

ARIZONA DEPARTMENT OF WATER RESOURCES

15 South 15th Avenue, Phoenix, Arizona 85007
Telephone (602) 542-1553
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FIFE SYMINGTON
Governor

ELIZABETH ANN RIEKE
Director

September 13, 1991

Bureau of Land Management
Arizona State Office
Attn: Jim Renthal
P. O. Box 16563
Phoenix, Arizona 85011

Re: Application for Permit to Appropriate Water No. 33-95789

Dear Mr. Renthal:

Enclosed please find a copy of a Statement of Protestant submitted by Henry Dodge on behalf of the San Carlos Irrigation Project against the referenced application. Carefully review the issues brought forth by the protestant. The Department requests that you respond directly to the Protestant within thirty (30) days from the date of this letter. You are also requested to send a copy of your response to the Department for inclusion in the official record.

The Department of Water Resources urges both parties to make a sincere effort at resolving the protest. Essentially, both parties must negotiate for a resolution of the issues. The negotiation may include an agreement to modify the application.

The Department will consider intervention in this matter if no resolution is forthcoming. In that event, the administrative actions taken by the Department will be based, in part, on the information contained in the Application, the issues brought forth in the protest, and any information contained in correspondence pertaining to this matter.

The Department must be notified of any agreement reached through negotiation requiring modification of the original application. The Department requests copies of any correspondence for inclusion in the official record. Conversely, a request for withdrawal of the application must also be submitted to the Department.

Yours truly,

Joe B. Stuart
Manager, Surface Water Rights Systems
Operations Division
Telephone (602) 542-1581

JBS:mg

Enclosure

cc: Henry Dodge



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
SAN CARLOS IRRIGATION PROJECT

P.O. Box 250

Coolidge, Arizona 85228

9/1991

IN REPLY REFER TO:

(602) 723-5439

AUG 27 1991

Mr. Richard A. Gessner
Chief, Records Section
Arizona Department of Water Resources
99 East Virginia, Suite 100
Phoenix, Arizona 85004

Dear Mr. Gessner:

Reference is made to Application No. 33-95789, filed by the Bureau of Land Management, Arizona State Office, P. O. Box 16563, Phoenix, AZ 85011, for a permit to appropriate public water of the State of Arizona. The proposed use is for stock-water and wildlife habitat.

If this Application is approved, it would deprive the Indian and Non-Indian water users of the San Carlos Irrigation Project, Bureau of Indian Affairs, water that has been used for an immemorial amount of time. This Water right was adopted by the United States District Court in the Decree entered June 29, 1935 known as Globe Equity No. 59 (Gila Decree).

Waters of the Gila River and it's tributaries have long been over appropriated. In most water years the irrigation water is in extremely short supply therefore, much of the Project lands must remain idle because of the insufficient water supply.

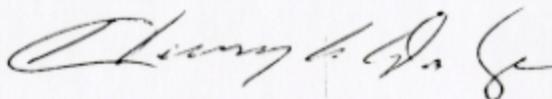
It is believed that the approval of this Application would result in the diminution of water of the Gila River. Thus, the rights of the San Carlos Irrigation Project water users would be adversely affected.

Waters of the Gila River and it's tributaries are delivered directly to Project lands located in Townships 3, 4, 5, 6, and 7 South, and Ranges 4, 5, 6, 7, 8, 9 and 10 East, and to reservation lands lying in Townships 1 and 2 South, Ranges 1 and 2 East. All such waters are delivered to the described

lands to the extent of all such water available. All deliveries are for irrigation purposes. The points of diversion are located in the NW 1/4 of Section 8, Township 4 South, Range 11 East (Ashurst-Hayden Dam), near the southwest corner of Section 7, Township 4 South, Range 7 East (Olberg Dam); in Section 25, Township 2 South, Range 2 East (Upper Gila Crossing Dam); and in Section 16, Township 2 South, Range 2 East (Lower Gila Crossing Dam).

In the event that this application is not denied, the San Carlos Irrigation Project requests a hearing to present evidence in support of it's protest of the subject Application to appropriate water.

Sincerely,



Project Engineer

Enclosure

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Date filed: April 1, 1991

STATEMENT OF PROTESTANT

In the matter of the application of)
(Applicant name) Bureau of Land Management) APPLICATION 33-95789
(Source) San Pedro River) or
CLAIM _____

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This statement must be completed and filed with the Arizona Department of Water Resources, Operations Division, within 60 days from the date of issuance of the official notice.

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1. State quantity of water now used by you for each and every purpose:
Domestic 160,000 gallons per annum.
Irrigation 600,000 ac. ft. Diversion Right acre-feet per annum.
Stockwatering -0- gallons per annum.
-0- per annum.
(other uses)

2. Do you own the lands for which water is claimed by you? Yes.
If not, explain the nature of your occupancy The land in which the irrigation delivery system occupies is a Federal Irrigation System.

3. Give the legal description of lands upon which or where the water is used San Carlos Irrigation Project, Pinal County.

4. State the name and type of your water source Groundwater from wells, and surface water of the Gila River and it's tributaries.

5. State the date the water right or claim herein referred to was initiated and the registry number of the water right or claim Globe Equity 59 Gila Decree.

6. If water is produced by means of wells, state the number of wells, the registry number of each well, and the location of each well by describing the ten-acre legal subdivision or lot within which each well is located San Carlos Irrigation Project.

7. If water is obtained by means of surface diversion, state the location and nature of the diversion works Ashurst Hayden Dam, Florence, Arizona and Sacaton Dam.

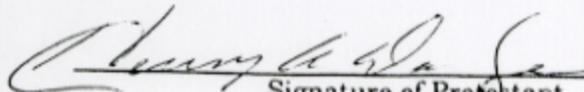
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8. If the water is used for irrigation, state the number of acres you irrigated 100,546 ac.
9. State the quantity of water you actually used each year for the past five years. If for irrigation, in acre-feet, and if for any other purpose, in gallons 1985; 426,937 ac. ft., 1986; 399,113 ac. ft. 1987; 421,127 ac. ft., 1988; 416,694, 1989; 834,046, 1990, 133,850.
10. If the water is used for stockwatering, state the kind of stock served and the average number served per day
-0-
11. If water is used for any other purpose, state the use made and describe the manner of using the water
Federal and State land (parks, schools, etc.) irrigation.

.....
GROUNDS FOR PROTEST
(See attached letter)

Date signed

August 27, 1991



Signature of Protestor,
or representative