

5.4 NON-INDIAN FEDERAL CLAIMS

This section describes one state agency and four federal agencies that have made claims for rights established under federal law. The major user reports describe the history and description of the federal reservation, analysis of the claim(s), and the results of DWR's investigations of the claimed water uses.

The agencies described in the section are:

AGENCY	WATERSHED FILE REPORT NUMBER	PAGE
Arizona State Land Department	113-F6	359
Bureau of Land Management - Safford District	111-F4	360
Coronado National Forest - Powers Garden	115-F5	364
Fort Huachuca Military Reservation	111-F1	366
National Park Service - Coronado National Memorial	111-F2	402
National Park Service - Saguaro National Monument	114-F3	408

CORONADO NATIONAL FOREST - Powers Garden (WFR #11-F5)

The Coronado National Forest has filed a statement of claimant for a "reserved" right within the San Pedro River watershed. The claim is for the Powers Garden Administrative site located on Rattlesnake Creek approximately twenty miles south of Klondyke, Arizona. The site is located approximately four miles within the Galiuro Wilderness Area; access was not readily available at the time of the investigation.

Legal Record

Although the statement of claimant filed by the National Forest claims a federal right, it does not state the basis for the claim.

The water uses at Powers Garden have also been claimed under state law. Table 5-48 summarizes a portion of watershed file report number 115-9-1 developed according to state law.

TABLE 5-48

CORONADO NATIONAL FOREST
POWERS GARDEN
11-F5

SUMMARY OF CLAIMS FILED UNDER STATE LAW THAT CORRESPOND TO FEDERAL CLAIMS

STATEMENT OF CLAIMANT NUMBER	PREVIOUS FILING NUMBER	POTENTIAL WATER RIGHT NUMBER
39-4214 - Isley, Mike	36-82404 - Isley, Mike	DM01, SW03
39-8034 - USA USDA Forest Service Coronado National Forest	36-82404 - Isley, Mike	DM01, SW03
None	4A-2237 - Coronado National Forest	SP18

All three potential water rights (PWRs) in Table 5-48 (DM01 = Domestic, SW03 = Powers Garden Spring, and SP18 = Cow Camp Tank) correspond to PWRs claimed in this federal file.

Analysis of Claim

The National Forest has claimed current uses including fire fighting, periodic domestic and stockwatering, and occasional irrigation. Future uses are not stated in the claim. Table 5-49 compares the claimed information versus DWR's investigation findings for statement of claimant 39-8321.

TABLE 5-49

CORONADO NATIONAL FOREST
POWERS GARDEN
11-F5
COMPARISON OF CLAIMANT INFORMATION WITH DWR FINDINGS

CLAIMED INFORMATION							DWR FINDINGS				
STATEMENT OF CLAIMANT	SOURCE	USE LOCATION	CLAIMED		ANNUAL USE	WATER					
			USE	NAME		USE #	USE TYPE	USE LOCATION	USE STATUS	MAP	
39-8321	Well	SE1/4 13 09S 19E	OT	Administration	.56 Ac-Ft	DM01	DM	NES1/4 13 09S 19E	Verified	Unmapped	
	Dam	SE1/4 13 09S 19E	OT	Cow Camp Tank		SP01	SW	NES1/4 13 09S 19E	Verified	115-09	
	SPR	SE1/4 13 09S 19E	OT	Powers Garden SP		SW03	SW	SWNE1/4 13 09S 19E	Spring	115-09	

KEY: DM-Domestic, OT-Other, SP Stockpond, SPR-Spring (source), SW-Stockwatering

The statement of claimant claims a total current annual use of 0.56 acre-feet. This total includes the claimed irrigation use. The irrigation was not field verified due to the inaccessibility of the area, and the aerial photographic evidence was inconclusive.