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11  
12  
13 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
14 **IN AND FOR THE COUNTY OF MARICOPA**

15 **IN RE THE GENERAL ADJUDICATION**  
16 **OF ALL RIGHTS TO USE WATER IN**  
17 **THE GILA RIVER SYSTEM AND**  
18 **SOURCE**

19 W-1 (Salt)  
20 W-2(Verde)  
21 W-3 (Upper Gila)  
22 W-4 (San Pedro)  
23 (Consolidated)

24 Contested Case No. W1-11-1174

25 **ARIZONA DEPARTMENT OF WATER**  
26 **RESOURCES' REVIEW OF**  
**STIPULATION AND WATER RIGHT**  
**ABSTRACTS**

(Special Master Susan Ward Harris)

19 **CONTESTED CASE NAME:** *In re PWR 107 Claims*

20 **HSR INVOLVED:** San Pedro River Watershed Hydrographic Survey Report

21 **DESCRIPTIVE SUMMARY:** Report of the Arizona Department of Water Resources  
22 concerning its review of the stipulation and water right abstracts filed by the United States  
23 and the San Carlos Apache Tribe.

24 **NUMBER OF PAGES:** 25

25 **DATE OF FILING:** June 19, 2016  
26

1           The United States and the San Carlos Apache Tribe filed a stipulation to resolve  
2 the objections of the San Carlos Apache Tribe to the claims filed by the United States  
3 pursuant to Public Water Reserve No. 107 (“PWR 107”) to 16 springs located in the  
4 vicinity of the southern boundary of the San Carlos Apache Reservation (“Stipulation”).  
5 The Stipulation, including 16 proposed water right abstracts for the springs, was filed on  
6 April 20, 2016 as an appendix to a report jointly filed by the United States and the San  
7 Carlos Apache Tribe (“Joint Report”), which was received by the Arizona Department of  
8 Water Resources (“ADWR”) on April 25, 2016.

9           By Order dated November 5, 2015, the Special Master directed ADWR to review  
10 the Stipulation and water right abstracts within 90 days of receipt and to make a  
11 recommendation, but not to prepare a comprehensive report. The Special Master stated  
12 that, “ADWR shall not prepare a comprehensive technical report; instead, its review shall  
13 be limited to the accuracy and completeness of the factual information contained in the  
14 proposed stipulation and abstracts of water rights.” Order at 2, ¶ 2.b.ii.

15           Exhibit B to the Stipulation contains 16 water right abstracts that set forth agreed  
16 upon attributes for the claims filed by the United States. According to the Stipulation, the  
17 San Carlos Apache Tribe and the United States “stipulate and agree to an entry of a decree  
18 for each of these claims as described in the attached abstracts.” Stipulation at 2, ¶ 2.

#### 19       **I.     ABSTRACT REVIEW PROCESS**

20           In accordance with the Special Master’s Order, ADWR limited its review of the  
21 stipulation and abstracts to the following:

- 22       • Verification of ownership;
- 23       • A comparison of the information in the abstract to the most recent amendment of  
24       the Statement of Claimant (SOC) referenced in the abstract;
- 25       • An assessment of the volume stated in the abstract; and

26

- 1       • An assessment of the accuracy of the locations stated in the abstract.

2           A.     Ownership

3           In each of the abstracts, the United States is listed as the owner. ADWR utilized  
4 the Arizona State Land Department website parcel mapping feature to verify that the  
5 locations denoted in the abstract fall within lands classified as being owned by the Bureau  
6 of Land Management (“BLM”). ADWR also compared the location of each spring with  
7 information in the San Pedro River Watershed Hydrographic Survey Report and found  
8 that each of the 16 springs was reported as being within a BLM grazing lease.

9           B.     Comparison of SOC and Abstract

10          ADWR reviewed each of the SOCs referenced in the abstracts. Each of the SOCs  
11 was amended on February 4, 2003, and those amendments appear to serve as the basis for  
12 the information presented in the abstracts. ADWR compared the abstracts to the February  
13 4, 2003 amendments and found complete agreement between the two for every attribute  
14 listed in the abstract.

15          However, the SOCs for three of the springs (39-11187, 39-11203, and 39-14446)  
16 were amended again on September 9, 2003. These later amendments appear to relate to  
17 state-based water rights claims that the United States also filed for these springs, and  
18 which were filed with the same SOC number. The legal basis for each of the September  
19 9, 2003 amendments is listed as the Water Rights Registration Act (state law) with a  
20 priority date prior to June 12, 1919. Copies of the February 4, 2003 and September 9,  
21 2003 amendments to these SOCs are included as **Appendix A** to this report.

22          Based on communications with counsel for the United States, it is ADWR’s  
23 understanding that the September 9, 2003 amendments are separate from the February 4,  
24 2003 amendments and are not part of the Stipulation. ADWR notes that in the  
25 Stipulation, the United States reserved the right “to argue that the United States had  
26

1 appropriated the water at this site consistent with *state law* prior to April 17, 1926.”  
2 Stipulation at 3, ¶ 4 (emphasis added).

3 C. Flow Rate/Volume

4 Each of the abstracts lists the flow rate/volume in terms of acre-feet per annum  
5 (“AFA”) for stockwater use. ADWR’s revised Standard Water Use Quantities (January,  
6 2006) estimates a daily water use for cattle of 12 gallons per animal unit per day. ADWR  
7 converted the AFA flow rate/volumes included in the abstracts to gallons per day  
8 (“GPD”), which range from a high of 357 GPD to a low of 45 GPD. ADWR determined  
9 that the flow rate/volumes claimed for the springs described in the abstracts would  
10 provide sufficient water to supply between 4 and 30 cattle animal units, depending on  
11 which spring were utilized. ADWR believes that these volumes are not unreasonable.

12 D. Location

13 The location of the place of use and point of diversion are listed separately in the  
14 water right abstracts, but for each spring they are the same. ADWR matched the location  
15 of seven of the springs described in the abstracts with Global Positioning System (“GPS”)  
16 coordinates provided on the map included as Exhibit A of the Stipulation. See water right  
17 abstracts for SOC Nos. 39-11201, 39-11202, 39-11203, 39-11204, 39-11209, 39-11211,  
18 and 39-14445. According to the Joint Report accompanying the Stipulation, the United  
19 States provided this map to the San Carlos Apache Tribe on March 10, 2014. Joint Report  
20 at 4.<sup>1</sup> ADWR verified that these coordinates fell within the 40-acre area described as the  
21 point of diversion and place of use for those seven springs.

22  
23  
24 <sup>1</sup> These coordinates appear to be the same as those that were reportedly collected by BLM  
25 staff during field investigations in 2002. See “Arizona Department of Water Resources’  
26 Report Concerning the Boundary of the San Carlos Indian Reservation Relative to the  
PWR 107 Springs,” Table 1 (May 16, 2005).

1 ADWR located three of the nine remaining springs on U.S. Geological Survey  
2 (USGS) topographic maps. See water right abstracts for SOC Nos. 39-11181, 39-11182,  
3 and 39-11183. ADWR verified that the locations described in these abstracts match the  
4 locations shown on the USGS topographic maps.

5 The six springs that have neither GPS confirmation nor are called out on USGS  
6 topographic maps have relatively low claimed flow rate/volumes with the highest of the  
7 six being 0.20 AFA, which is 179 GPD. See water right abstracts for SOC Nos. 39-  
8 11187, 39-11205, 39-11206, 39-11207, 39-11210, and 39-14446. It should be noted that  
9 179 GPD is equivalent to 0.12 gallons (approximately 2 cups) per minute expressed as a  
10 constant flow rate. Springs with such low flow rates would be difficult to identify in the  
11 field and could well be expressed at slightly different locations depending on the season of  
12 the year. ADWR has no basis to dispute the locations of these six springs as described in  
13 the abstracts.

## 14 **II. ABSTRACT REVIEW RESULTS**

15 For each stipulated water right abstract included in Exhibit B to the Stipulation, the  
16 United States is the owner, the source is a spring, and the use is stockwater. The place of  
17 use (POU) and point of diversion (POD) for each spring are the same.

18 ADWR prepared the table attached hereto as **Appendix B** to present the  
19 information that is unique to each spring, together with additional information based on  
20 ADWR's review. ADWR included a column in the attached table to express the proposed  
21 flow rate/volume in GPD, and another column to indicate ADWR's verification of the  
22 location of the springs based in part on the information provided by the United States in  
23 Exhibit A to the Stipulation and ADWR's independent investigation of USGS topographic  
24 maps. These two columns of information are indicated in the table by italics.

25  
26

1 **III. RECOMMENDATION**

2 Based on ADWR's review, ADWR recommends that a partial decree be entered  
3 for each of the claims described in the stipulated water right abstracts attached as Exhibit  
4 B to the Stipulation.

5 **DATED** this 19th day of July, 2016.

6

7

ARIZONA DEPARTMENT OF WATER  
RESOURCES

8



9

Janet L. Miller, Deputy Counsel

10

Nicole D. Klobas, Deputy Counsel

11

**ORIGINAL** of the foregoing  
sent by first-class mail  
on July 19, 2016, to:

12

13

Clerk of the Superior Court  
Maricopa County  
Attn: Water Case  
601 W. Jackson Street  
Phoenix, Arizona 85003

14

15

16

17

**COPIES** of the foregoing  
sent by first-class mail  
on July 19, 2016, to:

18

19

Special Master Susan Ward Harris  
Maricopa County Superior Court  
Central Court Building Suite 3A  
201 West Jefferson Street  
Phoenix, AZ 85003

20

21

22

23

All parties on the court-approved mailing list  
for contested case no. W1-11-1174

24

25

26



# **APPENDIX A**

**SOC 39-11187**

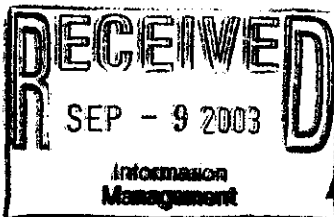


STATEMENT OF CLAIMANT FORM  
FOR

File No. 39- 11-11187

Date Filed: 9/9/2003

WFN \_\_\_\_\_



**OTHER USES<sup>1</sup>  
AMENDMENT**

SUPERIOR COURT OF MARICOPA COUNTY

1. Claimant Name: BLM-Safford Field Office  
Claimant Address: 711 14th Avenue City Safford  
State: AZ Zip Code 85546 Telephone ~~520-420-4040~~  
928-348-4469

2. Basis of Claim:

- A.  Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. 36-104949
- 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. Claimed Priority Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ (month/day/year)

4. Use:

- A.  Municipal
- B.  Commercial or Industrial
- C.  Mining
- D.  Stockwatering other than from a stockpond
- E.  Recreation, Fish & Wildlife
- F.  Other, describe: \_\_\_\_\_

5. Source of Water:

- A.  Stream: name \_\_\_\_\_, tributary to \_\_\_\_\_
- B.  Spring: name Bull Muddy, tributary to \_\_\_\_\_
- C.  Lake or Reservoir: name \_\_\_\_\_, tributary to \_\_\_\_\_
- D.  Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required)

\_\_\_\_ 1/4, \_\_\_\_ 1/4, \_\_\_\_ 1/4, Section 29, Township 5 ~~N~~S, Range 19 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 a ditch, canal or pipeline.
- C.  Well: Arizona Department of Water Resources Well Registration No. 55- \_\_\_\_\_
- D.  Other, describe: \_\_\_\_\_

<sup>1</sup> 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: \_\_\_\_\_ 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 M. Moltis

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. Additional comments: Delete 36-100207 in Z.A. Basis of Claim

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division,

500 NORTH THIRD STREET  
PHOENIX, ARIZONA 85004-3903

17. Notarized Statement:

~~I~~ (We), BLM - Safford District Field Office  
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 M. Moltis

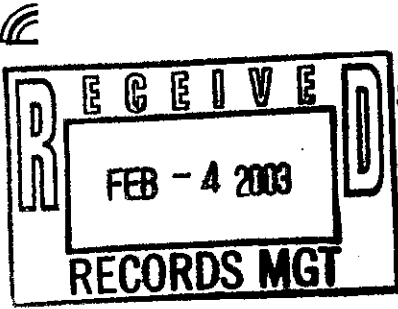
(seal)

Jan 22, 2005  
My Commission Expires

Barbara Peru  
Notary Public



or, \_\_\_\_\_  
Authorized Personnel of the Department of Water Resources



STATEMENT OF CLAIMANT FORM FOR

OTHER USES<sup>1</sup> AMENDMENT

File No. 39-11187 Date Filed 2-4-03

SUPERIOR COURT OF MARICOPA COUNTY

1. Claimant Name: Bureau of Land Management, Safford Tucson Field Office
Claimant Address: 12661 E. Broadway Blvd. 711 14th Ave City Tucson Safford
State: AZ Zip Code 85748 Telephone 520-722-4289 928-348-4469

- 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: Executive Order No. 107, Public Water Reserve, 04/17/1926

3. Claimed Priority Date: 04 / 17 / 1926 (month/day/year)

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

- 5. Source of Water:
A. Stream: name tributary to
B. Spring: name Bull Muhly tributary to
C. Lake or Reservoir: name tributary to
D. Groundwater.

6. Legal Description of the Point of Diversion: (attach additional sheet if required)
1/4, SW 1/4, NW 1/4, Section 29, Township 5S N/S, Range 19E 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 a ditch, canal or pipeline.
C. Well: Arizona Department of Water Resources Well Registration No. 55-
D. Other, describe:

1See 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 _____	Section _____	Township _____	Range _____	EW
Legal Subdivision _____			N/S _____	EW
			N/S _____	EW

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 Debra M. Little

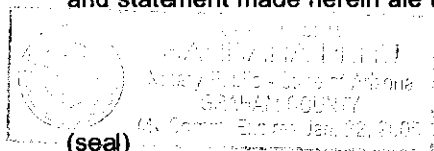
14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? \_\_\_\_\_

15. Additional comments: Delete wildlife use

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 500 N. Third Street, Phoenix, AZ 85004.

17. Notarized Statement: I(We), BLM - Safford Field Office

The claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statement made herein are to the best of my (our) knowledge and belief true, correct and complete.



(seal) Jan 22, 2005  
My Commission Expires

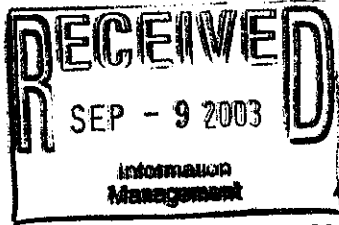
Debra M. Little for BLM

Barbara Peur (Date)

or, \_\_\_\_\_  
Authorized Personnel of the Department of Water Resources

**SOC 39-11203**

STATEMENT OF CLAIMANT FORM  
FOR



OTHER USES<sup>1</sup>  
AMENDMENT

File No. 39- 11-11203  
Date Filed: 9/9/2003  
WFN \_\_\_\_\_

SUPERIOR COURT OF MARICOPA COUNTY

1. Claimant Name: BLM-Safford Field Office  
Claimant Address: 711 14th Avenue City Safford  
State: AZ Zip Code 85546 Telephone ~~520-420-4040~~  
928-348-4469

2. Basis of Claim:

- A.  Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. 36-104944
- 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. Claimed Priority Date: 12/31/1883 (month/day/year)

4. Use:

- A.  Municipal
- B.  Commercial or Industrial
- C.  Mining
- D.  Stockwatering other than from a stockpond
- E.  Recreation, Fish & Wildlife
- F.  Other, describe: \_\_\_\_\_

5. Source of Water:

- A.  Stream: name \_\_\_\_\_, tributary to \_\_\_\_\_
- B.  Spring: name Claridge, tributary to Black Canyon
- C.  Lake or Reservoir: name \_\_\_\_\_, tributary to \_\_\_\_\_
- D.  Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required)

\_\_\_\_\_ 1/4, \_\_\_\_\_ 1/4, \_\_\_\_\_ 1/4, Section 20, Township S 4/S, Range 19 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 a ditch, canal or pipeline.
- C.  Well: Arizona Department of Water Resources Well Registration No. 55- \_\_\_\_\_
- D.  Other, describe: \_\_\_\_\_

<sup>1</sup> 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: \_\_\_\_\_ 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 Debbie Molitor

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. Additional comments: Delete 36-100192 in Z.A. Basis of Claim

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division,

500 NORTH THIRD STREET  
PHOENIX, ARIZONA 85004-3903

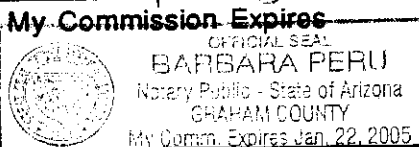
17. Notarized Statement:

I (We), BLM - Safford District Field Office  
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.

Debbie Molitor

(seal)

Jan 22, 2015

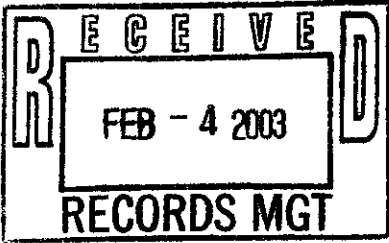


Barbara Peru  
Notary Public

or, \_\_\_\_\_  
Authorized Personnel of the Department of Water Resources



For Departmental Use Only



# STATEMENT OF CLAIMANT FORM FOR

# OTHER USES<sup>1</sup> AMENDMENT

File No. 39- 11203
Date Filed: <u>2-4-03</u>

SUPERIOR COURT OF MARICOPA COUNTY

1. **Claimant Name:** Bureau of Land Management, <sup>Safford</sup> Tucson Field Office  
**Claimant Address:** ~~12661 E. Broadway Blvd.~~ <sup>71114th Ave</sup> City Tucson <sup>Safford</sup>  
 State: AZ Zip Code ~~85748~~ <sup>85546</sup> Telephone 520-722-4289 <sup>928-348-4469</sup>

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: Executive Order No. 107, Public Water Reserve, 04/17/1926

3. **Claimed Priority Date:** 04 / 17 / 1926 (month/day/year)

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

5. **Source of Water:**
- A.  Stream: name \_\_\_\_\_, tributary to \_\_\_\_\_
  - B.  Spring: name Claridge, tributary to \_\_\_\_\_
  - C.  Lake or Reservoir: name \_\_\_\_\_, tributary to \_\_\_\_\_
  - D.  Groundwater.

6. **Legal Description of the Point of Diversion:** (attach additional sheet if required)  
\_\_\_\_\_ 1/4, NE 1/4, NW 1/4, Section 29, Township 5S N/S, Range 19E 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 a ditch, canal or pipeline.
  - C.  Well: Arizona Department of Water Resources Well Registration No. 55-\_\_\_\_\_
  - D.  Other, describe: \_\_\_\_\_







<sup>1</sup>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 \_\_\_\_\_ E/W \_\_\_\_\_  
 \_\_\_\_\_ 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: 0.19 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** Delbert Molitor

**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?** \_\_\_\_\_  
 \_\_\_\_\_

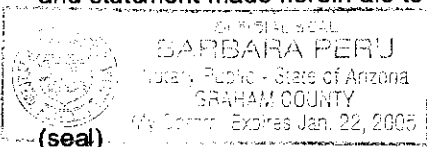
**15. Additional comments:** Delete wildlife use  
 \_\_\_\_\_  
 \_\_\_\_\_

**16. Mail form(s) to:** Department of Water Resources, Adjudications Division, 500 N. Third Street, Phoenix, AZ 85004.

**17. Notarized Statement:**

~~I (We),~~ BLM - Safford Field Office

The claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statement made herein are to the best of my (our) knowledge and belief true, correct and complete.



2/30/2003  
 My Commission Expires

Delbert Molitor For BLM  
 \_\_\_\_\_  
 (Date)

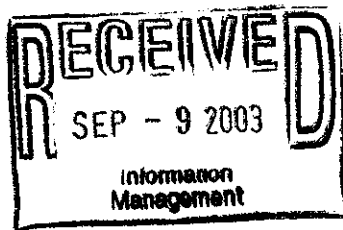
Barbara Peru  
 \_\_\_\_\_

or, \_\_\_\_\_  
 Authorized Personnel of the Department of Water Resources



**SOC 39-14446**

STATEMENT OF CLAIMANT FORM  
FOR



OTHER USES<sup>1</sup>  
AMENDMENT

File No. 39- 11- 14446  
Date Filed: 9/9/2003  
WFN \_\_\_\_\_

SUPERIOR COURT OF MARICOPA COUNTY

1. Claimant Name: BLM-Safford Field Office  
Claimant Address: 711 14th Avenue City Safford  
State: AZ Zip Code 85546 Telephone ~~520-420-4040~~  
928-348-4469

2. Basis of Claim:

- A.  Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. 36-104945
- 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. Claimed Priority Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ (month/day/year)

4. Use:

- A.  Municipal
- B.  Commercial or Industrial
- C.  Mining
- D.  Stockwatering other than from a stockpond
- E.  Recreation, Fish & Wildlife
- F.  Other, describe: \_\_\_\_\_

5. Source of Water:

- A.  Stream: name \_\_\_\_\_, tributary to \_\_\_\_\_
- B.  Spring: name Chest, tributary to \_\_\_\_\_
- C.  Lake or Reservoir: name \_\_\_\_\_, tributary to \_\_\_\_\_
- D.  Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required)

\_\_\_\_ 1/4, \_\_\_\_ 1/4, \_\_\_\_ 1/4, Section 29, Township 5 N/S, Range 19 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 a ditch, canal or pipeline.
- C.  Well: Arizona Department of Water Resources Well Registration No. 55- \_\_\_\_\_
- D.  Other, describe: \_\_\_\_\_

<sup>1</sup> 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: \_\_\_\_\_ 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 Molitor

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. Additional comments: Delete 36-100197 in Z.A. Basis of Claim

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division,

500 NORTH THIRD STREET  
PHOENIX, ARIZONA 85004-3903

17. Notarized Statement:

I (We), BLM - Safford District Field Office  
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 Molitor

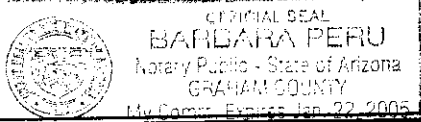
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Jan 22, 2005

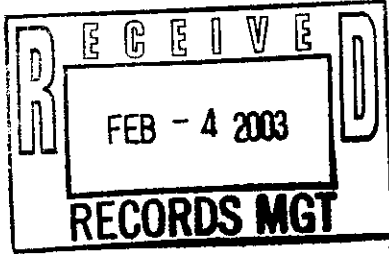
My Commission Expires

Barbara Peru

Notary Public



or, \_\_\_\_\_  
Authorized Personnel of the Department of Water Resources



STATEMENT OF CLAIMANT FORM

FOR

OTHER USES<sup>1</sup> AMENDMENT

SUPERIOR COURT OF MARICOPA COUNTY

File No. 39-14446
Date Filed: 24 2003
15-2-XXXX-7

- 1. Claimant Name: Bureau of Land Management, Tucson Field Office
Claimant Address: 12661 E. Broadway Blvd. 711 14th Ave City Tucson Safford
State: AZ Zip Code 85748 Telephone 520-722-4289 928-348-4469
2. Basis of Claim
A. Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act
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: Executive Order No. 107, Public Water Reserve, 04/17/1926
3. Claimed Priority Date: 04 / 17 / 1926 (month/day/year)
4. Use:
A. Municipal
B. Commercial or Industrial
C. Mining
D. Stockwatering other than from a stockpond
E. Recreation, Fish & Wildlife
F. Other, describe:
5. Source of Water:
A. Stream: name tributary to
B. Spring: name Chest tributary to
C. Lake or Reservoir: name tributary to
D. Groundwater.
6. Legal Description of the Point of Diversion: (attach additional sheet if required)
1/4, SW 1/4, NW 1/4, Section 29, Township 5S N/S, Range 19E EW
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 a ditch, canal or pipeline.
C. Well: Arizona Department of Water Resources Well Registration No. 55-
D. Other, describe:

<sup>1</sup>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 _____	EW _____
			N/S _____	EW _____
			N/S _____	EW _____

11. Claimed Right:

A. Maximum Flow Rate: \_\_\_\_\_  cubic-feet per second  
 gallons per minute  
 Arizona miner's inches

B. Annual Volume of Water Use: 0.06 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 Delbert White

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? \_\_\_\_\_

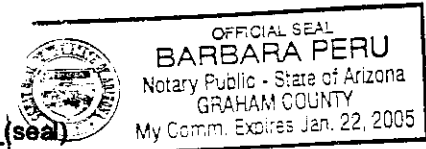
15. Additional comments: Delete wildlife use

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 500 N. Third Street, Phoenix, AZ 85004.

17. Notarized Statement:

I(We), BLM - Safford Field Office

The claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statement made herein are to the best of my (our) knowledge and belief true, correct and complete.



Delbert White for BLM

(Date)

Jan 22, 2005  
My Commission Expires

Barbara Peru

or,  
Authorized Personnel of the Department of Water Resources

# **APPENDIX B**

**ADWR'S REVIEW OF STIPULATED WATER RIGHT ABSTRACTS  
CONTESTED CASE PWR 107**

<b>Claim Number</b>	<b>Name</b>	<b>POD/POU</b>	<i>Location Verification*</i>	<b>Flow Rate/ Volume (AFA)</b>	<i>Flow Rate/ Volume (GPD)</i>	<b>Remarks</b>
39-11181	Oak Spring	NW 1/4 SW 1/4 Sec 29 T5S R19E	<i>USGS Topo Map</i>	0.11	98	
39-11182	John Spring	NW 1/4 SE 1/4 Sec 30 T5S R19E	<i>USGS Topo Map</i>	0.11	98	
39-11183	Juniper Spring	SE 1/4 SE 1/4 Sec 30 T5S R19E	<i>USGS Topo Map</i>	0.11	98	
39-11187	Bull Muhly Spring	SW 1/4 NW 1/4 Sec 29 T5S R19E	<i>None</i>	0.20	179	ORIGINAL SOC INCORRECTLY CLAIMED 0.020 AFA, THIS AMOUNT IS AMENDED TO 0.20 AFA
39-11201	No. 2 Spring	NW 1/4 NE 1/4 Sec 29 T5S R19E	<i>GPS</i>	0.40	357	
39-11202	Upper Boulder Spring	NE 1/4 SW 1/4 Sec 20 T5S R19E	<i>GPS</i>	0.40	357	
39-11203	Claridge Spring	NE 1/4 NW 1/4 Sec 29 T5S R19E	<i>GPS</i>	0.19	170	
39-11204	Cottonwood Spring	SE 1/4 NW 1/4 Sec 29 T5S R19E	<i>GPS</i>	0.40	357	

\* Italicized information added by ADWR.



**ADWR'S REVIEW OF STIPULATED WATER RIGHT ABSTRACTS  
CONTESTED CASE PWR 107**

<b>Claim Number</b>	<b>Name</b>	<b>POD/POU</b>	<i>Location Verification*</i>	<b>Flow Rate/ Volume (AFA)</b>	<i>Flow Rate/ Volume (GPD)</i>	<b>Remarks</b>
39-11205	Upper Deer Creek #1 Spring	NE 1/4 NE 1/4 Sec 18 T5S R20E	<i>None</i>	0.07	62	
39-11206	Indian Draw Spring	SE 1/4 SW 1/4 Sec 7 T5S R20E	<i>None</i>	0.07	62	
39-11207	Upper Deer Creek #2 Spring	NE 1/4 NE 1/4 Sec 18 T5S R20E	<i>None</i>	0.07	62	
39-11209	Goat Spring	SE 1/4 NE 1/4 Sec 13 T5S R19E	<i>GPS</i>	0.05	45	
39-11210	Horse Spring	SW 1/4 SW 1/4 Sec 18 T5S R20E	<i>None</i>	0.05	45	
39-11211	Juniper Spring	NE 1/4 SE 1/4 Sec 13 T5S R19E	<i>GPS</i>	0.05	45	
39-14445	Warm Spring	NE 1/4 SW 1/4 Sec 23 T5S R19E	<i>GPS</i>	0.153	137	ORIGINAL SOC INCORRECTLY CLAIMED 0.077 AFA. THIS IS AMENDED TO 0.153 AFA.
39-14446	Chest Spring	SW 1/4 NW 1/4 Sec 29 T5S R19E	<i>None</i>	0.06	54	

\* Italicized information added by ADWR.