

State of Arizona

DEPARTMENT OF WATER RESOURCES

99 E. Virginia Avenue, Phoenix, Arizona 85004

January 8, 1982



BRUCE BABBITT, Governor
WESLEY E. STEINER, Director

adj. 10-1-81
If you want delivery to be made in Arizona, please request in the address block on form.
RESTRICTED DELIVERY

Ivan H. Howitz
Colonel, Armor
Deputy Installation Commander
Department of the Army
Headquarters Fort Huachuca
Fort Huachuca, Arizona 85613

SUBJECT: San Pedro Watershed Adjudication, State of Arizona
CCH-FE-U.

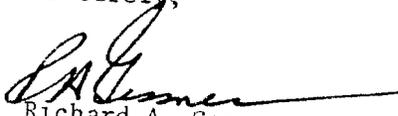
Dear Colonel Howitz:

This is to respond to your letter of December 30, 1981, regarding the filing fees for Statement of Claimant filed by Fort Huachuca.

This is to confirm that we have on hand two such Statements for Fort Huachuca presented by Mr. Swan on January 7, 1982. We are holding these statements pending receipt of the filing fees for them along with numerous other files by various federal agencies.

We believe that the appropriate filing fees must accompany each Statement of Claimant per Arizona Revised Statute 45-254F. The only exception to the fee requirement deals with Indian tribes.

Sincerely,


Richard A. Gessner
Chief, Operations Branch

RAG/jl

Think Conservation!

Office of Director 255-1554

Administration 255-1550, Water Resources and Flood Control Planning 255-1566, Dam Safety 255-1541,
Flood Warning Office 255-1548, Water Rights Administration 255-1581, Hydrology 255-1586.

USFH-00002782

CCH-FE-U

Waiver of Filing Fees-Water Rights for Fort Huachuca

CCH-CDR

CCH-FE

30 Dec 81
Mr. Cochran/blh/3335

1. This is a Decision Paper.
2. PURPOSE: To obtain the Commander's approval and signature on a cover letter (Tab A) to the Arizona Dept. of Water Resources.
3. FACTS:
 - a. On 28 December, 1981, a cover letter and two claim forms for State of Arizona water rights were signed by the Deputy Installation Commander. The letter stated filing fees would be forwarded separately.
 - b. At advice of the Staff Judge Advocate, the installation is requesting a waiver of fees.
4. CONCLUSION: Request for waiver is necessary to complete action on securing water rights for Fort Huachuca.
5. RECOMMENDATION: The Commander sign the letter at Tab A.

STEPHEN G. THOMPSON
Acting Director, Facilities Engineering

CCH-SJA

CONCUR

NON CONCUR

Division Chief

TJC

Date

30 Dec 81

UNIT DIV FILE COPY

CCH-FE-U

30 December 1981

SUBJECT: San Pedro Watershed Adjudication, State of Arizona

Mr. Richard A. Gessner
Dept of Water Resources
99 East Virginia
Suite 100
Phoenix, Arizona 85004

Dear Mr. Gessner:

Reference is made to CCH-FE letter dated 28 December 1981, subject as above, addressed to Office of The Chief of Engineers in Washington, DC.

This letter with accompanying claim forms has been provided to the Department of Water Sources by Mr. Swan, Department of Interior. This letter advised that filing fees would be forwarded separately.

Inasmuch as Fort Huachuca is a military installation, request waiver of filing fees. If waiver can not be granted, please advise and filing fee (estimated at \$40 for Fort Huachuca's two claims) will be forwarded immediately.

Sincerely,

IVAN H. HOWITZ
Colonel, Armor
Deputy Installation Commander

CF:
Office of the Chief of Engineers, ATTN: DAEN-CCK, Wash DC 20314

Div Chief _____ Date _____ Act Dir _____ Date _____

USFH-00002784

Letter with original claim forms and revised water report was mailed to Mr. Swan, a lawyer with The Dept. of Interior in Phx who agreed to handcarry the information at request of Mr. Carroll, Dept. of Justice. At the same time, 29 December 1981, a copy of all info was sent to Mr. Petit, lawyer for the Corps of Engineers who hand-carried it to Mr. Carroll.

Tom

DISPOSITION FORM

For use of this form, see AR 340-15, the proponent agency is TAGCEN.

CCH-FE
Cochran - FYI

REFERENCE OR OFFICE SYMBOL

SUBJECT

CCH-FE

Water Rights for Fort Huachuca

good
Mr. Cochran/m/3335

TO CCH-CDR

FROM CCH-FE

DATE 28 Dec 81 CMT 1
Mr. Cochran/m/3335

1. This is a Decision Paper.
2. PURPOSE: To obtain the Commander's approval and signature on a cover letter (Tab A) to DAEN-CCK and two State of Arizona claim forms for water rights. (Tabs B and C).
3. FACTS:
 - a. In January 1980, data was requested by the Arizona Real Estate Project Office of the Los Angeles District, Corps of Engineers pertaining to water rights. At that time, it had not been determined whether a federal judge would determine the Post water rights or the water rights would be determined as part of the State of Arizona Adjudication of the San Pedro watershed. Information on Fort Huachuca water sources was furnished to the Department of Army, Office of the Corps of Engineers (DAEN-CCK) in May 1980.
 - b. In October 1981, additional information was requested by the Arizona Real Estate Project Office stating the Office of Counsel for the Corps of Engineers required the information for the San Pedro Adjudication. This additional information was furnished in October 1981.
 - c. In December 1981, Mr. Cochran, Chief, Utilities Division, Facilities Engineering Directorate, was informed telephonically by Russ Petit, DAEN-CCK, that the Corps of Engineers would request the installation to prepare claim forms for signature by the installation commander.
 - d. The first written information furnished was the information facsimile message at Tab D received 23 December 1981.
 - e. The suspense for filing of 4 January 1982 is set by the State of Arizona.
4. CONCLUSION: The installation must file water rights claims to meet the suspense of 4 January 1982.
5. RECOMMENDATION: The Commander sign the letter at Tab A and the claim forms at Tab B and C.

4 Incl
as

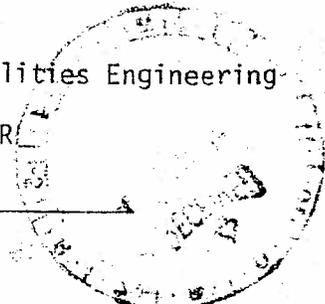
STEPHEN G. THOMPSON
Acting Director, Facilities Engineering

CONCUR

NON CONCUR

CCH-SJA

28 Dec 81



DA FORM 2496
1 FEB 67

REPLACES DD FORM 96, WHICH IS OBSOLETE.

☆U.S.GPO:1979-0-310-081/8129

USFH-00002786

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

AMENDED 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.)

CLAIM BEING AMENDED
NO. 39-10775

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

1. Name of Claimant: United States Army Garrison, Fort Huachuca, Arizona 85613-6000
(Last) (First) (M.I.)
Fort Huachuca, Arizona 85613-6000 (602) 533-1864/1863
(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: Federal reserved water rights.

3. A. Date of initiation of right: October 28, 1881 and May 14, 1883
(Month/Day/Year)

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

4. Purpose, annual amount and annual period of use: See Attachment A.

Purpose	Amount	Month/Day	Month/Day
Irrigation	_____ ac.ft./gallons	From _____	to _____
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) See Attachment A.

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): N/A

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

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

C. If for stockwater purposes, number and kind of stock watered: N/A

- D. If for municipal purposes, population to be served, and estimate of future requirements: N/A
- E. If for power purposes, describe type of plant and capacity: N/A
- F. If for mining purposes, describe purpose of use, location and character of the mine(s) to be served: N/A
- G. If for recreational purposes, describe: See Attachment A
- H. If for wildlife purposes, including fish, describe: See Attachment A
- I. If for other purposes, describe: See Attachment A
6. A. Direct source of public water diverted: See Attachment A tributary to _____ on the _____ watershed.
- B. Point of Diversion (indicate on map): See Attachment A, 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. N/A
- A. Well registration number: _____
- B. Location of well (indicate on map): _____, Section _____, Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____ Ownership _____
- C. List the following:
- (1) Date well construction began: _____ (Month/Day/Year); Date well placed in use: _____ (Month/Day/Year)
 - (2) Location (10 acre subdivision) (indicate on map): _____, Section _____, Township _____ (N/S), Range _____ (E/W)
 - (3) Intent to Drill, File No. _____, or Application for Permit No. _____
 - (4) State whether free flowing or pump: _____. If pump, list type of pump and capacity: _____
 - (5) Casing depth _____ ft. Total well depth _____ ft. Diameter of casing _____ inches.
 - (6) Depth to water: _____ ft. (Static Level)
 - (7) Annual amount pumped, or otherwise extracted: _____ Ac.Ft./Gallons
 - (8) State purpose of use: _____
 - (9) Indicate annual period of use: _____ (Month/Day) to _____ (Month/Day)
8. Water storage reservoir and/or diverting works: See Attachment A
- A. Location (indicate on map): _____, Section _____, Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____ Ownership _____
- A. 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.

G. If diverting works, describe: See Attachment A

9. Distribution works: N/A

- A. (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. N/A

- A. Date begun: _____
(Month/Day/Year)
Date completed: _____
(Month/Day/Year)
- B. Describe details of enlargement(s): _____
- C. Dimensions of work as originally constructed and as enlarged: _____

Explanatory

This does not waive any future claims to additional water for mission activities
under applicable law.

(continued on the next page)

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

STATE OF ARIZONA)
) SS
 County of Cochise)
)
 William R. Harnagel
 Colonel, U.S. Army
 Commanding
Fort Huachuca, Arizona
(please print Claimant name)

VERIFICATION

, or _____
(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.

William R. Harnagel
Claimant signature

Claimant representative signature

Subscribed and sworn to before me this 21st
 day of August, 1989.

(SEAL)

Terry A. Snow
Notary Public or authorized Employee of the Department of Water Resources

My Commission expires BY COMMISSION EXPIRES MAY 12, 1990