

PWR NO.	NAME	LOCATION	CAPACITY	PRIORITY DATE	LAND-OWNER	LESSEE	WATER SOURCE	WATER RIGHT HOLDER
SP1	Red Rock Tank	NESE 12 22S 18E	.4	1940?	USFS	Pyeatt	Ferosa Canyon Creek trib. to Lyle Canyon Wash - trib to Babacomari	in dispute
SP2	Ferosa Tank #2	SESE 12 22S 18E	7.5	1960	USFS	Pyeatt		in dispute
SP4	Ferosa Tank #1 (aka Christmas Tree Tank)	SENE 7 22S 19E	.37	1952	USFS	Pyeatt	Lyle Canyon Wash - trib to Babacomari	in dispute
SW1	Picnic Spring	SENE 2 22S 18E	disputed un-developed - .2 consumption 1.6 max. consump.	in dispute	USFS	Pyeatt	in Ferosa Canyon	in dispute
SW2*	Bootlegger Spring	SWSE 6 22S 19E	disputed		USFS	Pyeatt	trib to Manilla Canyon	in dispute

None: SP improvement put in in 1942 and was on the Pyeatt F.S. allotment. In 1981, the F.S. gave a portion of that allotment to Ft. Huachuca Military Res. This tank was on the land given away and should be a Ft. Huachuca claim.

*A cement box w/a pipe was built around the spring in 1942. The development plugged the spring and the spring split into two at a different location. There is no water at the cement box. The two springs are called Manilla and Bootlegger.

SLD

No changes

SRP

SP1

"Location"
NWSE 12 22S 18E

SP2

"Capacity"
2.5 AF
"Water Source"
Tributary to Lyle Canyon Wash
Tributary to Babocamari

SW1

"Name"
Picnic Spring
Unimproved

GRIC

SP1

There are two listings for this right
"Location"
NWSE 12 22S 18E

SP2

"Capacity"
2.5 AF

USFS

SW2

"Priority Date"
In dispute

Apache Tribes

SW2

"Priority Date"
None cited

SP2

"Water Source"
None cited

SP1

"Priority Date"
Object to 1940

PWR NO.	NAME	LOCATION	CAPACITY	PRIORITY DATE	LAND-OWNER	LESSEE	WATER SOURCE	WATER RIGHT HOLDER
SP1 SW020*	Markham Cement Tank	NWNE 26 11S 18E	.43	built 1948 or 1970 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP2 SW015	Andy's Dam	SENE 35 11S 18E	4.9	built 1961 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP3 SW016	Markham Dam	SWSE 20 11S 19E	12.4	built 1969 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP4 SW014	Taylor Dam	NENW 20 11S 19E	6.6	built 1973 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP5 SW2	Lower Wilton Dam	SWNE 2 11S 19E	7.4	built 1941 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP6 SW013	Mesa Dam	NESW 26 11S 19E	6.9	built 1941 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP7 SW012	Mesa Road Dam	S6NW 29 11S 19E	1.9	built 1972 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP8 SW4	Lower Tinaja Dam	SESE 2 12S 19E	2.1	built 1937 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP9 SW4	Bayless Dam	NENW 11 12S 19E	2.4	built 1938 <1884 in dispute	SLD	Bayless & Berkalew		in dispute

11/10/2002

14:19

NU.148

009

SP10 SW10	Steve's Dam	NWSW 15 12S 19E	2.28	built <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP11 SW10	Lower Aguja Canyon Tank	NESE 11 12S 19E	2.2	built 1965 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP12 SW12	South Field Tank	SWNE 26 11S 18E	.35	built 1974 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP13 SW21	Fat Tadpole Tank	NWSW 13 11S 18E	.43	built 1948 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP14 SW23	Aguja Tank (steel tank filled with water from private land)	NWNE 17 12S 19E	.43	built 1970 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP15 SW24	Pipeline Tank	NWNE 17 12S 19E	.43	built 1971 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SP16 No SW	Silted Tank	SWNE 2 12S 18E	.72	built 1972 <1884 in dispute	SLD	Bayless & Berkalew		in dispute
SW1	Patterson Spring developed	NENE 14 11S 19E	Flow rate: ¼ gal/min. ann. use: .43 AF	<1884 in dispute	SLD	Bayless & Berkalew		in dispute
SW3	Kelly Wash (ponds that are cleaned out)	SWNE 34 11S 19E	.25 AF	<1900 or <1884 in dispute	SLD	Bayless & Berkalew		in dispute

SW5* SW6**	Redfield Canyon Wash	S $\frac{1}{2}$ 32, 33, 24, and N $\frac{1}{4}$ 36 11S 19E	ann. use: .43 AF	<1884 dispute	SLD	Bayless & Berkalew		in dispute
SW9	Redfield Canyon Spring developed	in dispute***	in dispute	in dispute	SLD	Bayless & Berkalew		in dispute
SW17**	Redfield Canyon	NESE 20 11S 20E	ann. use: .43 AF	<1884 in dispute	SLD	Bayless & Berkalew		in dispute
SW19	Charcoal Wash	in dispute	ann. use: 1.68 AF	<1884 in dispute	SLD	Bayless & Berkalew		in dispute
SW22**	Redfield Canyon Wash	S1/2 36 11S 18E	ann. use: .43 AF	1853 in dispute	SLD	Bayless & Berkalew		in dispute

*SW5 and SW6 are the same use and should be combined - DWR describes SW5 as instream stockwatering use from Redfield Canyon and SW6 as Redfield Canyon Wash.

**SLD filed a separate 39 for each township that Redfield Canyon passes through.

***This spring is located on private land. The water is piped to and used on state land in this WFR.

SLD

In many instances a stockpond has been built to replace water formerly found in a section of stream that no longer flows. SLD filed a single "39" in these circumstances listing two uses: one for stockpond and another for the stream section. While the date of construction was listed for the stockpond, the claimed priority is the date cattle first used the are or the date the land was reserved for or acquired by the state. DWR assigned a separate PWR to the stockpond and the stockwatering use. However, from the viewpoint of SLD, the SP and SW represent a single claim or PWR.

NOTE: Not all SW uses can be paired with an SP. In some instances, SLD claims an "instream" use for stockwatering that continues today and has not been replaced by a stockpond. The quantification of SW uses is in dispute.

SRP

SW's in this WFR are Unimproved unless otherwise noted.

SP1/SW20

"Capacity"
 .13 (SLD 38, 39)
 "Priority Date"
 1970?

SP12/SW12

"Capacity"
 .11 (SLD 39)

SP13/SW21

"Location"
 NWSW 36 11S 18E
 "Capacity"
 .06 (SLD 38, 39)

SP14/SW23

Water from private land needs explanation
 "Capacity"
 .03 (SLD 38, 39)

SW1

"Capacity"
 What is capacity? Am. use = .43 AF?
 "Priority Date"
 <1884 <1900 (Bayless 36, 39)

SW3

"Priority Date"
 <1884 - no claim

SW5/SW6

improved/unimproved?
 "Capacity"
 in dispute

SW19

improved/unimproved?
 "Capacity"
 in dispute

Swaz

improved/unimproved?
"Capacity"
in dispute
"Land Owner"
? What happened to SW18?

GRIC

SP11
Withdrawn?

Apache Tribes

SP1-SP16 & SW20, 15, 16, 14, 2, 13, 12, 4, 10, 21, 12, 24
"Water Source"
Object to absence of information
Object to absence of information on all stockwatering uses listed and stock ponds.

SP11, SW10, SP12, SW12, SP14, SW23, SP15, SW24, SP16
"Priority Date"
Dispute 1884

SP13, SW21
"Priority Date"
Dispute 1853

SP11 - SP16, SW10, 12, 21, 23, 24
"Water Right Holder"
Object to absence of information

USFS

No changes

PWR NO.	NAME	LOCATION	CAPACITY	PRIORITY DATE	LAND-OWNER	LESSEE	WATER SOURCE	WATER RIGHT HOLDER
SP1 SW1	Red Tank Mesa Draw	SWNE 15 11S 17E (dam is in sec. 15; pond is in sec. 16)*	4 AF	6/27/60+ from cert. <1884 in dispute	SLD	Goff	trib. to Peck Canyon	in dispute
SP2 SW22	South Pasture Tank	NESW 25 11S 17E	22.1 AF (not really a SP)	built 1959 <1884 in dispute	SLD	Goff	trib. to Edgar Canyon	in dispute
SP3 SW3	Rocky Draw Tank	SENE 28 11S 17E	2.3 AF	6/3/64 built <1884 in dispute	SLD	Goff	trib. to Edgar Canyon	in dispute
SP4 SW4	Old Dirt Tank	NWSE 35 11S 17E	3.1 AF	built ^ 1946 <1884 in dispute	SLD	Goff	trib. to Edgar Canyon	in dispute
SP5 SW5	Lone Hill Tank	SWSW 2 12S 17E	10.34 AF	built 6/3/64 <1884 in dispute	SLD	Goff	trib. to Edgar Canyon	in dispute
SP6 SW6	Davis Mesa Tank	NWSE 17 11S 17E	2.0	built 6/3/64 <1884 in dispute	SLD	Goff	trib. to Peck Canyon	in dispute

*Group agreed to locate pond that straddles two sections where dam is built.

+Goff bought ranch from O.R. Parker in 1958.

^Pond enlarged in 1960 -- certificate states 1970 and 7 AF.

SLD

In many instances a stockpond has been built to replace water formerly found in a section of stream that no longer flows. SLD filed a single "39" in these circumstances listing two uses: one for stockpond and another for the stream section. While the date of construction was listed for the stockpond, the claimed priority is the date cattle first used the area or the date the land was reserved for or acquired by the state. DWR assigned a separate PWR to the stockpond and the stockwatering use. However, from the viewpoint of SLD, the SP and SW represent a single claim or PWR.

NOTE: Not all SW uses can be paired with an SP. In some instances, SLD claims an "instream" use for stockwatering that continues today and has not been replaced by a stockpond. The quantification of SW uses is in dispute.

SRP

SP2/SW2

"Priority Date"

Goff 3R & 39 claim 7/27/60. Our notes indicate that this date is subject to confirmation through a report to the state of improvements by Joe Goff.

SP3/SW3

"Priority Date"

7/3/64 (Goff 3R & 39)

SP4/SW4

"Capacity"

3.1 AF - current capacity

SP5/SW5

"Priority Date"

7/3/64 (Goff 3R & 39)

SP6/SW6

"Priority Date"

7/3/64 (Goff 3R & 39)

SW's are Unimproved

GRIC

SP6/SW6

"Capacity"

2.1 AF

Apache Tribes

No changes

USFS

No changes

PWR NO	NAME	LOCATION	CAPACITY	PRIORITY DATE	LAND-OWNER	LESSEE	WATER SOURCE	WATER RIGHT HOLDER
DMI OTool	Atchley Horse Camp Spring (a pipe connected to this spring provides water for a garden, lawn, house, orchard and stockwater . Five 30,000 gal. tanks also fill from the pipe.)	SWSW 1 9S 18E		6/30/10 (brand registra- tion date)	Hend- rick- son	none		Hendrickson
SW1	Brahma Pasture Spring (pipeline diverts water into trough)	NWSE 01 9S 18E	.01 AF	1917	Hend- rick- son	none		Hendrickson

SLD

No changes

SRP

DM1/OT1

"Capacity/Quantity"

(Volume/Rate)

Rate: 15 gpm

Volume: ?

"Priority Date"

September 1917 (36, 39)

(Brand registration date) - for ranch

"Water Source"

Spring

SW1

"Priority Date"

September 1917

Seems that 6/30/10, brand registration date, would be appropriate for SW1, and September 1917 would be appropriate for DM and OT. Would like copy of brand registration to determine sufficiency of this evidence.

GRIC

No changes

Apache Tribes

DM1, OT1

"Priority Date"

6/30/10

DM1

"Priority Date"

1917

DM1, OT1

"Water Source/Capacity"

Absence of information

USFS

No changes

PWR NO	NAME	LOCATION	CAPACITY	PRIORITY DATE	LAND-OWNER	LESSEE	WATER SOURCE	WATER RIGHT HOLDER
*DM1	Pyeat 2	SWSW 31 21S 19E	Use 1 AF Rate 35 gpm	1881 decree in dispute	Pyeatt			Pyeatt
**IR1	Pyeatt 1	SWSW 31 21S 19E		1881 decree in dispute	Pyeatt			Pyeatt
SP1	Dam Tank	SWSW 31 21S 19E	2.20 AF	1881 decree in dispute	Pyeatt			Pyeatt

*DM1 use associated with SP1 use.

**Irrigation uses deferred at this time.

SLD

No changes

SRP

DM1

DM1 and SP1 are both supplied by the same source (Spring # ____).

Source (Spring # ____).

"Location" -

SESW 31 21S 19E (POD & POU)

IR1

"Location" -

SWSW 31 21S 19E (POD)

POU in S 1/2 SW 31

"Priority Date" -

Okay on date of 1881 decree

SP1

"Location" -

SESW 31 21S 19E

"Priority Date" -

Decree does not reference stockpond or domestic use. We would need supporting evidence. See, for example, 36 filing, which claims January 1, 1899 and is based on "family ownership since 1899." Homestead entry records, etc. . . , would also be helpful if a date earlier than 1899 is claimed.

"Landowner"

Pyeatt?

GRIC

No changes

Apache Tribes

DM1, IR1, SP1

"Water Source"

None cited

USFS

No changes

PWR NO	NAME	LOCATION	CAPACITY	PRIORITY DATE	LAND-OWNER	LESSEE	WATER SOURCE	WATER RIGHT HOLDER
DM1	Pyeatt Spring	*SWSW 31 21S 19E	use .5 AF Rate 12 gpm	1881 decree in dispute	Pyeatt		Pyeatt Spring	Pyeatt

*Use is in SESE 36 21S 18E.

SLD

No changes

SRP

DM1 "Name" - Pyeatt Spring

Probably not necessary to name domestic facility; maybe spring #__

"Priority Date" - 1881 decree/in dispute

We would accept this with some supporting evidence. It is our opinion that the decree by itself does not reference the domestic use.

GRIC

DM1 "Priority Date" - 1881

Should read 1899

Apache Tribes

No changes

USFS

No changes

PWR NO	NAME	LOCATION	CAPACITY	PRIORITY DATE	LAND-OWNER	LESSEE	WATER SOURCE	WATER RIGHT HOLDER
SP1	Copper Creek	SENW11 8S+ 18E	1.08 AF in dispute	2/25/16 indispute	BLM	Mercer	Copper Creek	in dispute
SW2*	Dam on Little Butte	SE 1/4 NE 1/4 22 8S 18E	Use 1.12 AF Rate 3 gpm	<1914 in dispute	Mercer			Mercer
SW21	Hindetto-Bootlegger Spring	SESE 11 8S 18E	100 gal.	1895** in dispute	BLM	Mercer		in dispute
SW22	Water Tunnel	NWNW23 8S 18E	.26 AF	1926 in dispute	BLM	Mercer		in dispute

+SLD Notes: 8S

* Walk-in cave with cement trough to catch water which then impounds outside to fill a trough and natural catchment.

** By testimony of Virgil Mercer.

SLD

No change

SRP

SP1

"Name"
Copper Creek Dam
"Capacity"
Subject to verification through field measurement
"Priority Date"
Based on notice of appropriation

SW2

"Location":
NE
"Capacity"
Rate is necessary, subject to continuing discovery

SW21

"Priority Date"
Subject to verification

S22

"Name"
Horizontal Mine tunnel
"Capacity"
in dispute, this is a use amount
"Priority Date"
4/17/26

GRIC

SW021

"Priority Date"
in dispute

Apache Tribes

SW2, SW21, SW22

"Water Source"
Object to absence of information

SW2

"Lessee"
Object to absence of information

SW21

"Priority Date"
Object to 1895

USFS

SP1

"Name"
Stockpond
"Priority Date"
2/25/16 correct

SW2

Mr. Mercer later admitted that he had gotten confused. The water comes from a mine tunnel on his land and is piped to a trough down the channel.

SW021

"Priority Date"
1926
"Landowner"
U.S.

SW21 turns out to be two springs located approximately 1/8 mile apart. Mr. Mercer had claimed Hindetto Spring, while BLM originally inventoried and claimed Bootlegger Spring (so named because Bootleggers used to use it, but BLM did not know it at the time). Springs were field investigated.