United States Department of the Interior

BUREAU OF LAND MANAGEMENT
SAFFORD DISTRICT OFFICE
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TAKE PRIDE IN AMERICA

IN REPLY REFER TO:

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(045)

May 21, 1990

Arizona Department of Water Resources
Attn: Mr. Joseph Stuart
Manager, Surface Water Rights Systems
Operations Division
15 South 15th Ave.
Phoenix, AZ 85007

Re: Applications for Permit to Appropriate Public Water No. 33-95388, No. 33-95392 and No. 33-95394.

The Bureau of Land Management (BLM) has been inventorying water sources and reviewing water rights for lands recently acquired along the San Pedro River, now designated as the San Pedro Riparian National Conservation Area (NCA).

We have requested re-assignments of water rights claimed by previous land owners so that all water sources within our new acquisitions will have water rights in the name of the United States.

During our field inventories, a few existing water sources were "discovered" which had not been claimed by previous land owners. The referenced protested claims are all existing water sources which had somehow escaped previous documentation.

The BLM has not developed any new waters, but is simply trying to account for all existing water sources within the acquired lands and attempting to protect their continued existence by obtaining appropriate water rights.

No "diversions" from the system will occur as part of the water rights applied for by the BLM. The nature of our claims is strictly "non-consumptive" except for natural depletions such as evaporation and use by fish/wildlife. Recreation is claimed as a non-consumptive use. The corresponding quantities specified in the application for these uses are those which we feel are minimal in providing continued on-site amenities to the public and do not represent any direct consumption. The mere existence

of these waters is the basis for our claims and no additional new depletions will occur.

In an attempt to protect the full amounts historically used, stockwatering was claimed where evidence was found of such uses in the past. No stockwatering (or grazing) is currently allowed on the land grants within the NCA.

The Bureau's management policy for the NCA is to protect and enhance riparian values which tend to improve water quality and conditions of flow, here and downstream.

Both the maintenance of riverine instream flows and the continued existence of these protested water sources represent favorable water conditions in the Upper San Pedro Basin. The levels of base flows in the river are indicative of water table conditions in the alluvial and regional aquifers, and so are the levels (and existence) of the subject water sources.

If upstream groundwater mining reduces or eliminates riverine base flows, (and lowers local water tables), BLM's water rights claims would offer the first line of warning and legal protection for all downstream water rights.

Please consider all the aforementioned facts and help us protect this wonderful public amenity. It is one of the few remaining reaches of river retaining this unique southwestern habitat. Withdrawal of said protests would be a giant step in protecting the national conservation area for future generations.

We invite you to visit the NCA, meet with us and inspect first-hand the water sources in question.

If you have any questions or if we can be of some assistance, please do not hesitate to contact me at (602)457-2265.

Sincerely,

Ben Lomeli
Hydrologist

cc: San Carlos Irrigation Project

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