

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

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

(LEAVE BLANK)	
No. <u>38-88417</u>	
Filed <u>6-27-79</u> at <u>10:48</u> <u>A</u> 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 1955
 (a) Name of stockpond Basin Tank (Mo., Day, Yr.)
2. State the capacity of the stockpond at spillway level on August 29, 1977:
.33 (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
 (a) If the answer is 'yes', attach explanation.
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 39-6931 filed 9/30/80.

8. State the date water was first used beneficially July 1955
 (Month, Day, Year)
9. State the quantities of water used annually .275
 (Acre Feet)
 (a) What is average number of head using this water? 20 maximum no. ?
 (b) Over what part of year?

10. State the name of water course or water source Basin Draw
 Tributary to Aravaipa Canyon on the San Pedro watershed.
 (Leave Blank)
11. The point of diversion is within NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 26, of
 Township 6S, Range 18E in the County of Pinal.

12. The location of impounding dam is within NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 26, of
 Township 6S, Range 18E in the County of Pinal
 (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 7 ft. (Measured inside dam)
 (b) Length of dam 80 ft.
 (c) Surface area of water at spillway level .2 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:

See Lead file 38-88245 for documentation

ASSIGNMENT (CONVEYANCE) OF WATER RIGHT
A.R.S. § 45-164.B.

GENERAL INSTRUCTIONS

You must attach to this assignment form a duly recorded deed or other documentation which evidences change of ownership of the land to which the water right is appurtenant or attached.

The fee for each assignment of water right must accompany this assignment form. Two or more water rights may be assigned on this form only if the assignors/sellers are identical on all water rights and the assignees/buyers are identical on all water rights. If a water right is subdivided into two or more separate water rights, an assignment form must be completed for each of the water rights.

This assignment form must be signed by all assignee(s)/buyer(s) and all assignor(s)/seller(s), and the current address and phone number of each party must be furnished. If there are more than two assignees or assignors, the name, address, phone number and signature of each additional assignee or assignor should be attached on a separate sheet.

In accordance with A.R.S. §45-164.B., the undersigned parties hereby notify the Arizona Department of Water Resources of an assignment (conveyance) of the following water rights, in whole, or in part.

(Present Assignment Fee for Each Water Right Assigned Includes Reissue Fee for Permit or Certificate)

\$5.00	Application to Appropriate Public Water No.	33 (A & R)-	_____
\$5.00	Permit to Appropriate Public Water No.	33 (A & R)-	_____
\$5.00	Certificate of Water Right No.	33 (A, R & BB)-	_____
\$5.00	Statement of Claim of Right-Registration No.	36-	4730
\$5.00	Claim for Stockpond Application No.	38-	(See Attachment)
\$5.00	Stockpond Certificate No.	38-	_____

Legal land description to which water right is appurtenant: (See Attachment)
_____ 1/4 _____ 1/4 _____ 1/4 Section _____ Township _____ N/S Range _____ E/W
(Further detailed description should be attached on a separate sheet)

SPECIAL INSTRUCTIONS

An appropriative water right for an irrigation use is appurtenant to specific acres of land. If one or more irrigation water rights are being assigned, indicate the number of acres to which the rights are appurtenant and the legal description of the land to which the rights are appurtenant. (Note: the number of acres involved and the legal description are indicated on the original application, permit or certificate.)

Number of Acres: All _____ Partial _____
(Circle all OR partial and enter number of acres)

SELLER(S)/ASSIGNOR(S)

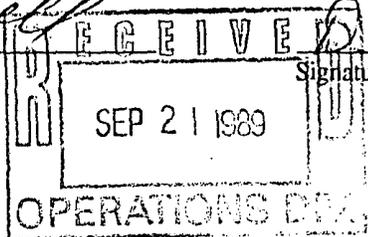
Name Arizona State Land Department
(PRINT OR TYPE)
Address 1616 W. Adams Street
Phoenix, AZ 85007
Phone No. (602) 542-3500

BUYER(S)/ASSIGNEE(S)

Name Bureau of Land Management
(PRINT OR TYPE)
Address 425 E. 4th Street
Safford, AZ 85456
Phone No. (602) 428-4040

Signature *M J Hassell*

Signature *Dell C. Molte*



Claim of Water Right

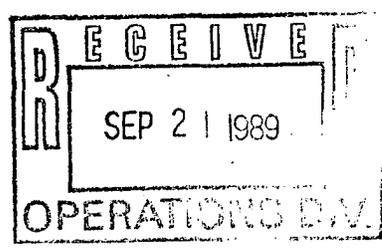
Deed of Reconveyance

38-88245 /	38-88515 /	38-88830 /
88396 /	88516 /	88831 /
88399 /	88517 /	
88400 /	88518 /	
88402 /	88525 /	
88403 /	88526 /	
88404 /	88527 /	
88405 /	88532 /	
88406 /	88538 /	
88407 /	88539 /	
88416 /	88540 /	
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88421 /	88551 /	
88423 /	88559 /	
88425 /	88561 /	
88426 /	88583 /	
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88439 /	88587 /	
88440 /	88589 /	
88441 /	88703 /	
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88443 /	88761 /	
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88472 /		
88719 /		
88721 /		
88724 /		
88523 /		

96-93117

96-93118

96-95054



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. 38-88417 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 Basin Tank and it is
 described as being located in the NE ¼ SE ¼ Section 26, Township 6S,
 Range 18E, G&SRB&M, Pinal County, Arizona.

MATERIAL FACTS OF CLAIM
 (as certified by claimant)

1. Date of construction of the stockpond 1955.
2. Capacity of stockpond on August 29, 1977 was .33 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
November 26, 19 82

Arizona Department of Water Resources
PAE

NOTICE TO APPLICANT AND TO:

City of Tucson, Attn: City Attorney, P. O. Box 27210, Tucson, Arizona 85726
San Carlos Irrigation & Drainage Dist., P. O. Box 218, Coolidge, Arizona 85228
San Carlos Irrigation Project, P. O. Box 456, Coolidge, Arizona 85228
E. G. Salazar, Klondyke Rural Station, Willcox, Arizona 85643

rh

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

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APPLICATION FOR CERTIFICATION
(Chapter 69 Laws 1977)

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No. 38-88417
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(Date) (Time)

FILING FEE \$10.00
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2. Submit in duplicate; typewrite or print in ink.
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AMENDMENT TO FILE #38-21798

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STATE OF ARIZONA

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.)

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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
 (a) If the answer is 'yes', attach explanation.
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 39-6931 filed 9/30/80.
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STATE OF ARIZONA, AS TRUSTEE

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

SAN PEDRO

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

38 61133 - *E. H. Salazar*
Klondike Rural Sta.
Willcox, Az. 85643

ARIZONA DEPARTMENT OF WATER RESOURCES

15 South 15th Avenue, Phoenix, Arizona 85007
Telephone (602) 542-1581
Fax (602) 542-3383



June 15, 1993

FIFE SYMINGTON
Governor

RITA P. PEARSON
Director

Bureau of Land Management
Safford District Office
Attn: Delbert Molitor
711 14th Avenue
Safford, Arizona 85546

Re: Claim of Water Right for a Stockpond Nos. (SEE ATTACHED LIST)

Dear Mr. Molitor:

Records of the Department of Water Resources show that you filed a claim for a water right in a stockpond pursuant to the Stockpond Registration Act of 1977.

At this time you are asked to review the enclosed forms showing the current information contained in the claims. Please clearly mark any corrections or amendments and sign the Statement of Continuing Use for Stockpond at the bottom of the forms.

If the land where the stockponds are located has been sold, transferred or assigned to another party, please provide us with the new owner's name and address.

Please return the signed Statement of Continuing Use of Stockpond to this Department within the next thirty (30) days.

Yours truly,

A handwritten signature in cursive script that reads "Patricia M. Rocko".

Patricia M. Rocko
Surface Water Rights Specialist
Operations Division
Telephone (602) 542-1581

enclosure
pr

ATTACHMENT 6/15/93

38-88399.0001
38-88416.0001
38-88417.0001
38-88421.0001
38-88440.0001
38-88441.0001
38-88445.0001
38-88459.0001
38-88526.0001
38-88532.0001
38-88538.0001
38-88761.0001
38-88771.0001
38-94702.0000



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 (043)

March 4, 1993

Ms. Darlene Sumpter-King
 Surface Water Rights Specialist
 Operations Division
 Arizona Department of Water Resources
 15 South 15th Avenue
 Phoenix, Arizona 85007

Dear Ms. Sumpter-King:

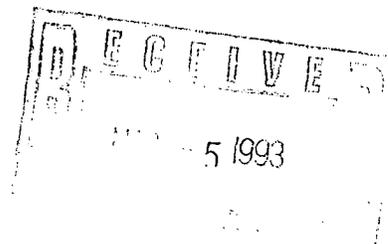
In a letter dated February 23, 1993, you enclosed a list containing duplicated filings for a number of stockponds located on public lands. You requested that I review the list and advise your office which filings should remain active.

I am returning the entire list. The filings, by claim number, that we would like to retain are underlined in red. I felt this action would be less confusing and prevent errors.

Sincerely,

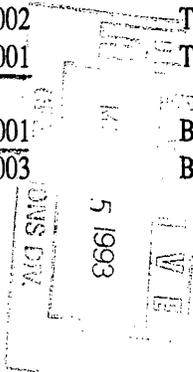
Delbert Molitor
 District Hydrologist

Enclosure



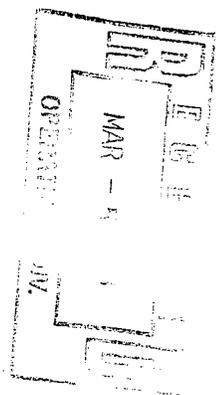
ATTACHMENT TO LETTER OF 2/23/93

<u>✓38-88417.0001</u>	Basin Tank	NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T 6 South, R 18 East
38-61133.0003	Basin Tank	NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T 6 South, R 18 East
38-86593.0002	Turkey Creek Breaks Tank #1	SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T 6 South, R 19 East
<u>✓38-88399.0001</u>	Turkey Creek Breaks Tank	SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T 6 South, R 19 East
38-86589.0002	Turkey Creek Breaks Tank # 3	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T 6 South, R 19 East
<u>✓38-88538.0001</u>	Turkey Creek Breaks Tank # 3	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T 6 South, R 19 East
38-86588.0002	Turkey Creek Breaks Tank # 4	NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T 6 South, R 19 East
<u>✓38-88526.0001</u>	Turkey Creek Breaks Tank	NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T 6 South, R 19 East
38-86584.0002	Martinez Tank # 2	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T 6 South, R 19 East
<u>✓38-88421.0001</u>	Martinez Tank # 2	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T 6 South, R 19 East
38-86583.0002	Bear Canyon Dams	SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T 6 South, R 19 East
<u>✓38-94702.0000</u>	Bear Canyon	SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T 6 South, R 19 East
38-86590.0002	Mescal Hill Tank	SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T 6 South, R 19 East
<u>✓38-88771.0001</u>	Mescal Hill Tank	SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T 6 South, R 19 East
38-86587.0002	Mantanza Dam	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T 6 South, R 19 East
<u>✓38-88761.0001</u>	Mantanza Dam	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T 6 South, R 19 East
38-86592.0002	Turkey Breaks Tank # 2	SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T 6 South, R 19 East
<u>✓38-88445.0001</u>	Turkey Breaks Tank # 2	SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T 6 South, R 19 East
<u>✓38-88440.0001</u>	Black Butte Tank	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T 7 South, R 19 East
38-61140.0003	Black Butte Tank	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T 7 South, R 19 East



ATTACHMENT TO LETTER OF 2/23/93

<u>✓38-88416.0001</u>	Bill's Tank	SE¼NE¼, Sec. 27, T 6 South, R 18 East
<u>38-61138.0003</u>	Bill's Tank	SE¼NE¼, Sec. 27, T 6 South, R 18 East
<u>38-86586.0002</u>	Pilares Tank	NE¼SW¼, Sec. 17, T 6 South, R 19 East
<u>✓38-88532.0001</u>	Pilares Tank	SE¼NW¼, Sec. 17, T 6 South, R 19 East
<u>✓38-88441.0001</u>	Moore Tank	NE¼SW¼, Sec. 1, T 7 South, R 18 East
<u>38-61137.0003</u>	Moore Tank	NE¼SW¼, Sec. 1, T 7 South, R 18 East
<u>✓38-88459.0001</u>	Red Tank	NW¼SE¼, Sec. 23, T 6 South, R 18 East
<u>38-61135.0003</u>	Red Tank	NW¼SW¼, Sec. 23, T 6 South, R 18 East



2000

ARIZONA DEPARTMENT OF WATER RESOURCES

15 South 15th Avenue, Phoenix, Arizona 85007
Telephone (602) 542-1581
Fax (602) 256-0506



February 23, 1993

FIFE SYMINGTON
Governor

ELIZABETH ANN RIEKE
Director

Bureau of Land Management
Attn: Delbert Molitor
711 14th Avenue
Safford, Arizona 85546

Re: Claim of a Water Right for s Stockpond Nos. (See attached list)

Dear Mr. Molitor:

Enclosed are copies of the referenced Bureau of Land Management claims. By evidence of the descriptions and locations contained in the official records, these filings appear to be for the same stockponds located of Federal lands.

Pursuant to Arizona Administrative Code Rule 12-15-303 concerning duplicate filings, would you now review the duplicate applications for the claim of stockpond filed by the Bureau of and Management and advise the Department which of these claims you wish to remain active. The Department will then consolidate the separate filings.

If you have any questions regarding the consolidation of these claims, please contact me at the number below.

Yours truly,

Darlene Sumpter-King
Surface Water Rights Specialist
Operations Division
Telephone (602) 542-1581

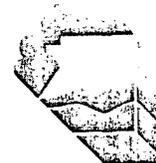
dk
enclosures

ATTACHMENT TO LETTER OF 2/23/93

38-88417.0001	Basin Tank	NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T 6 South, R 18 East
38-61133.0003	Basin Tank	NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T 6 South, R 18 East
38-86593.0002	Turkey Creek Breaks Tank #1	SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T 6 South, R 19 East
38-88399.0001	Turkey Creek Breaks Tank	SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T 6 South, R 19 East
38-86589.0002	Turkey Creek Breaks Tank # 3	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T 6 South, R 19 East
38-88538.0001	Turkey Creek Breaks Tank # 3	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T 6 South, R 19 East
38-86588.0002	Turkey Creek Breaks Tank # 4	NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T 6 South, R 19 East
38-88526.0001	Turkey Creek Breaks Tank	NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T 6 South, R 19 East
38-86584.0002	Martinez Tank # 2	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T 6 South, R 19 East
38-88421.0001	Martinez Tank # 2	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T 6 South, R 19 East
38-86583.0002	Bear Canyon Dams	SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T 6 South, R 19 East
38-94702.0000	Bear Canyon	SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T 6 South, R 19 East
38-86590.0002	Mescal Hill Tank	SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T 6 South, R 19 East
38-88771.0001	Mescal Hill Tank	SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T 6 South, R 19 East
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38-88761.0001	Mantanza Dam	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T 6 South, R 19 East
38-86592.0002	Turkey Breaks Tank # 2	SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T 6 South, R 19 East
38-88445.0001	Turkey Breaks Tank # 2	SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T 6 South, R 19 East
38-88440.0001	Black Butte Tank	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T 7 South, R 19 East
38-61140.0003	Black Butte Tank	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T 7 South, R 19 East

ATTACHMENT TO LETTER OF 2/23/93

38-88416.0001	Bill's Tank	SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T 6 South, R 18 East
38-61138.0003	Bill's Tank	SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T 6 South, R 18 East
38-86586.0002	Pilares Tank	NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, T 6 South, R 19 East
38-88532.0001	Pilares Tank	SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17, T 6 South, R 19 East
38-88441.0001	Moore Tank	NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T 7 South, R 18 East
38-61137.0003	Moore Tank	NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T 7 South, R 18 East
38-88459.0001	Red Tank	NW$\frac{1}{4}$SE$\frac{1}{4}$, Sec. 23, T 6 South, R 18 East
38-61135.0003	Red Tank	NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T 6 South, R 18 East



ARIZONA
DEPARTMENT
OF WATER
RESOURCES

Rose Mollard, C.E.
N. W. Plummer
Director

15 South Main Ave.
Phoenix, Arizona

January 10, 1990

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

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,

A handwritten signature in cursive script that reads "Joan Erdman".

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

JE:je

Enclosure

Claim of Water Right

Deed of Reconveyance

38-88245 /
 88396 /
 88399 /
 88400 /
 88402 /
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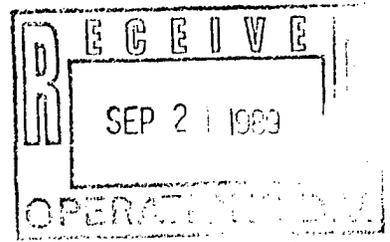
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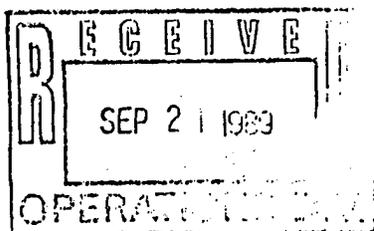
96-95054



Claim of Water Right

Deed of Reconveyance

38-88245.0001	38-88515.0001	38-88830.0001	96-93117
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88445.0001	88770.0001		
88458.0001	88771.0001		
88459.0001	88772.0001		
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88523.0001			96-95054

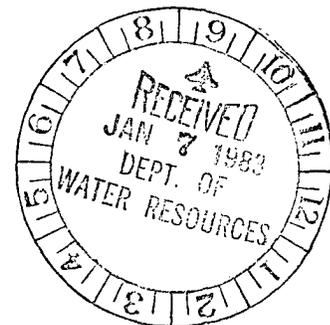




United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
SAN CARLOS IRRIGATION PROJECT

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. 38-88284 thru 38-88286, 38-88288 thru 38-88290, 38-88292, 38-88293, 38-88295, 38-88298, 38-88320, 38-88391 thru 38-88395, 38-88416 thru 38-88453, 38-88455 thru 38-88475, 38-88477, 38-88479, 38-88480, 38-88482, 38-88484 thru 38-88488 and 38-88490 thru 38-88498.

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 1368. This is evidenced by the United States District Court in the Decree entered June 29, 1935 known as Globe Equity No. 59 (Gila Decree).

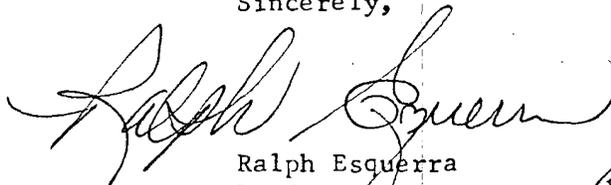
- Waters of the Gila River and its tributaries have long been over appropriated and in most water years the irrigation water is in extremely short supply and much of the Project lands must remain idle because of the insufficient water supply.

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

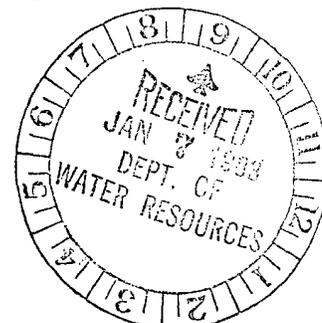
described lands to the extent of all such water available. All deliveries are for irrigation purposes. The points of diversion are located in the NW $\frac{1}{4}$ of Sec. 8, T4S, R11E (Ashurst Hayden Dam), near the SW Corner of Section 7, T4S, R7E, (Oldberg Dam); in Section 25, T2S, R2E, (Upper Gila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

Sincerely,



Ralph Esquerro
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 12, 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. 38-88320, 38-88391 thru
38-88395(Inc); 38-88416 thru 38-88453(Inc); 38-88455 thru 38-88475(Inc).

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# 30 -4730	5.00	
					Stockpond Applications (67) @\$5.00ea.	335.00	
					SEE ATTACHED		

1/9/90 JE
 Bill BLM \$340.00

TOTAL \$ 340.00

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.		
							WRITER PAYMENT GUESTS 640 CHK NO 506079 6400 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

525-A 12:30
\$ 6,400.00

ec