

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

(LEAVE BLANK)
No. 38-88245
Filed 6-27-79 at 10:48 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.

AMENDMENT TO FILE #38-21798

I, STATE LAND DEPARTMENT of 1624 W. ADAMS
 (Name) (Street, P.O. Box, Rural Route)
PHOENIX ARIZONA 85007 255-3500
 (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 PRIOR TO 1979-1970
 (a) Name of stockpond MESCAL TANK (Mo., Day, Yr.) WAA
2. State the capacity of the stockpond at spillway level on August 29, 1977:
.1 (Acre Feet).
3. What was sole purpose for which pond was constructed? STOCKWATERING AND WILDLIFE
4. What is current primary use? STOCKWATERING
5. What other uses are made of pond? WILDLIFE

(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.
7. Has previous filing, claim or registration of this stockpond been made?
X Yes No; if 'yes', attach explanation giving date and file number.
FILE #38-21798 SUBMITTED AT 10:48 AM, JUNE 27, 1979 AND 39-6896 FILED 9/30/80.
8. State the date water was first used beneficially PRIOR TO 1979-1970
 (Month, Day, Year) WAA
9. State the quantities of water used annually .015
 (Acre Feet)

- (a) What is average number of head using this water? maximum no. ?
- (b) Over what part of year?

10. State the name of water course or water source
 Tributary to TURKEY CREEK on the SAN PEDRO watershed.
 (Leave Blank)
11. The point of diversion is within NE 1/4, SW 1/4, Section 31, of
 Township 6S, Range 19E in the County of GRAHAM.

12. The location of impounding dam is within NE 1/4, SW 1/4, Section 31, 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 -- ft. (Measured inside dam)
 - (b) Length of dam -- ft.
 - (c) Surface area of water at spillway level -- 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:
STATE OF ARIZONA, AS TRUSTEE

15. State the name of owner (s) of any land inundated when stockpond is filled to capacity:

Claim of Water Right

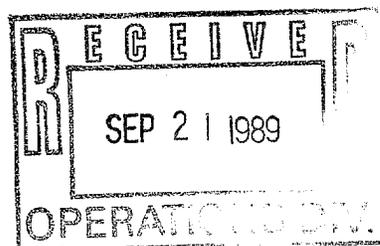
| | |
|------------|------------|
| 38-88245 / | 38-88515 / |
| 88396 / | 88516 / |
| 88399 / | 88517 / |
| 88400 / | 88518 / |
| 88402 / | 88525 / |
| 88403 / | 88526 / |
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| 88436 / | 88585 / |
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| 88439 / | 88587 / |
| 88440 / | 88589 / |
| 88441 / | 88703 / |
| 88442 / | 88705 / |
| 88443 / | 88761 / |
| 88445 / | 88770 / |
| 88458 / | 88771 / |
| 88459 / | 88772 / |
| 88513 / | 88774 / |
| 88514 / | 88775 / |
| 88472 / | |
| 88719 / | |
| 88721 / | |
| 88724 / | |
| 88523 / | |

Deed of Reconveyance

96-93117

96-93118

96-95054



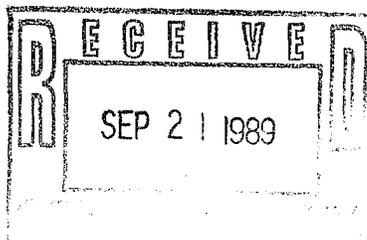
STATE OF ARIZONA
DEED OF RECONVEYANCE

96-93117

96-93117

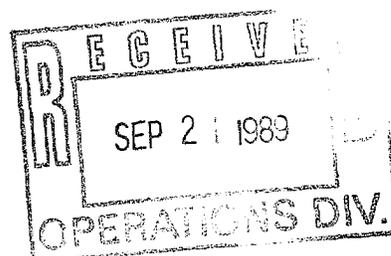
For and in consideration of the granting of certain lands as authorized by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1201 et. seq.) THE STATE OF ARIZONA does herewith remise, release, quitclaim, grant, convey and relinquish to the UNITED STATES OF AMERICA its interest in the lands described as follows:

| <u>TWP</u> | <u>RGE</u> | <u>SEC</u> | <u>SUBDIVISION</u> | <u>ACRES</u> |
|------------|------------|------------|--|--------------|
| 5S | 18E | 23 | SE except that portion in San Carlos Indian Reservation | 132.12 |
| | | 24 | That portion South of San Carlos Indian Reservation | 388.46 |
| | | 25 | A11 | 640.00 |
| | | 26 | A11 | 640.00 |
| | | 27 | A11 except that portion in San Carlos Indian Reservation | 444.55 |
| | | 28 | That portion South of San Carlos Indian Reservation | 107.92 |
| | | 32 | That portion South of San Carlos Indian Reservation | 340.46 |
| | | 33 | That portion South of San Carlos Indian Reservation | 618.31 |
| | | 34 | A11 | 640.00 |
| | | 35 | A11 | 640.00 |
| | | 36 | A11 | 640.00 |
| 5S | 19E | 32 | Lots 1 - 16 | 636.37 |
| 6S | 17E | 1 | S2 | 320.00 |
| | | 2 | That portion South of San Carlos Indian Reservation | 224.00 |
| | | 8 | SE | 160.00 |
| | | 9 | SW; SENW | 200.00 |
| | | 10 | A11 | 640.00 |

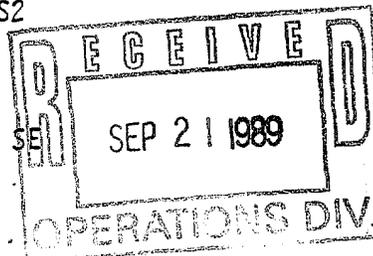


DOCKET 394 PAGE 947

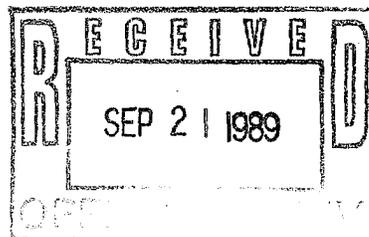
| <u>TWP</u> | <u>RGE</u> | <u>SEC</u> | <u>SUBDIVISION</u> | <u>ACRES</u> | | |
|------------|--|------------|----------------------------------|--------------|----------------------|--------|
| 6S | 17E | 11 | A11 | 640.00 | | |
| | | 12 | Lots 1 - 4; W2E2; W2 | 640.96 | | |
| | | 14 | Lots 1 - 7; S2NE; SENW; E2SW; SE | 641.96 | | |
| | | 15 | A11 | 640.00 | | |
| | | 16 | A11 | 640.00 | | |
| | | 17 | NE; SW; N2SE; SWSE | 440.00 | | |
| | | 20 | N2NW; SESW | 120.00 | | |
| | | 21 | A11 | 640.00 | | |
| | | 22 | A11 | 640.00 | | |
| | | 23 | Lots 1 - 8 | 327.64 | | |
| | | 24 | Lots 1 - 8 | 328.82 | | |
| | | 25 | Lots 1 - 3; E2W2; E2 | 602.99 | | |
| | | 28 | N2 | 320.00 | | |
| | | 36 | E2NE; NWNE | 120.00 | | |
| | | 6S | 18E | 1 | Lots 1 - 4; S2N2; S2 | 590.56 |
| | | | | 2 | Lots 1 - 4; S2N2; S2 | 589.20 |
| | | | | 3 | Lots 1 - 4; S2N2; S2 | 589.76 |
| | | | | 4 | Lots 1 - 4; S2N2; S2 | 589.80 |
| | | | | 5 | Lots 1 - 4; S2N2; S2 | 588.64 |
| 6 | Lots 1, 2, 5 - 7; S2NE; SENW; E2SW; SE | | | 568.95 | | |
| 7 | Lots 1 - 4; E2W2; NE | | | 526.44 | | |
| 8 | N2 | | | 320.00 | | |
| 9 | E2; NW | | | 480.00 | | |
| 10 | A11 | | | 640.00 | | |
| 11 | A11 | | | 640.00 | | |
| 12 | A11 | | | 640.00 | | |



| <u>TWP</u> | <u>RGE</u> | <u>SEC</u> | <u>SUBDIVISION</u> | <u>ACRES</u> | | |
|------------|------------|------------|----------------------------|--------------|----------------------------------|--------|
| 6S | 18E | 19 | Lots 1 - 4; E2W2; E2 | 689.12 | | |
| | | 20 | E2NE; W2NW; SW | 320.00 | | |
| | | 21 | A11 | 640.00 | | |
| | | 22 | A11 | 640.00 | | |
| | | 23 | SWNE; NWNW; S2NW; S2 | 480.00 | | |
| | | 26 | A11 | 640.00 | | |
| | | 27 | A11 | 640.00 | | |
| | | 28 | A11 | 640.00 | | |
| | | 29 | W2; S2SE | 400.00 | | |
| | | 30 | Lots 1 - 3; E2; E2NW; NESW | 597.42 | | |
| | | 31 | W2NE | 80.00 | | |
| | | 32 | N2NE; SENE; NWSW; S2S2 | 320.00 | | |
| | | 33 | N2; E2SW; SE | 560.00 | | |
| | | 34 | A11 | 640.00 | | |
| | | 35 | A11 | 640.00 | | |
| | | 36 | A11 | 640.00 | | |
| | | 6S | 19E | 4 | Lots 1 - 4; S2N2; S2 | 606.00 |
| | | | | 5 | Lots 1 - 4; S2N2; N2SW; SESW; SE | 566.04 |
| | | | | 6 | Lots 1 - 6; S2NE; SE | 429.85 |
| | | | | 7 | Lots 1 - 6; NE; N2SE | 465.04 |
| | | | | 8 | Lots 1 - 4; N2S2; N2 except NWNW | 617.28 |
| | | | | 9 | Lots 1 - 4; N2; N2S2 | 657.60 |
| | | | | 10 | Lots 1 - 4; N2; N2S2 | 649.41 |
| | | | | 15 | A11 | 640.00 |
| | | | | 16 | Lots 1 - 10; W2NW; SE | 640.96 |
| | | | | 17 | A11 | 640.00 |



| <u>TWP</u> | <u>RGE</u> | <u>SEC</u> | <u>SUBDIVISION</u> | <u>ACRES</u> | | |
|------------|-------------------|------------|----------------------|--------------|-----------------------------|--------|
| 6S | 19E | 18 | Lots 1 - 4; E2 | 476.88 | | |
| | | 20 | N2N2; S2S2 | 320.00 | | |
| | | 21 | NW; SWSW | 200.00 | | |
| | | 22 | A11 | 640.00 | | |
| | | 27 | NE; N2NW; SENW; N2SE | 360.00 | | |
| | | 28 | Lots 2 - 10; S2SW | 419.59 | | |
| | | 29 | Lots 1 - 4; S2N2; S2 | 605.84 | | |
| | | 31 | Lots 1 - 4; E2 | 480.24 | | |
| | | 32 | A11 | 640.00 | | |
| | | 33 | Lots 1 - 4; S2N2; S2 | 633.84 | | |
| | | 34 | Lots 1 - 3; 6, 7 | 195.48 | | |
| | | 7S | 18E | 1 | Lots 1 - 4; S2N2; S2 | 688.40 |
| | | | | 2 | Lots 1 - 4; S2N2; S2 | 688.20 |
| | | | | 3 | Lots 1 - 4; S2N2; S2 | 685.24 |
| | | | | 4 | Lot 1; S2N2; N2SW; SESW; SE | 490.52 |
| 5 | Lots 1 - 4; S2N2 | | | 357.12 | | |
| 6 | Lot 1; SENE; SESW | | | 129.28 | | |
| 7 | S2SE | | | 80.00 | | |
| 8 | N2NE | | | 80.00 | | |
| 9 | NE; E2NW; S2 | | | 560.00 | | |
| 10 | A11 | | | 640.00 | | |
| 11 | A11 | 640.00 | | | | |
| 12 | A11 | 640.00 | | | | |
| 13 | NW | 160.00 | | | | |
| 14 | E2; SW | 480.00 | | | | |
| 15 | SW | 160.00 | | | | |



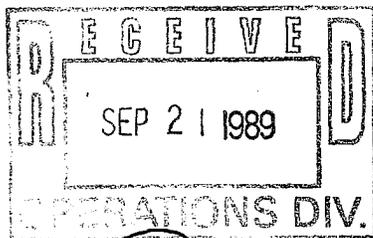
DOCKET 394 PAGE 950

| <u>TWP</u> | <u>RGE</u> | <u>SEC</u> | <u>SUBDIVISION</u> | <u>ACRES</u> |
|------------|------------|------------|------------------------|--------------|
| 7S | 18E | 16 | A11 | 640.00 |
| | | 17 | NENE; S2NE; NWNW; SENW | 200.00 |
| | | 23 | NE; E2NW; N2SE | 320.00 |
| | | 24 | A11 | 640.00 |
| | | 25 | NE; E2NW; S2 | 560.00 |
| | | 26 | SE; N2SW | 240.00 |
| | | 27 | E2NE | 80.00 |
| 7S | 19E | 3 | Lot 4 | 40.55 |
| | | 4 | Lots 1 - 4 | 150.48 |
| | | 5 | Lots 1 - 4; SW; S2NW | 389.00 |
| | | 6 | Lots 1 - 6; S2NE; SE | 473.41 |
| | | 7 | Lots 1 - 4; W2E2; E2SE | 402.16 |
| | | 18 | SENE | 40.00 |

The above described parcels contain a total of 51,022.86 acres, more or less.

Subject to existing reservations, easements, or rights-of-way heretofore legally obtained and now in full force and effect.

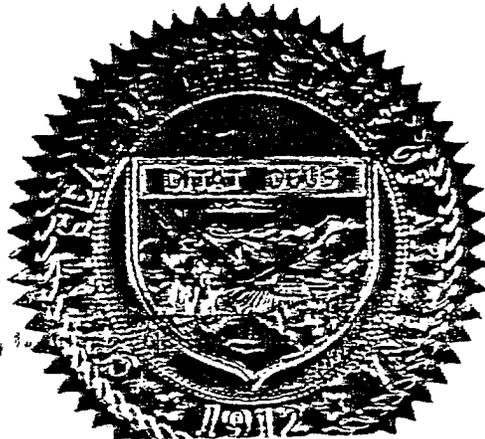
IN WITNESS WHEREOF, I, Bruce Babbitt, Governor of the State of Arizona, have caused this DEED OF RECONVEYANCE to be executed and the GREAT SEAL of the State of Arizona to be attached hereto this 17th day of April, 1986.



B. Babbitt
GOVERNOR OF THE STATE OF ARIZONA

R. Hoffard
SECRETARY OF STATE

DOCKET 394 PAGE 951



*Mule
State*

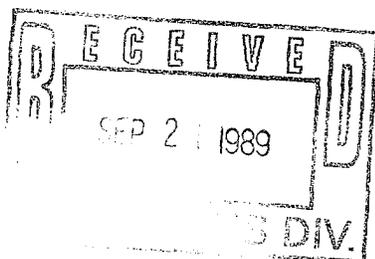
STATE OF ARIZONA

DEED OF RECONVEYANCE

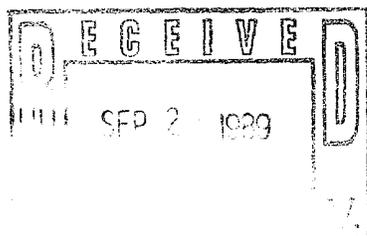
96-93118

For and in consideration of the granting of certain lands as authorized by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1201 et. seq.) THE STATE OF ARIZONA does herewith remise, release, quitclaim, grant, convey and relinquish to the UNITED STATES OF AMERICA its interest in the lands described as follows:

| <u>TWP.</u> | <u>RGE.</u> | <u>SEC.</u> | <u>SUBDIVISION</u> | <u>ACRES</u> |
|-------------|-------------|-------------|----------------------|--------------|
| 11S | 20E | 26 | NW, S2 | 480.00 |
| | | 27 | W2 | 320.00 |
| | | 28 | E2; E2W2; W2SW | 560.00 |
| | | 33 | A11 | 640.00 |
| | | 34 | W2 | 320.00 |
| | | 36 | A11 | 640.00 |
| 12S | 19E | 36 | A11 | 640.00 |
| 12S | 20E | 1 | Lots 1 - 4; S2N2; S2 | 640.92 |
| | | 2 | Lots 1 - 4; S2N2; S2 | 640.24 |
| | | 4 | Lots 1 - 4; SW; S2N2 | 479.36 |
| | | 10 | E2; SW | 480.00 |
| | | 11 | W2; N2NE | 400.00 |
| | | 12 | N2NW; E2E2 | 240.00 |
| | | 15 | E2; E2W2; NWNW; W2SW | 600.00 |
| | | 19 | E2SE | 80.00 |
| | | 20 | N2; SW | 480.00 |
| | | 21 | N2; SE | 480.00 |
| | | 22 | SE; N2NE; SENE; W2 | 600.00 |
| | | 23 | A11 | 640.00 |
| | | 24 | A11 | 640.00 |



| <u>TWP.</u> | <u>RGE.</u> | <u>SEC.</u> | <u>SUBDIVISION</u> | <u>ACRES</u> |
|-------------|-------------|-------------|-------------------------------------|--------------|
| 12S | 20E | 25 | N2N2; S2NE; SWSW; E2SE | 360.00 |
| | | 26 | S2NW; N2S2; S2SW | 320.00 |
| | | 27 | S2NE; S2 | 400.00 |
| | | 28 | N2N2; S2S2 | 320.00 |
| | | 29 | N2N2; S2 | 480.00 |
| | | 30 | Lots 3 & 4; SE | 230.43 |
| | | 31 | Lots 1 - 4; E2 | 457.28 |
| | | 32 | A11 | 640.00 |
| | | 33 | A11 | 640.00 |
| | | 34 | A11 | 640.00 |
| | | 35 | A11 | 640.00 |
| | | 36 | NW; S2 | 480.00 |
| 12S | 21E | 6 | Lots 1 - 7; S2NE; SENW; E2SW; SE | 639.71 |
| | | 7 | Lots 1 - 4; E2W2; E2 | 636.68 |
| | | 8 | SWNW; SW; NWSE; S2SE | 320.00 |
| | | 17 | A11 | 640.00 |
| | | 18 | Lots 1 - 4; E2W2; E2 | 637.12 |
| | | 19 | E2 | 320.00 |
| | | 20 | W2 | 320.00 |
| | | 29 | N2NE; SENE; SESW; SE | 320.00 |
| | | 30 | Lots 1 - 4; E2W2; W2SE | 400.24 |
| | | 31 | Lot 4; SENW | 80.31 |
| | | 32 | NE; E2NW; NESW; SE | 440.00 |
| 13S | 20E | 2 | Lots 1 - 4; S2N2; S2 | 642.84 |
| 13S | 21E | 6 | Lots 4 - 7; SENW; E2SW; SE | 436.38 |
| | | 7 | NE | 160.00 |



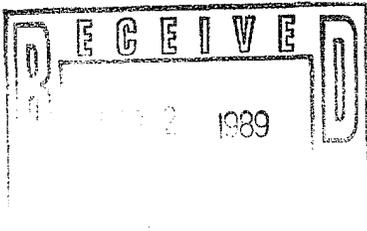
The above described parcels contain a total of 21,601.51 acres, more or less.

Subject to existing reservations, easements, or rights-of-way heretofore legally obtained and now in full force and effect.

IN WITNESS WHEREOF, I, Bruce Babbitt, Governor of the State of Arizona, have caused this DEED OF RECONVEYANCE to be executed and the GREAT SEAL of the State of Arizona to be attached hereto this 17th day of April, 1986.

B. Babbitt
GOVERNOR OF THE STATE OF ARIZONA

Rae Wofford
SECRETARY OF STATE



STATE OF ARIZONA
DEED OF RECONVEYANCE

96-93115

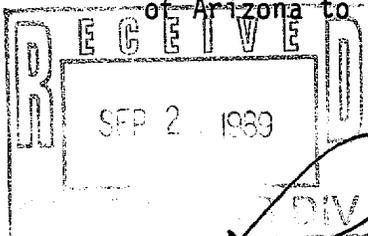
For and in consideration of the granting of certain lands as authorized by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1201 et. seq.) THE STATE OF ARIZONA does herewith remise, release, quitclaim, grant, convey and relinquish to the UNITED STATES OF AMERICA its interest in the lands described as follows:

| <u>TWP.</u> | <u>RGE.</u> | <u>SEC.</u> | <u>SUBDIVISION</u> | <u>ACRES</u> |
|-------------|-------------|-------------|----------------------------|--------------|
| 18S | 21E | 29 | W2SE | 80.00 |
| | | 32 | Lots 2 and 7 | 54.52 |
| 20S | 21E | 2 | Lots 1 - 7; S2NE; SENW; SE | 529.60 |
| | | 4 | Lots 1 - 4 | 135.72 |
| | | 8 | All | 640.00 |
| | | 9 | Lots 1 - 4; W2W2 | 290.20 |
| | | 17 | All | 640.00 |
| 21S | 21E | 3 | Lots 1 - 4 | 179.16 |
| | | 12 | N2NE; NWSW; S2SE | 200.00 |
| | | 13 | N2NE | 80.00 |
| 21S | 22E | 7 | Lots 3 and 4 | 67.36 |
| | | 19 | N2NE | 80.00 |
| | | 20 | Lots 1 - 3; N2NW; N2SE | 263.55 |
| | | 29 | Lots 1 - 3 | 63.81 |
| 22S | 21E | 12 | Lots 2 - 4; SWSE | 134.26 |

The above described parcels contain 3,438.18 acres, more or less.

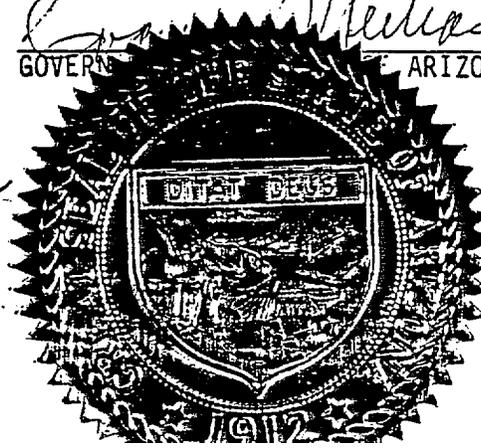
Subject to existing reservations, easements, or rights-of-way heretofore legally obtained and now in full force and effect.

IN WITNESS WHEREOF, I, Evan Mecham, Governor of the State of Arizona, have caused this DEED OF RECONVEYANCE to be executed and the GREAT SEAL of the State of Arizona to be attached hereto this 21st day of April, 1987.



[Signature]
 SECRETARY OF STATE

[Signature]
 GOVERNOR OF ARIZONA



AUG 17 1987 1:00 PM
E-2
3.00

STATE OF ARIZONA
DEED OF RECONVEYANCE

96-95054

For and in consideration of the granting of certain lands as authorized by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1201 et. seq.) THE STATE OF ARIZONA does herewith remise, release, quitclaim, grant, convey and relinquish to the UNITED STATES OF AMERICA its interest in the lands described as follows:

| <u>TWP.</u> | <u>RGE.</u> | <u>SEC.</u> | <u>SUBDIVISION</u> | <u>ACRES</u> |
|-------------|-------------|-------------|---------------------|--------------|
| 12S | 20E | 25 | S2NW;N2SW;SESW;W2SE | 280.00 |
| | | 26 | NE;N2NW | 240.00 |
| | | 27 | N2NE;NW | 240.00 |
| | | 28 | S2N2;N2S2 | 320.00 |
| | | 29 | S2N2 | 160.00 |
| | | 30 | Lots 1 and 2;NE | 230.27 |
| | | 36 | NE | 160.00 |
| 12S | 21E | 31 | Lots 2 and 3;NESE | 120.46 |
| | | 32 | W2SW;SESW | 120.00 |

The above described parcels contain 1,870.73 acres, more or less.

Subject to existing reservations, easements, or rights-of-way heretofore legally obtained and now in full force and effect.

IN WITNESS WHEREOF, I, Evan Mecham, Governor of the State of Arizona, have caused this DEED OF RECONVEYANCE to be executed and the GREAT SEAL of the State of Arizona to be attached hereto this 21st day of July, 1987.



FEE # 870821063
OFFICIAL RECORDS
COCHISE COUNTY
DATE 08/17/87 HOUR 1

Evan Mecham
GOVERNOR OF THE STATE OF ARIZONA

REQUEST OF
ARIZONA LAND DEPT
CHRISTINE RHODES-RECORDER
FEE : 3.00 PAGES : 1



Christine Rhodes
SECRETARY OF STATE

870821063



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
SAFFORD DISTRICT OFFICE
425 E. 4TH STREET
SAFFORD, ARIZONA 85546
(602) 428-4040



IN REPLY REFER TO:

7250
(040)

September 20, 1989

Joe B. Stuart
Section Manager
Surface Water/Adjudication
Arizona Department of Water Resource
15 S. 15th Avenue
Phoenix, Arizona

Dear Mr. Stuart:

Enclosed are an Assignment (Conveyance) of Water Right form, with an attachment, and a copy of the Deeds of Reconveyance. The assignment form is for one Statement of Claim of Right and 67 Claim for Stockpond Applications which are listed on the attachment.

Please charge the five dollar assignment fee for each claim, a total of \$340.00, to our fee credit account, account No. FC-3.

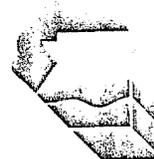
If there are questions about the claims or this transaction, please contact Del Molitor, District Hydrologist.

Sincerely,

Ray Brady
District Manager

Enclosures





ARIZONA
DEPARTMENT
OF WATER
RESOURCES

Rose Molitor
N. W. Plummer
Director

January 10, 1990

Bureau of Land Management
Attn: Mr. Delbert C. Molitor
425 E. 4th Street
Safford, Arizona 85456

15 South 1st
Phoenix, Arizona

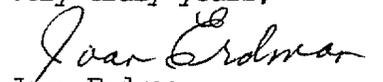
Re: Assignment (Conveyance) of Water Right: SEE ATTACHED.

Dear Mr. Molitor:

The recent assignment action as referenced above has been accomplished.

Thank you for complying with Arizona Revised Statutes §45-163 and §45-164.

Very truly yours,

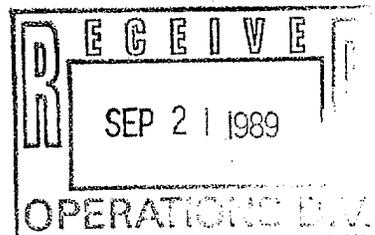

Joan Erdman
Surface Water Section
Telephone (602) 542-1581

JE:je

Enclosure

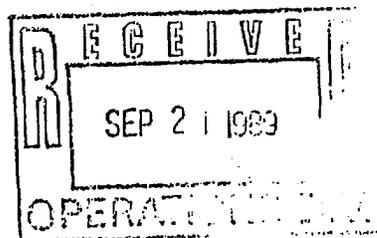
Claim of Water RightDeed of Reconveyance

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| 38-88245 ✓ | 38-88515 ✓ | 38-88830 ✓ | 96-93117 |
| 88396 ✓ | 88516 ✓ | 88831 ✓ | |
| 88399 ✓ | 88517 ✓ | | |
| 88400 ✓ | 88518 ✓ | 36-5487 | |
| 88402 ✓ | 88525 ✓ | 4738 | |
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| 88472 ✓ | | | 96-93118 |
| 88719 ✓ | | | |
| 88721 ✓ | | | |
| 88724 ✓ | | | |
| 88523 ✓ | | | 96-95054 |



Claim of Water RightDeed of Reconveyance

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| 88396.0001 | 88516.0001 | 88831.0001 | |
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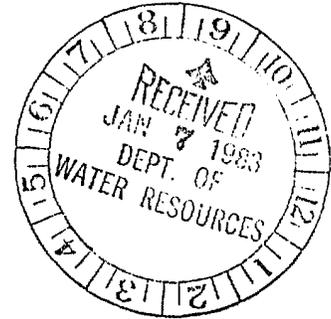


United States Department of the Interior

BUREAU OF INDIAN AFFAIRS SAN CARLOS IRRIGATION PROJECT

P.O. Box 456

Coolidge, Arizona 85228



IN REPLY REFER TO:

January 4, 1983

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

Dear Mr. Gessner:

Reference is made to the Notice of Claim of Water Right for a Stockpond filed by Arizona State Land Department, 1624 West Adams, Phoenix, AZ 85007, stockpond nos. 38-88166 thru 38-88175, 38-88186 thru 38-88202, 38-88206, 38-88212 thru 38-88219, 38-88221 thru 38-88223, 38-88227, 38-88229, 38-88232, 38-88237, 38-88244, 38-88245, 38-88247 thru 38-88249, 38-88252, 38-88253, 38-88255, 38-88256, 38-88259, 38-88262, 38-88263, 38-88266, 38-88267, 38-88277, 38-88278 and 38-88280 thru 38-88282.

If these claims are 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 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).

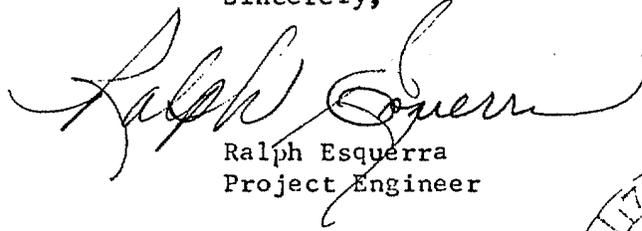
- Waters of the Gila River and its tributaries have long been over appropriated and in most water years the irrigation water is in extremely short supply and much of the Project lands must remain idle because of the insufficient water supply.

It is believed that the approval of these claims 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

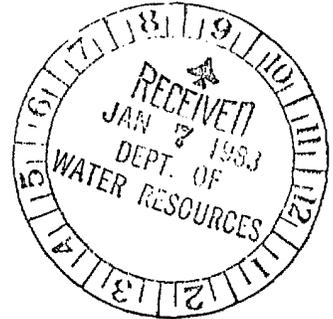
described lands to the extent of all such water available. All deliveries are for irrigation purposes. The points of diversion are located in the NW $\frac{1}{4}$ of Sec. 8, T4S, R11E (Ashurst Hayden Dam), near the SW Corner of Section 7, T4S, R7E, (Oldberg Dam); in Section 25, T2S, R2E, (Upper Gila Crossing Dam); and in Section 16, T2S, R2E, (Lower Gila Crossing Dam).

Sincerely,



Ralph Esquerra
Project Engineer

cc: Arizona State Land Department
1624 West Adams
Phoenix, AZ 85007



State of Arizona

DEPARTMENT OF WATER RESOURCES

99 E. Virginia Avenue, Phoenix, Arizona 85004

BRUCE BABBITT, Governor
WESLEY E. STEINER, DirectorDate: April 8, 1983

San Carlos Irrigation Project
Attn: Ralph Esquerra
Bureau of Indian Affairs
P. O. Box 456
Coolidge, Arizona 85228

Re: Claims of Water Right for Stockpond(s) Nos. 38-88221 thru 38-88223(Inc)
38-88227, 38-88229, 38-88232, 38-88237, 38-88244 and 38-88245

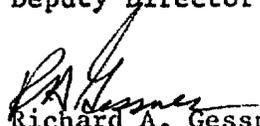
Dear Mr. Esquerra:

This is to acknowledge receipt of your letter dated January 4, 1983 referencing the above mentioned claims and to inform you that your response has been made of record in the related files.

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,

W. Don Maughan,
Deputy Director

By: 
Richard A. Gessner
Chief, Operations Branch

WDM:RG:rh

cc: State Land Department

Think Conservation!

Office of Director 255-1554

Administration 255-1550, Water Resources and Flood Control Planning 255-1566, Dam Safety 255-1541,
Flood Warning Office 255-1548, Water Rights Administration 255-1581, Hydrology 255-1586.

Bureau of Land Management
 425 E. 4th Street
 Safford, Arizona 85456

STATE OF ARIZONA
 DEPARTMENT OF WATER RESOURCES
 WATER RIGHTS ADMINISTRATION
 99 EAST VIRGINIA
 PHOENIX, ARIZONA 85004

Attn: Delbert C. Molitor

RECEIPT

| KIND ENTRY | FILE REFERENCE NO. |
|------------|--------------------|
| see | below |
| | THRU |

FCA-3

| FUND SOURCE | ACCOUNT NO. | | | INT. ACCT. | ITEM DESCRIPTION | RATE | \$ AMOUNT |
|-------------|-------------|---------|------|------------|--|--------|-----------|
| | AGENCY | CHAPTER | DIV. | | | | |
| | | | | | Assignment (Conveyance) of Water Right | | |
| | | | | | Statement of Claim of Right #36-4730 | 5.00 | |
| | | | | | Stockpond Applications (67) @\$5.00ea. | 335.00 | |
| | | | | | SEE ATTACHED | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

1/9/90 JE

Bill BLM \$340.00

TOTAL

\$ 340.00

Claim of Water Right

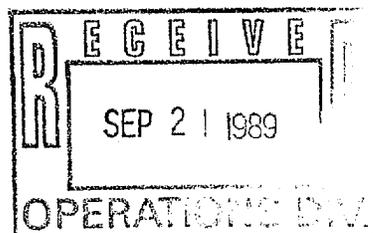
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| 38-88245 / | 38-88515 / | 38-88830 / |
| 88396 / | 88516 / | 88831 / |
| 88399 / | 88517 / | |
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| 88523 / | | |

Deed of Reconveyance

96-93117

96-93118

96-95054



Arizona State Land Department
 Att: Water Rights Division
 1624 West Adams Street
 Phoenix, Arizona 85007

STATE OF ARIZONA
 DEPARTMENT OF WATER RESOURCES
 WATER RIGHTS ADMINISTRATION
 99 EAST VIRGINIA
 PHOENIX, ARIZONA 85004

RECEIPT

| KIND ENTRY | FILE REFERENCE NO. |
|------------|--------------------|
| 38 | 88136 |
| | THRU |
| 38 | 88776 |

| FUND SOURCE | ACCOUNT NO. | | | INT. ACCT. | ITEM DESCRIPTION | RATE | \$ AMOUNT |
|-------------|-------------|---------|------|------------|--|---------|---|
| | AGENCY | CHAPTER | DIV. | | | | |
| | | | | | Six Hundred Forty (640) Applications for | \$10.00 | \$6,400.00 |
| | | | | | Certifications of Stockponds. | | |
| | | | | | | | WAIVER PAYMENT GUESTS 640 CHK NO 506079 640@ 10.00 38 6400.00 TAX 0.00 TOTL 6400.00 GEN.CHEK 6400.00 |
| | | | | | Warrant No. 21 506079 dated 6-30-82 | | |

(7-21-82)

TOTAL

\$ 6,400.00

523 A 13:30

Copy to applicant and to:

City of Tucson, P. O. Box 27210, Tucson, AZ 85726
San Carlos Irrigation & Drainage Dist., P. O. Box 218, Coolidge, AZ 85228
San Carlos Irrigation Project, P. O. Box 456, Coolidge, AZ 85228
Bureau of Land Management, 2400 Valley Bank Center, Phoenix, AZ 85073
Defenders of Wildlife, 70 W. Cushing, Tucson, AZ 85701
E. G. Salazar, Klondyke Station, Willcox, AZ 85643

kp

Dept. of Water Resources
99 E. Virginia
Suite 100
Phoenix, Arizona 85004

NOTICE OF CLAIM OF WATER RIGHT
FOR A STOCKPOND

Notice is hereby given that on the 27 day of JUNE, 19 79,
Az State Land Department, 1624 West Adams, Phoenix, AZ 85007 filed
Claim of Water Right for a Stockpond No. 38-88245 with the Dept. of
Water Resources pursuant to the provisions of Article 8, Chapter 1, Title 45 of
Arizona Revised Statutes.

The name of the stockpond is Mescal Tank and it is
described as being located in the NE ¼ SW ¼ Section 31, Township 6S,
Range 19E, G&SRB&M, Graham County, Arizona.

MATERIAL FACTS OF CLAIM
(as certified by claimant)

1. Date of construction of the stockpond Prior to 1972.
2. Capacity of stockpond on August 29, 1977 was 1 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 Commission 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 Department of Water Resources, 99 E. Virginia, Suite 100, Phoenix, Arizona 85004. 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.

Issued at Phoenix, Arizona

Arizona Department of Water Resources

~~November 17,~~ 19 82

DRS

SAN PEDRO

CITY OF TUCSON
SAN CARLOS IRRIGATION & DRAINAGE DIST.
SAN CARLOS PROJECT

33 87114 ~~87114~~
BLM

85314 }

38 86520 } Defenders of Wildlife
70 W. Cushing
Tucson, Az 85701

36 61122 E G SALAZAR
Klondyke Station
Willcox, Az 85643