

# APPENDIX F

# **Certificate of Water Right**

**STATE OF ARIZONA**

**Counties of Graham and Pinal**

**Certificate No. 87114.0000**

Arizona Department of Water Resources  
500 North Third Street  
Phoenix, Arizona 85004

**This is to Certify**, That the United States Department of Interior, Bureau of Land Management, Safford District, of Safford, State of Arizona, has made proof to the satisfaction of the DEPARTMENT OF WATER RESOURCES of Arizona, of a right to the use of the waters flowing in Aravaipa Creek, a tributary of the San Pedro River, within the San Pedro River watershed, for recreation and wildlife, including fish, under Application No. 33-87114.0000 Permit No. 33-87114.0000 of the DEPARTMENT OF WATER RESOURCES and that said right to the use of said waters has been perfected in accordance with the laws of Arizona, and made and entered of record in the Records of the Department of Water Resources at Phoenix, Arizona, under Certificate No. 87114.0000; that the priority of the right hereby confirmed dates from June 1, 1981; that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed an amount expressed as specific flow rates and cumulative totals as measured at Aravaipa Creek, in the Northeast quarter (NE¼), Section 19, Township 6 South, Range 19 East, near Klondyke, Arizona. The specified flow rates (cubic-feet/second) at the gage site, expressed as a monthly flow, are as follows:

**FLOW RATE (cubic-feet/second)**

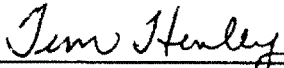
<u>MONTH</u>	<u>Median Flow (CFS)</u>	<u>Monthly Volume acre-feet/month</u>
January	20.0	1230.0
February	25.0	1387.5
March	20.0	1230.0
April	10.0	595.0
May	10.0	615.0
June	9.0	535.5
July	10.0	615.0
August	20.0	1230.0
September	11.0	654.5
October	15.0	922.5
November	10.0	595.0
December	20.0	<u>1230.0</u>
Volume (acre-feet/year)		10,840.0

A description of the lands under such right, and to which the water hereby confirmed is appurtenant and put to beneficial use, is as follows: The beneficial use will occur instream along the meandering course of Aravaipa Creek. The instream use will begin at a point within the Northeast quarter of the Southwest quarter (NE¼SW¼), Section 19, Township 6 South, Range 19 East, Graham County, continuing downstream to the ending point located within the Southwest quarter of the Southeast quarter (SW¼SE¼), Section 13, Township 6 South, Range 17 East, Gila and Salt River Base and Meridian, Pinal County, Arizona.

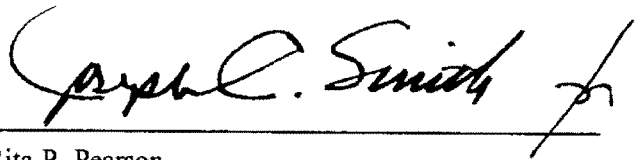
The right to the use of water aforesaid hereby confirmed is restricted to the places of use herein described: Water will not be diverted from the natural channel. There shall be no impoundments of public water, nor interference with the natural flow of Aravaipa Creek. There shall be no consumptive use of public waters or degradation of water quality, other than is caused by natural habitat (flora and fauna). There shall be no interference with nor detrimental effect upon prior vested rights.

Witness, the seal and signature of the DEPARTMENT OF WATER RESOURCES,

affixed this 14th day of March, 1996.



Tim Henley, Manager (Attest)  
Surface Water Section



Rita P. Pearson  
Director

The Department of Water Resources must be notified if a change of address is made by the above named person(s) or if ownership of the land or of the water right is conveyed to another person(s), pursuant to A.R.S. § 45-164, B.

ARIZONA DEPARTMENT OF WATER RESOURCES

SURFACE WATER RIGHTS

MAIL TO: P.O. BOX 458  
PHOENIX, ARIZONA 85001-0458

500 North Third Street  
Phoenix, Arizona 85004-3921  
Telephone (602) 417-2442  
Fax (602) 417-2424

RECEIVED

(For office use only)

Registry No: 33-96811

JUL 21 2005

Date Filed: 7-21-05

AZ DEPT OF WATER RESOURCES  
SURFACE WATER

APPLICATION FOR PERMIT TO APPROPRIATE PUBLIC WATER OF THE STATE OF ARIZONA  
INSTREAM FLOW MAINTENANCE

1. Applicant BLM-Safford Field Office Telephone 928-348-4400  
Address 7115, 14th Drive City Safford State AZ Zip 85546

2. Type of water source and name Oak Grove Canyon  
a tributary to Turkey Creek within the San Pedro watershed.  
(For office use only)

3. Describe the proposed use of the instream flow appropriation for wildlife (including fish) and/or recreation:  
Protect native fish population and wildlife species that reside within and adjacent to the canyon, which are sustained by the flow.

4. Amount of proposed instream flow appropriation (see item #9 for required attachments):

a. Monthly instream flow requirement (cubic feet/second):

JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
0.09	0.12	0.26	0.31	0.44 <sup>13</sup>	0.10	0.06 <sup>07</sup>	0.08 <sup>07</sup>	0.11	0.10	0.10	0.09

b. Total annual volume 93.7 93.4 Per phone Call 3-3-06 BN acre feet/year

5. Location of proposed instream flow appropriation: County Graham

Describe entire reach to be covered by this application, utilizing legal land parameters. Also attach a U.S.G.S. topographic quadrangle map(s) clearly showing the location of the entire reach or segment of the proposed instream flow appropriation.

~~NW 1/4 NE 1/4~~, Section 7, Township 7 N/S, Range 19 E ~~19~~ *see letter dated 2/1/06 BN*

~~SW 1/4 SE 1/4~~, Section 6, Township 7 N/S, Range 19 E ~~19~~

~~NW 1/4 SE 1/4~~, Section 6, Township 7 N/S, Range 19 E ~~19~~

~~NE 1/4 SE 1/4~~, Section 6, Township 7 N/S, Range 19 E ~~19~~

~~SW 1/4 NE 1/4~~, Section 6, Township 7 N/S, Range 19 E ~~19~~

~~SE 1/4 NE 1/4~~, Section 6, Township 7 N/S, Range 19 E ~~19~~

~~SE 1/4 SE 1/4~~, Section 31, Township 6 S, Range 19 E

~~SW 1/4 SE 1/4~~

*see letter dated 2/1/06 BN*

JUL 21 2005

ARIZONA DEPARTMENT OF WATER RESOURCES

6. Owner of land on which the proposed instream flow appropriation is located \_\_\_\_\_

Private \_\_\_\_\_ State \_\_\_\_\_ BLM  National Forest \_\_\_\_\_ Other \_\_\_\_\_

Does the applicant have legal access to the proposed stream segment? Yes  No \_\_\_\_\_

If "No," explain in item 8 below.

7. Is the water to be used supplementally with other water(s)? Yes \_\_\_\_\_ No  If "Yes," identify other waters or water rights, and explain \_\_\_\_\_

8. Additional comments or explanations \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. **REQUIRED ATTACHMENTS:**

**Examination Fee:** \$50.00 if the amount of use is less than 50 acre-feet, \$75.00 if the amount of use is 50 acre-feet or more as authorized by Arizona Administrative Code Rule R12-15-151.

**U.S.G.S. Topographical Quadrangle map** or equivalent, or copy thereof, clearly showing the proposed stream segment.

**Copy of the deed** showing land ownership, or if owned by other than applicant, provide copies of all leases, grazing permits, allotments, etc., or a letter from the landowner authorizing the proposed appropriation.

**Streamflow Study:** Applicant must develop a study that 1) substantiates that the streamflow amounts requested in item #4 are available at the rates specified, and 2) quantifies the relationship between a claimed beneficial use(s) and requested streamflow rates. The study should be submitted at the time of filing this application, but must be submitted no later than two years after the filing date.

Submit the completed application, with the examination fee and any supporting or required documents to:  
Arizona Department of Water Resources, Surface Water Rights, P.O. Box 458, Phoenix, Arizona 85001-0458.

Delbert Molitor For BLM 7/19/05  
Signature of Applicant/Representative (if representative, include authorization) Date

# **Certificate of Water Right**

**STATE OF ARIZONA**

**County of Graham**

**Certificate No. 95490.0000**

Arizona Department of Water Resources  
500 North Third Street  
Phoenix, Arizona 85004

**This is to Certify**, that the Arizona Chapter of the Nature Conservancy, Tucson, Arizona, has made proof to the satisfaction of the Arizona Department of Water Resources of a right to the use of the waters flowing in Aravaipa Creek, a tributary of the San Pedro River, for recreation and wildlife, including fish, under Application and Permit Nos. 33-95490.0000. The right to the use of these waters was perfected in accordance with the laws of Arizona, and made and entered of record in the Records of the Department of Water Resources, Phoenix, Arizona, under Certificate No. 95490.0000; that the priority of the right confirmed is October 31, 1990; that the amount of water to which such right is entitled and confirmed, for the purposes previously stated, is limited to an amount actually beneficially used for these purposes, and shall not exceed an amount, as listed below, expressed as specific monthly flow rates and cumulative annual total as measured at the beginning of the reach of Aravaipa Creek at the School House site located in the Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ), Section 27, Township 6 South, Range 19 East, near Klondyke, Arizona. The specified flow rates (cubic-feet/second) measured at the gage site, expressed as a continuous monthly flow, are as follows:

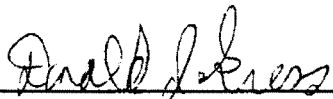
<u>Month</u>	<u>Flow Rate (cfs)</u>	<u>Monthly Volume acre-feet/month</u>
January	16.0	984.0
February	18.0	999.0
March	18.0	1,107.0
April	16.0	952.0
May	14.0	861.0
June	14.0	833.0
July	14.0	861.0
August	15.0	922.5
September	14.0	833.0
October	15.0	922.5
November	15.0	892.5
December	17.0	<u>1,045.5</u>
Total Annual Volume		11,213.0 Acre-feet

A description of the lands for this right, and to which the water is confirmed appurtenant to and put to beneficial use, is as follows: The beneficial use will occur instream along the meandering course of Aravaipa Creek, beginning in the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ), Section 35, Township 6 South, Range 19 East, continuing downstream to where it leaves the Northeast quarter (NE $\frac{1}{4}$ ), Section 28, Township 6 South, Range 19 East, Gila and Salt River Base and Meridian, Graham County, Arizona.

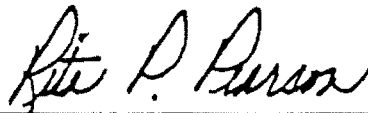
The right to the use of water confirmed is restricted to the places of use previously described. Water will not be diverted from the natural channel. There shall be no impoundments of public water, nor interference with the natural flow of Aravaipa Creek. There shall be no consumptive use of public waters or degradation of water quality, other than is caused by natural habitat (flora and fauna). There shall be no interference with nor detrimental effect upon prior vested water rights.



Witness, the seal and signature of the Director,  
Department of Water Resources,  
affixed this 29th day of May, 1996.



Donald J. Gross, P.E. (Attest)  
Manager, Surface Water Section



Rita P. Pearson  
Director

The Department of Water Resources shall be notified of any change of address for the above named person(s), or if ownership of the water right or of the land at the location of the water right is conveyed to another person(s), pursuant to Arizona Revised Statute § 45-164, (B).

# **Certificate of Water Right**

**STATE OF ARIZONA**

**County of Graham**

**Certificate No. 95489.0000**

Arizona Department of Water Resources  
500 North Third Street  
Phoenix, Arizona 85004

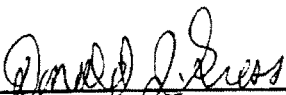
**This is to Certify**, that the Arizona Chapter of the Nature Conservancy, Tucson, Arizona, has made proof to the satisfaction of the Arizona Department of Water Resources of a right to the use of the waters flowing in Aravaipa Creek, a tributary of the San Pedro River, for recreation and wildlife, including fish, under Application and Permit Nos. 33-95489.0000. The right to the use of these waters has been perfected in accordance with the laws of Arizona, and made and entered of record in the Records of the Department of Water Resources, Phoenix, Arizona, under Certificate No. 95489.0000; that the priority of the right confirmed is October 31, 1990; that the amount of water to which such right is entitled and confirmed, for the purposes previously stated, is limited to an amount actually beneficially used for these purposes, and shall not exceed an amount, as listed below, expressed as specific monthly flow rates and cumulative annual total as measured in the Northeast quarter (NE¼), Section 19, Township 6 South, Range 19 East, near the Bureau of Land Management's East End Aravaipa Wilderness Gage Site, Arizona. The specified flow rates (cubic-feet/second) measured at the gage site, expressed as a continuous monthly flow, are as follows:


<u>Month</u>	<u>Flow Rate (cfs)</u>	<u>Monthly Volume acre-feet/month</u>
January	19.0	1,168.5
February	21.0	1,165.5
March	22.0	1,353.0
April	19.0	1,130.5
May	18.0	1,107.0
June	17.0	1,011.5
July	17.0	1,045.5
August	18.0	1,107.0
September	18.0	1,107.0
October	18.0	1,107.0
November	18.0	1,071.0
December	20.0	<u>1,230.0</u>
Total Annual Volume		13,567.5 Acre-Feet

A description of the lands for this right, and to which the water is confirmed appurtenant to and put to beneficial use, is as follows: The beneficial use will occur instream along the meandering course of Aravaipa Creek, beginning in the Northwest quarter of the Southwest quarter (NW¼SW¼), Section 21, Township 6 South, Range 19 East, continuing downstream to where it leaves the East half (E½), Section 19, Township 6 South, Range 19 East, Gila and Salt River Base and Meridian, Graham County, Arizona.

The right to the use of water confirmed is restricted to the places of use previously described. Water will not be diverted from the natural channel. There shall be no impoundments of public water, nor interference with the natural flow of Aravaipa Creek. There shall be no consumptive use of public waters or degradation of water quality, other than is caused by natural habitat (flora and fauna). There shall be no interference with nor detrimental effect upon prior vested water rights.

Witness, the seal and signature of the Director,  
Department of Water Resources,  
affixed this 29th day of May, 1996.

  
\_\_\_\_\_  
Donald J. Gross, P.E. (Attest)  
Manager, Surface Water Section

  
\_\_\_\_\_  
Rita P. Pearson  
Director

The Department of Water Resources shall be notified of any change of address for the above named person(s), or if ownership of the water right or of the land at the location of the water right is conveyed to another person(s), pursuant to Arizona Revised Statute § 45-164, (B).

# **Certificate of Water Right**

**STATE OF ARIZONA**

**County of Pinal**

**Certificate No. 95488.0000**

Arizona Department of Water Resources  
500 North Third Street  
Phoenix, Arizona 85004

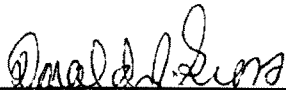
**This is to Certify**, that the Arizona Chapter of the Nature Conservancy, Tucson, Arizona, has made proof to the satisfaction of the Arizona Department of Water Resources of a right to the use of the waters flowing in Aravaipa Creek, a tributary of the San Pedro River, for recreation and wildlife, including fish, under Application and Permit Nos. 33-95488.0000. The right to the use of these waters has been perfected in accordance with the laws of Arizona, and made and entered of record in the Records of the Department of Water Resources, Phoenix, Arizona, under Certificate No. 33-95488.0000; that the priority of the right confirmed is October 31, 1990; that the amount of water to which such right is entitled and confirmed, for the purposes previously stated, is limited to an amount actually beneficially used for these purposes, and shall not exceed an amount, as listed below, expressed as specific monthly flow rates and cumulative annual total as measured in the Southeast quarter (SE¼), Section 13, Township 6 South, Range 17 East near the Bureau of Land Management's West End Wilderness Gage, Aravaipa Wilderness Area, Arizona. The specified flow rates (cubic-feet/second) measured at the gage site, expressed as a continuous monthly flow, are as follows:

<u>Month</u>	<u>Flow Rate (cfs)</u>	<u>Monthly Volume acre-feet/month</u>
January	20.4	1,254.6
February	21.9	1,215.4
March	19.7	1,211.6
April	13.1	779.4
May	18.0	1,107.0
June	15.2	904.4
July	18.0	1,107.0
August	19.0	1,168.5
September	18.0	1,071.0
October	13.4	824.1
November	15.7	934.1
December	17.2	<u>1,057.8</u>
Total Annual Volume		12,634.9 Acre-Feet

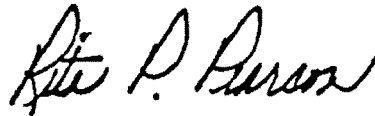
A description of the lands for this right, and to which the water is confirmed appurtenant to and put to beneficial use, is as follows: The beneficial use will occur instream along the meandering course of Aravaipa Creek, beginning in the Southwest quarter (SW¼), Section 13, Township 6 South, Range 17 East, continuing downstream to where it leaves the Northeast quarter of the Southwest quarter (NE¼SW¼), Section 26, Township 6 South, Range 17 East, Gila and Salt River Base and Meridian, Pinal County, Arizona.

The right to the use of water confirmed is restricted to the places of use previously described. Water will not be diverted from the natural channel. There shall be no impoundments of public water, nor interference with the natural flow of Aravaipa Creek. There shall be no consumptive use of public waters or degradation of water quality, other than is caused by natural habitat (flora and fauna). There shall be no interference with nor detrimental effect upon prior vested water rights.

Witness, the seal and signature of the Director,  
Department of Water Resources,  
affixed this 29th day of May, 1996.



Donald J. Gross, P.E. (Attest)  
Manager, Surface Water Section



Rita P. Pearson  
Director

The Department of Water Resources shall be notified of any change of address for the above named person(s), or if ownership of the water right or of the land at the location of the water right is conveyed to another person(s), pursuant to Arizona Revised Statute § 45-164, (B).

# **Certificate of Water Right**

**STATE OF ARIZONA**

**County of Pinal**

**Certificate No. 95771.0000**

Arizona Department of Water Resources  
500 North Third Street  
Phoenix, Arizona 85004



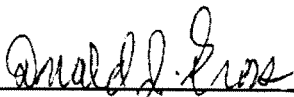
**This is to Certify**, that the Arizona Chapter of the Nature Conservancy, Tucson, Arizona, has made proof to the satisfaction of the Arizona Department of Water Resources of a right to the use of the waters flowing in Aravaipa Creek, a tributary of the San Pedro River, for recreation and wildlife, including fish, under Application and Permit Nos. 33-95771.0000. The right to the use of these waters was perfected in accordance with the laws of Arizona, and made and entered of record in the Records of the Department of Water Resources, Phoenix, Arizona, under Certificate No. 95771.0000; that the priority of the right confirmed is October 31, 1990; that the amount of water to which such right is entitled and confirmed, for the purposes previously stated, is limited to an amount actually beneficially used for these purposes, and shall not exceed an amount, as listed below, expressed as specific monthly flow rates and cumulative annual total as measured at the United States Geological Survey streamflow gage #9473000, located on Aravaipa Creek at the Northwest quarter (NW¼), Section 9, Township 7 South, near Mammoth,, Arizona. The specified flow rates (cubic-feet/second) measured at the gage site, expressed as a continuous monthly flow, are as follows:

<u>Month</u>	<u>Flow Rate (cfs)</u>	<u>Monthly Volume acre-feet/month</u>
January	15.0	922.5
February	16.0	888.0
March	19.0	1,168.0
April	16.0	952.0
May	16.0	952.0
June	9.3	553.3
July	14.0	861.0
August	14.0	861.0
September	13.0	773.5
October	12.0	738.0
November	14.0	833.0
December	15.0	<u>922.5</u>
Total Annual Volume		10,272.8 Acre-Feet

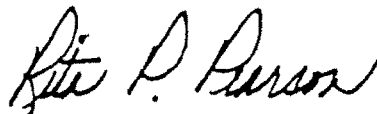
**A description of the lands for this right, and to which the water is confirmed appurtenant to and put to beneficial use, is as follows:** The beneficial use will occur instream along the meandering course of Aravaipa Creek, the instream use will begin at a point within the Northwest quarter of the Northwest quarter (NW¼NW¼), Section 3, Township 7 South, Range 17 East, continuing downstream to the ending point located within the Southwest quarter of the Northeast quarter (SW¼NE¼), Section 4, Township 7 South, Range 17 East, Gila and Salt River Base and Meridian, Pinal County, Arizona.

The right to the use of water confirmed is restricted to the places of use previously described. Water will not be diverted from the natural channel. There shall be no impoundments of public water, nor interference with the natural flow of Aravaipa Creek. There shall be no consumptive use of public waters or degradation of water quality, other than is caused by natural habitat (flora and fauna). There shall be no interference with nor detrimental effect upon prior vested water rights.

Witness, the seal and signature of the Director,  
Department of Water Resources,  
affixed this 29th day of May, 1996.



Donald J. Gross, P.E. (Attest)  
Manager, Surface Water Section



Rita P. Pearson  
Director

The Department of Water Resources shall be notified of any change of address for the above named person(s), or if ownership of the water right or of the land at the location of the water right is conveyed to another person(s), pursuant to Arizona Revised Statute § 45-164, (B).