SRP06898

ARIZONA STATE LAND DEPARTMENT
1624 West Adams
Phoenix, Arizona 85007

CLAIM OF WATER RIGHT FOR A STOCKPOND;
APPLICATION FOR CERTIFICATION
(Chapter 69 Laws 1977)

(LEAVE BLANK)
No. 38-61139
Filed 3-17-78 at 11:00 A.M
(Date) (Time)

FILING FEE $10.00
INSTRUCTIONS:
1. File a separate claim for each stockpond.
2. Submit in duplicate; typewrite or print in ink.
3. Complete each blank with required information.

NOTE: The law provides that a claim which does not contain the required information or which is not accompanied by the required filing fee shall not be accepted by the Department but shall be returned to the sender.

I, E. G. Salazar of Klondyke Rural Station
(Name) (Street, P.O. Box, Rural Route)
Willcox Arizona 85643 828 - 3383
(City) (State) (Zip Code) (Phone No.)
do hereby claim a water right for the stockpond herein described and do hereby make application for certification of such right.

1. State the date of completion of construction of the stockpond Aug. 12, 1975 (Mo., Day, Yr.)
   (a) Name of stockpond Pat's Tank.
2. State the capacity of the stockpond at spillway level on August 29, 1977: ½ (Acre Feet).
3. What was sole purpose for which pond was constructed? Stockwatering
4. What is current primary use? Stockwatering
5. What other uses are made of pond? None
   (Give percentage of each "other" use to total use.)
6. Was stockpond subject to litigation or to a protest of record to the Land Department prior to August 29, 1977? ____ Yes X No.
   (a) If the answer is 'yes', attach explanation.
7. Has previous filing, claim or registration of this stockpond been made?
   ____ Yes X No; if 'yes', attach explanation giving date and file number.
8. State the date water was first used beneficially Aug, 25, 1975 (Month, Day, Year)
9. State the quantities of water used annually ¼ (Acre Feet)
   (a) What is average number of head using this water? 20 maximum no.? 30
   (b) Over what part of year? All year
10. State the name of water course or water source Hells Hole Draw
    Tributary to Aravaipa Canyon on the San Pedro River watershed. (Leave Blank)
11. The point of diversion is within SW ¼, NW ¼, Section 18, of Township 6S, Range 19E in the County of Graham.
12. The location of impounding dam is within SW ¼, NW ¼, Section 18, of Township 6S, Range 19E in the County of Graham.
    (If site of number 11 differs from number 12 attach explanatory plat or map)
13. The dimensions of the impounding dam and reservoir are:
    (a) Height of dam to spillway 14 ft. (Measured inside dam)
    (b) Length of dam 80 ft.
    (c) Surface area of water at spillway level 1/5 acres. Shape? (Circle One)
    square; rectangle, circle; half-circle; (egg-shaped); triangle.
14. State the name of owner of land on which dam is located:
    Lupe Salazar & Sons
15. State the name of owner (s) of any land inundated when stockpond is filled to capacity:
    Lupe Salazar & Sons

I hereby certify under the penalty of perjury, that the information contained and statements herein made are, to the best of my knowledge and belief, true, correct and complete.

STATE LAND
1978 MAR 17 AM 11: 05
DEPARTMENT

Dated this 17th day of March, A.D., 1978.

(Claimant)

Subscribed and sworn to before me this 17th day of March, 1978

My Commission Expires:

My Commission Expires May 13, 1980, 19_____.
(Seal)

(Notary Public)

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STATE OF ARIZONA

CERTIFICATE OF WATER RIGHT

to a

STOCKPOND

Number

THIS IS TO CERTIFY, that

of State of pursuant to the provisions of Title 45, Chapter 1, Article 8, ARS, has registered a claim of water right for a stockpond and has made application for certification of that right and that it appears to the STATE LAND COMMISSIONER that the material facts stated in the claim are true and entitle the claimant to a water right for a stockpond with capacity not to exceed acre feet; that date of priority based on date of construction is ; that location is in ¼, ¼, Section , Township , Range , Gila and Salt River Base and Meridian, County, Arizona; that source of water is .

The water right for the stockpond herein certified is subject to all prior existing rights as provided by Section 45-402, B, Arizona Revised Statutes.

WITNESS, the seal and signature of the STATE LAND COMMISSIONER affixed this

State Land Commissioner

SRP06900

ARIZONA STATE LAND DEPARTMENT
1624 West Adams
Phoenix, Arizona 85007

CLAIM OF WATER RIGHT FOR A STOCKPOND;
APPLICATION FOR CERTIFICATION
(Chapter 69 Laws 1977)

(LEAVE BLANK)
No. 38-61139
Filed 3-17-78 at 11:00 A. M
(Date) (Time)

FILING FEE $10.00
INSTRUCTIONS:
1. File a separate claim for each stockpond.
2. Submit in duplicate; typewrite or print in ink.
3. Complete each blank with required information.

NOTE: The law provides that a claim which does not contain the required information or which is not accompanied by the required filing fee shall not be accepted by the Department but shall be returned to the sender.

I, E. G. Salazar of Klondyke Rural Station
(Name) (Street, P.O. Box, Rural Route)
Willcox Arizona 85643 828-3383
(City) (State) (Zip Code) (Phone No.)
do hereby claim a water right for the stockpond herein described and do hereby make application for certification of such right.

1. State the date of completion of construction of the stockpond Aug. 12, 1975 (Mo., Day, Yr.)
   (a) Name of stockpond Pat's Tank.
2. State the capacity of the stockpond at spillway level on August 29, 1977: ½ (Acre Feet).
3. What was sole purpose for which pond was constructed? Stockwatering
4. What is current primary use? Stockwatering
5. What other uses are made of pond? None
   (Give percentage of each "other" use to total use.)
6. Was stockpond subject to litigation or to a protest of record to the Land Department prior to August 29, 1977? ____ Yes X No.
   (a) If the answer is 'yes', attach explanation.
7. Has previous filing, claim or registration of this stockpond been made?
   ____ Yes X No; if 'yes', attach explanation giving date and file number.
8. State the date water was first used beneficially Aug. 25, 1975 (Month, Day, Year)
9. State the quantities of water used annually ¼ (Acre Feet)
   (a) What is average number of head using this water? 20 maximum no.? 30
   (b) Over what part of year? All year
10. State the name of water course or water source Hells Hole Draw
    Tributary to Aravaipa Canyon on the San Pedro River (Leave Blank) watershed.
11. The point of diversion is within SW ¼, NW ¼, Section 18, of Township 6S, Range 19E in the County of Graham.
12. The location of impounding dam is within SW ¼, NW ¼, Section 18, of Township 6S, Range 19E in the County of Graham.
    (If site of number 11 differs from number 12 attach explanatory plat or map)
13. The dimensions of the impounding dam and reservoir are:
    (a) Height of dam to spillway 14 ft. (Measured inside dam)
    (b) Length of dam 80 ft.
    (c) Surface area of water at spillway level 1/5 acres. Shape? (Circle One)
    square; rectangle, circle; half-circle; egg-shaped; triangle.
14. State the name of owner of land on which dam is located:
    Lupe Salazar & Sons
15. State the name of owner (s) of any land inundated when stockpond is filled to capacity:
    Lupe Salazar & Sons

SRP06901

I hereby certify under the penalty of perjury, that the information contained and statements herein made are, to the best of my knowledge and belief, true, correct and complete.

STATE LAND DEPARTMENT 1978 MAR 17 AM 11:05

Dated this 17th day of March, A.D., 1978.

L. G. Riley
(Claimant)

Subscribed and sworn to before me this 17th day of March, 1978

My Commission Expires:

My Commission Expires May 13, 1980, 19_____.
(Seal)

Marlette M Lewis
(Notary Public)

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STATE OF ARIZONA

CERTIFICATE OF WATER RIGHT

to a

STOCKPOND

Number

THIS IS TO CERTIFY, that

of State of pursuant to the provisions of Title 45, Chapter 1, Article 8, ARS, has registered a claim of water right for a stockpond and has made application for certification of that right and that it appears to the STATE LAND COMMISSIONER that the material facts stated in the claim are true and entitle the claimant to a water right for a stockpond with capacity not to exceed acre feet; that date of priority based on date of construction is ; that location is in ¼, ¼, Section , Township , Range , Gila and Salt River Base and Meridian, County, Arizona; that source of water is .

The water right for the stockpond herein certified is subject to all prior existing rights as provided by Section 45-402, B, Arizona Revised Statutes.

WITNESS, the seal and signature of the STATE LAND COMMISSIONER affixed this

State Land Commissioner

SRP06902

ARIZONA STATE LAND DEPARTMENT
1624 West Adams
Phoenix, Arizona 85007

# NOTICE OF CLAIM OF WATER RIGHT FOR A STOCKPOND

Notice is hereby given that on the 17 day of March, 1978, E. g. Salazar, Willcox, Arizona filed Claim of Water Right for a Stockpond No. 38-61139 with the ARIZONA STATE LAND DEPARTMENT pursuant to the provisions of Article 8, Chapter 1, Title 45 of Arizona Revised Statutes.

The name of the stockpond is Pat's Tank and it is described as being located in the SW ¼ NW ¼ Section 18, Township 6 South, Range 19 East, G&SRB&M, Graham County, Arizona.

## MATERIAL FACTS OF CLAIM
(as certified by Claimant)

1. Date of construction of the stockpond 8/12/1975.
2. Capacity of stockpond on August 29, 1977 was 0.5 acre feet.
3. The stockpond was constructed and is used for the sole purpose of watering livestock or wildlife, including fish.
4. The pond is not used primarily for fishing or culturing of fish.
5. The stockpond was not the subject of water rights litigation or protest to the Department prior to August 29, 1977.

## PROTEST

Any person affected may, within sixty (60) days of the issuance of this Notice, file a written protest to the claim with the State Land Department 1624 West Adams, Phoenix, Arizona 85007. The protesting person shall send a copy of the protest to the Claimant.

By law, the grounds for protest are that the claim contains a misstatement of one or more of the MATERIAL FACTS set out above.

The protest shall be in writing and shall state:

1. The name and address of the protesting party;
2. The location of the protesting party's point of diversion of water with respect to the claimant's stockpond;
3. The grounds for protest;
4. That a copy of the protest has been mailed or delivered to the claimant.

ANDREW L. BETTWY
State Land Commissioner

Issued at Phoenix, Arizona

APR 13 1978 19____

Notices sent to: D. B. Sanford, Box 2154, Globe, Arizona 85501; J. T. Sanford, Klondyke, Via Willcox, Arizona 85643; City of Tucson, Attn: City Attorney, P. O. Box 15547, Tucson, Arizona 85703; San Carlos Irrigation 27-77 Project, Attn: W. P. Hauff, Project Engineer, Bureau of Indian Affairs, P. O. Box 456, Coolidge, Arizona 85228; San Carlos Irrigation and Drainage District, Attn: Norris M. Soma, District Manager, P. O. Box 218, Coolidge, Arizona 85228

United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
SAN CARLOS IRRIGATION PROJECT
P. O. Box 456
Coolidge, Arizona 85228

PHONE: PARKWAY 3-5439

IN REPLY REFER TO:

July 12, 1978

State Land Commissioner
Water Division
1624 West Adams
Phoenix, Arizona 85007

RE: Application No.
38-61132--38-61140

Attention: Water Rights Division

If this referenced application is approved it would deprive the Indian and non-Indian water users of the San Carlos Irrigation Project water that has been used on certain of the Indian lands since time immemorial and on the non-Indian lands since as early as 1868. This is evidenced 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 its tributaries have long been over appropriated and in most water years the irrigation water is in extremely short supply and much of the Project lands must remain idle because of the insufficient water supply.

It is believed that the approval of these applications would result in the diminution of water of the Gila River and thus the rights of the San Carlos Irrigation Project water users would be adversely affected.

Waters of the Gila River and its tributaries are delivered directly to Project lands located in Townships 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 extend of all such waters available. All deliveries are for irrigation purposes. The points of diversion are located in the NW$\frac{1}{4}$ of Sec 8, T4S, R11E (Ashurst-Hayden Dam), near the SW corner of Section 7, T4S, R7E, (Oldberg Dam); in Section 25, T2S, R2E, (Upper Gila Crossing Dam); and in Section 16, T2S, R2E (lower Gila Crossing Dam).

Sincerely,

James L. McCabe
Project Engineer

RECEIVED
JUL 24 1978
STATE LAND DEPT.

cc:
District
Gila River Indian Community
Pima Agency
File

CONSERVE AMERICA'S ENERGY

*Save Energy and You Serve America!*

August 11, 1978

Mr. James L. McCabe
Project Engineer
San Carlos Irrigation Project
Post Office Box 456
Coolidge, Arizona 85228

Re: Claims of Water Right for a Stockpond

Dear Mr. McCabe:

This is to acknowledge receipt of your letters dated July 12, 1978 referencing the following claims of Water Right for a Stockpond, and to inform you that your response has been made of record in the related files. The Claims are numbered 38-63899, 36-62191, 38-62089, 38-59306, 38-60527, 38-62821, 38-61445 thru 61464, 38-61869 thru 61880, 38-63856 thru 63857, 38-58907 thru 58921, 38-59987 thru 59993, 38-61003 thru 61036, 38-62339 thru 62342, 38-60626 thru 60627, 38-62466 thru 62487, 38-62551 thru 62555, 38-62829 thru 62835, 38-63871 thru 63877, 38-63901 thru 63919, 38-63921 thru 63922, 38-63900 thru 63920, 38-59882 thru 59883, 38-59877 thru 59882, 38-61043 thru 61067, 38-62114 thru 62115, 38-59818 thru 59821, 38-61167 thru 61175, 38-63801 thru 63803, 38-59380 thru 59389, and 38-61132 thru 61140.

Please note that your response does not meet the criteria for protest as set forth in each Notice of Claim of Water Right for a Stockpond, copies of which you have received.

Sincerely,

Andrew L. Bettwy
State Land Commissioner

BY Chuck Vergith
Chuck Vergith
Water Rights Division

ALB:CV:sw

ARIZONA STATE LAND DEPARTMENT
1624 West Adams
Phoenix, Arizona 85007

# NOTICE OF CLAIM OF WATER RIGHT FOR A STOCKPOND

Notice is hereby given that on the 17 day of March, 19 78,

E. g. Salazar, Willcox, Arizona filed

Claim of Water Right for a Stockpond No. 38-61139 with the ARIZONA STATE LAND DEPARTMENT pursuant to the provisions of Article 8, Chapter 1, Title 45 of Arizona Revised Statutes.

The name of the stockpond is Pat's Tank and it is described as being located in the SW¼ NW ¼ Section 18, Township 6 South, Range 19 East, G&SRB&M, Graham County, Arizona.

## MATERIAL FACTS OF CLAIM
(as certified by Claimant)

1. Date of construction of the stockpond 8/12/1975.
2. Capacity of stockpond on August 29, 1977 was 0.5 acre feet.
3. The stockpond was constructed and is used for the sole purpose of watering livestock or wildlife, including fish.
4. The pond is not used primarily for fishing or culturing of fish.
5. The stockpond was not the subject of water rights litigation or protest to the Department prior to August 29, 1977.

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The protest shall be in writing and shall state:

1. The name and address of the protesting party;
2. The location of the protesting party's point of diversion of water with respect to the claimant's stockpond;
3. The grounds for protest;
4. That a copy of the protest has been mailed or delivered to the claimant.

ANDREW L. BETTWY
State Land Commissioner

Issued at Phoenix, Arizona
APR 13 1978 19____

27-77

TO AVOID PAYMENT OF PENALTY AND INTEREST THIS PAYMENT MUST BE IN THE OFFICE OF THE STATE LAND DEPARTMENT ON OR BEFORE THE DUE DATE. DATE OF POSTAL STAMP NOT ACCEPTED AS DATE OF PAYMENT.

SRP06906

# STATE OF ARIZONA
## STATE LAND DEPARTMENT
1624 WEST ADAMS – 4th FLOOR – PHOENIX, ARIZONA 85007

OFFICE COPY

E. G. Salazar
Clondike Rural Station
Willcox, Arizona 85643

| SECTION | TOWNSHIP | RANGE |
|---|---|---|
| | | |

27002

| KIND ENTRY | LEASE-REFERENCE NO. | |
|---|---|---|
| 38 | 61132 | 00 |

| ACCOUNT NO. GRANT FUND | SUB | CARRYING CAPACITY | BILLING DESCRIPTION | RATE | ACRES | $ AMOUNT |
|---|---|---|---|---|---|---|
| 14 | 310 50 | | Filing fee - Claim of Water Right | | | 90 00 |
| | | | For Stoakpond (9) | | | |
| | | | Nos. 38-61132 thru 38- 61140 | | | |
| | | | | | | 1 CK |
| | | | | | | 2 CK C 90.00+ |
| | | | | | 0351 | 90.00+T |
| | | | Check #4761 | | 3 17 78 | |

| CERTIFICATE OF PURCHASE UNPAID BALANCE $ | BILLING PERIOD FROM MO. DAY YR | TO MO. DAY YR | DATE BILLED MO. DAY YR. | DATE DUE MO. DAY YR. | TOTAL ACRES | TOTAL AMOUNT $ |
|---|---|---|---|---|---|---|
| | | | 03 17 78 | | | 90 00 |

**IF PAYMENT IS MADE ON OR BEFORE THIS DATE → PAY THIS AMOUNT**

SEE OTHER SIDE FOR LAW PERTAINING TO PENALTY AND INTEREST – A. R. S. SEC. 37-288.

RENTAL AMOUNT SUBJECT TO PENALTY AND INTEREST IF NOT PAID ON OR BEFORE DATE DUE ($ )

5% PENALTY OF RENTAL AMOUNT - - - - - - - - - - - - $

TOTAL RENTAL AMOUNT PLUS PENALTY - - - - - - - - ($ ) TOTAL PENALTY AND INTEREST

10% INTEREST PER ANNUM OF RENTAL AMOUNT AND PENALTY – NUMBER OF DAYS DELINQUENT ( ) $ $

TOTAL AMOUNT DUE INCLUDING PENALTY AND INTEREST - - - - - - - - - - - - $

CASH RECEIVED $

BALANCE DUE OR OVERPAYMENT $

| PENALTY AND INTEREST DISTRIBUTION | | | $ |
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