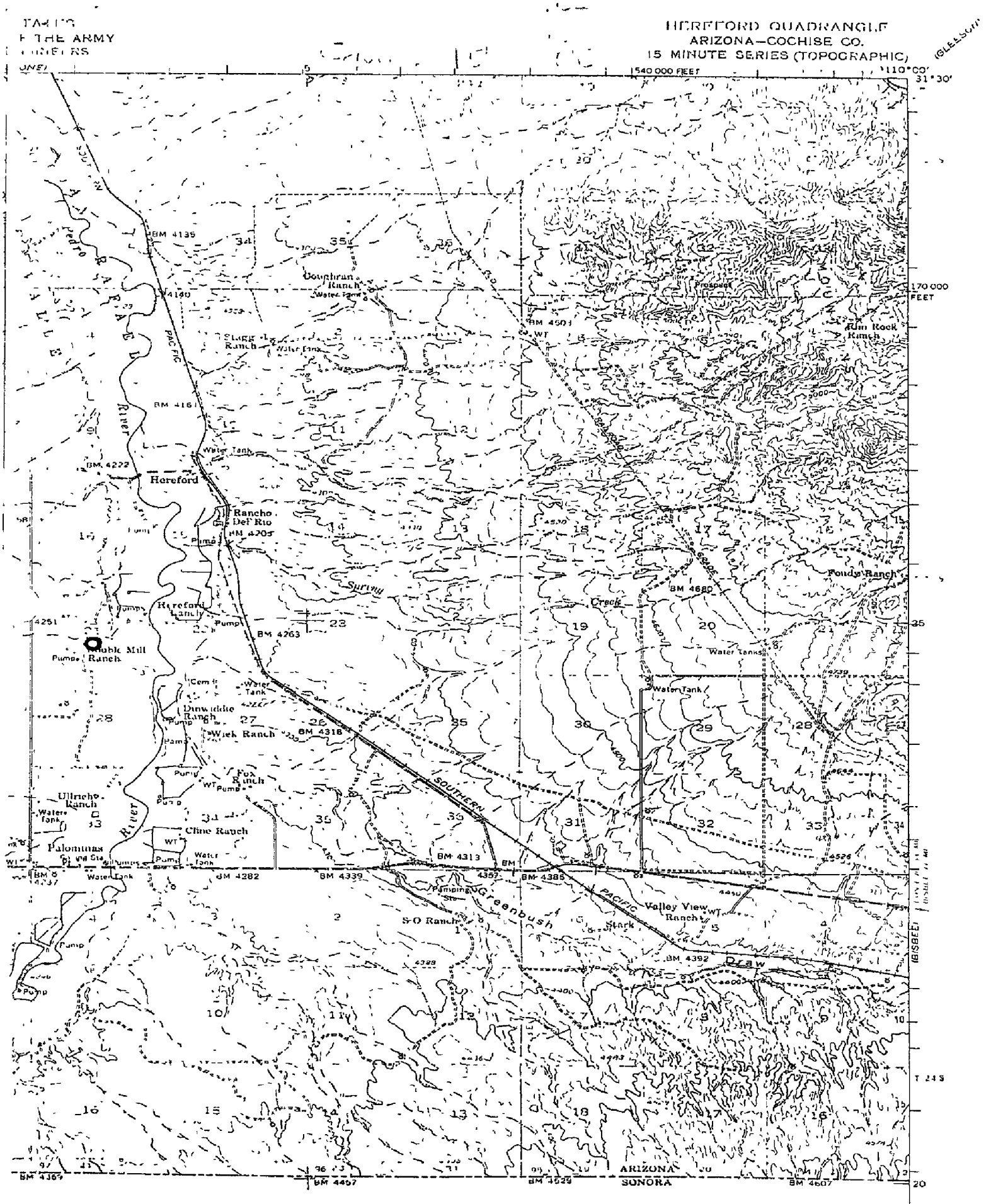
SEAL

Kelli Erin Speir

Notary Public or authorized Officer of the State Land Department

My Commission expires 3/4/84

COMMISSION
80 JUN 24 P2:55
ARIZONA WATER



FCSPRNCA2087

Molloy, Jones, Donahue, Trachta,
Childers & Mallamo., P.C.
Az. Bank Plaza, Box 2268
Tucson, Arizona 85702

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

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

RECEIPT – ORIGINAL

№ 4561

KIND ENTRY	FILE REFERENCE NO.
39	004262
	THRU
39	004302

ACCOUNT NO. FUND SOURCE	AGENCY	CHAPTER	DIV.	INT. ACCT.	ITEM DESCRIPTION	RATE	$ AMOUNT
14	432	36		41	Adjudication Filing Fee (SNPD)	20.00	820.00
					PAID		
						LOITER PAYMENT	
						GUESTS	1
						CHK NO	6920
						41@	20.00
						39 SN PD	820.00
						TAX	0.00
				DATE	6/23/80 Check # 6920 BB	TOTL	820.00
						BAL.CHEK	820.00

6/24/80 TOTAL $ 820.00