

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO USE
WATER IN THE GILA RIVER SYSTEM AND SOURCE

No. W1,W2,W3 & W4

MANDATORY FORM FOR OBJECTIONS TO
The Hydrographic Survey Report for
The San Pedro River Watershed

Contested Case
No. W1-11-002325

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to ~~WATER~~
~~XXXXXXXX~~ Zone 2 Well Report No.

113 - 04 - xxxx - 003
(please insert no.)

or Catalogued Well No. _____
(please insert no.)

FILED
MAY 18 PM 2:59
JENNIFER ALLEN, CLERK
MARICOPA COUNTY
DEPT. OF CLERK

OBJECTOR INFORMATION

Objector's Name: Town of Mammoth
Objector's Address: P. O. Box 30, Mammoth, AZ 85618
Objector's Telephone No.: (602) 487-2331

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

113 - 04 - xxxx - 003

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39 - _____

STATE OF Arizona

COUNTY OF Pinal

VERIFICATION (must be completed by objector)

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the _____ day of _____, 199____, postage prepaid and addressed as follows:

Name: N/A
Address: _____

(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well Report; or to information contained in Volume 1 of the Hydrographic Survey Report.)

I declare under penalty of perjury that I am a claimant in this proceeding or the duly- authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

Jenelle Morris O'Hair
Signature of Objector or Objector's Representative
Jenelle Morris O'Hair
SUBSCRIBED AND SWORN to before me this 18th day of May 199 2

Ben Maluskew
Notary Public for the State of Arizona

Residing at Casa Grande

My commission expires My Commission Expires Aug. 5, 1994

Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex, 3345 W. Durango Street, Phoenix, AZ 85009, on or before May 18, 1992.

Attachment 1

to Town of Mammoth Objection to Zone 2 Well Report #113-04-003

Objection Category No. 2: Applicable Filings and Decrees

The Town of Mammoth objects to the description of Applicable Filings and Decrees on the following grounds:

1. The Town objects to DWR's methodology in reporting and analyzing, or its failure to report and analyze, information contained in previous filings and decrees. Specifically, DWR has failed to list any "55s" (well registrations) filed by the Town on its wells. In DWR's "Watershed File Report Number 113-04-003" on Mammoth (which is contained in its Adjudicatory Investigation File but not in the San Pedro HSR), under the heading "PWR Summary" and the sub-heading "Applicable Previous Filings," Mammoth objects to the notation "None." There are applicable previous filings, in the form of well registrations, for each of Mammoth's wells. These should be shown on Mammoth's Zone 2 Well Report, as well as on the "Watershed File Report" in DWR's file. (Code 410).

Attachment 2

to Town of Mammoth Objection to Zone 2 Well Report #113-04-003

Objection Category No. 3: DWR's Analysis of Filings and Decrees

The Town of Mammoth objects to the description of DWR's Analysis of Filings and Decrees on the following grounds:

1. In DWR's "Watershed File Report Number 113-04-003" on Mammoth (which is contained in its Adjudicatory Investigation File but not in the San Pedro HSR), under the heading "PWR Summary" and the sub-heading "Applicable Previous Filings," Mammoth objects to the notation "None." There are applicable previous filings, in the form of well registrations ("55s"), on each of Mammoth's wells. These should be shown on Mammoth's Zone 2 Well Report, as well as on the "Watershed File Report" in DWR's file. (Code 410).

Attachment 3

to Town of Mammoth Objection to Zone 2 Well Report #113-04-003

Objection Category No. 4: Diversions

The Town of Mammoth objects to the description of Diversions for the claimed water right(s) for the following reasons:

I. W05

A. The Town objects to the classification of any or all of its wells in the Zone 2 Well Report as Zone 2 wells, i.e., wells subject to federal claims. (Code 532)

Attachment 4

to Town of Mammoth Objection to Zone 2 Well Report #113-04-003

Objection Category No. 5: Uses

The Town of Mammoth objects to the description of Uses for the claimed water right(s) for the following reasons:

1. The Town objects to the classification of W05 as a Zone 2 well; the Town's position is that the well is not subject to federal claims. (Code 532)
2. DWR assigns W05 to Zone 2 without regard to either the amount of stream depletion attributable to that well or the amount of time necessary for depletion to occur, and without regard to the magnitude or immediacy of impact to aquifers underlying federal reservations. (Code 532, 180)

Attachment 5

to Town of Mammoth Objection to Zone 2 Well Report #113-04-003

Objection Category No. 6: Reservoirs

The Town of Mammoth objects to the description of Reservoirs used for the claimed water right(s) for the following reasons:

- I. Objection to DWR's determination of reservoir storage volume. (Code 1050)
 - A. Mammoth objects that the Zone 2 Well Report does not report reservoir storage volume. Mammoth has a storage right consisting of two 250,000 gallon storage tanks, and two 2,000 gallon pressure tanks, for a total storage capacity of 504,000 gallons. (Code 200,1050)

Attachment 6

to Town of Mammoth Objection to Zone 2 Well Report #113-04-003

Objection Category No. 8: Potential Water Right Summary

The Town of Mammoth objects to the description of PWR (Potential Water Right) Summary of the claimed water right(s) for the following reasons:

- I. The Apparent First Use Date should be 1885, rather than 1958. DWR erroneously based the Apparent First Use Date on the date of the Town's incorporation, rather than the date of initiation of municipal water use. Mammoth has discovered historical documentation for an Apparent First Use Date of 1885. That documentation is summarized as follows: (Code 920)
 - A. There is documentary evidence that the Town of Mammoth was first settled in 1876. Mammoth has been continuously inhabited since that time. In 1885, a mill and a mine were established, as were several stores and saloons (such as the J.N. Dotson Saloon). A man named William Neal contracted for the hauling of ore, and also had a contract for furnishing wood and water to the Town's citizens. That was the beginning of organized municipal delivery of water. Undoubtedly, water was being used for municipal purposes by 1885, to supply the stable population of the town, as well as the transient mill and mine workers.
- II. The "Watershed File Report Number 113-04-003" found in DWR's Adjudicatory Investigation File (but not in the HSR) incorrectly states "none" under the heading "Applicable Previous Filings." There are applicable previous filings in the form of well registrations ("55s") for each of Mammoth's wells. These well registrations should be reflected as "Applicable Previous Filings" in the "PWR Summary" section of the Watershed File Report. 410
- III. The "Apparent Annual Volume Used" as shown in the Zone 2 Well Report is incorrect. The information supplied to DWR personnel during its HSR investigation was incorrect. The current annual volume of water use is 245 acre feet. Mammoth's annual volume of water use has increased over the years, and will continue to increase with population growth. Therefore, Mammoth will assert a right to a demand-based entitlement in the adjudication. 1040

IV. DWR reports an apparent quantity for MU001 which reflects the quantity of water delivered, rather than the quantity pumped, so that transmission losses in the water delivery system are improperly excluded from the PWR. (Code 1040)

Attachment 7

to Town of Mammoth Objection to Zone 2 Well Report #113-04-003

Objection Category No. 9: Quantities of Use

The Town of Mammoth objects to the description of **Quantities of Use** for the claimed water right(s) for the following reasons:

- I. The "Apparent Annual Volume Used" as shown in the Zone 2 Well Report is incorrect. The information supplied to DWR personnel during its HSR investigation was incorrect. The current annual volume of water use is 245 acre feet. Mammoth's annual volume of water use has increased over the years, and will continue to increase with population growth. Therefore, Mammoth will assert a right to a demand-based entitlement in the adjudication. 1040

Attachment 8

to Town of Mammoth Objection to Zone 2 Well Report #113-04-003

Objection Category No. 10: Explanation

The Town of Mammoth objects to the Explanation provided for the claimed water right(s) for the following reasons:

- I. Mammoth objects to the comment that the apparent annual volume reported for MU001 is partially supplied by Zone 1 groundwater. It is Mammoth's position that any water pumped from its wells is percolating groundwater not subject to this adjudication. 531
- II. In the second line of the Explanation section, Mammoth believes that "W1" should read "W05." 1160

Attachment 9

to Town of Mammoth Objection to Zone 2 Well Report #113-04-003

Objection Category No. 11: Other Objections

1. DWR fails to depict the brightline on the regional map which shows the Town of Mammoth so that it is impossible to evaluate DWR's conclusions that the Town's wells fall within Zone 2. (Code 532)

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Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to Watershed
File Report or Zone 2 Well Report No.

113 - 04 - XXXX - 003
(please insert no.)

or Catalogued Well No.

(please insert no.)

OBJECTOR INFORMATION

Objector's Name: TOWN OF MAMMOTH
Objector's Address: P.O. Box 30, Mammoth, AZ 85618
Objector's Telephone No.: (602) 487-2331

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

113 - 04 - XXXX - 003

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39 - _____

STATE OF Arizona

COUNTY OF Pinal

VERIFICATION (must be completed by objector)

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the _____ day of _____, 199____, postage prepaid and addressed as follows:

Name: N/A
Address: _____

(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well Report; or to information contained in Volume 1 of the Hydrographic Survey Report.)

I declare under penalty of perjury that I am a claimant in this proceeding or the duly- authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

Jennele Morris O'Hair
Signature of Objector or Objector's Representative

Jennele Morris O'Hair
SUBSCRIBED AND SWORN to before me this 17th day of May 1992

Don McRuden
Notary Public for the State of Arizona

Residing at Casa Grande

My commission expires My Commission Expires Aug. 5, 1994

92 MAY 18 PM 2:50
FILED
JOHN ALLEN CLERK
COURT CLERK
MARICOPA COUNTY
PHOENIX, ARIZONA

Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex, 3345 W. Durango Street, Phoenix, AZ 85009, on or before May 18, 1992.

ATTACHMENT

to Town of Mammoth Objection to
its Major User Report
(WFR # 113-04-003)

The Town of Mammoth objects to Volume 1, page 289, of the San Pedro HSR (the Mammoth Municipal Water Supply Major User Report) on the following grounds: (Location Code 116) (Major User Code 1224)

I. History

- A. Mammoth objects to the third sentence. Mammoth objects to DWR's presumption that "prior to 1958, private wells presumably supplied water for domestic requirements." Mammoth will attempt to prove that there was municipally-supplied water use as early as 1885. 9/10, 230

II. Water Supply System

- A. Mammoth has six wells, rather than five. Two of the six wells are standby wells. 620
- B. Mammoth objects to the statement that its maximum storage capacity is 500,000 gallons. The current storage capacity of the Mammoth system, including the two 2,000 gallon pressure tanks, is 504,000 gallons. 1050

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Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to Watershed
File Report ~~W 2006-2007 Report~~ No.

113 - 04 - XXXX - 003
(please insert no.)

or Catalogued Well No.

(please insert no.)

92 MAY 18 PM 2:57
FILED
R. O'Hair

OBJECTOR INFORMATION

Objector's Name: TOWN OF MAMMOTH
Objector's Address: P.O. Box 30, Mammoth, AZ 85618
Objector's Telephone No.: (602) 487-2331

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

113 - 04 - XXXX - 003

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39 - _____

STATE OF Arizona
COUNTY OF Pinal

VERIFICATION (must be completed by objector)

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the _____ day of _____, 199____, postage prepaid and addressed as follows:

Name: N/A
Address: _____

I declare under penalty of perjury that I am a claimant in this proceeding or the duly- authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

Jennele Morris O'Hair
Signature of Objector or Objector's Representative

Jennele Morris O'Hair
SUBSCRIBED AND SWORN to before me this 17th day of

May 1992.

Joni McDermott
Notary Public for the State of Arizona

Residing at Casa Grande

My commission expires My Commission Expires Aug 5, 1994

(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well Report; or to information contained in Volume 1 of the Hydrographic Survey Report.)

Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex, 3345 W. Durango Street, Phoenix, AZ 85009, on or before May 18, 1992.

Attachment 1

to Town of Mammoth Objection to Watershed File Report Number
113-04-003

Objection Category No. 2: Applicable Filings and Decrees

The Town of Mammoth objects to the description of Applicable Filings and Decrees on the following grounds:

1. The Town objects to DWR's methodology in reporting and analyzing, or its failure to report and analyze, information contained in previous filings and decrees. Specifically, DWR has failed to list any "55s" (well registrations) filed by the Town on its wells. These well registrations should be listed under the sub-heading "Filing number" under the heading "Applicable Filings and Decrees." Also, under the heading "PWR Summary" and the sub-heading "Applicable Previous Filings," Mammoth objects to the notation "None." There are applicable previous filings, in the form of well registrations, for each of Mammoth's wells. These should be shown on Mammoth's Watershed File Report. (Code 410).

Attachment 2

to Town of Mammoth Objection to Watershed File Report Number
113-04-003

Objection Category No. 3: DWR's Analysis of Filings and Decrees

The Town of Mammoth objects to the description of DWR's
Analysis of Filings and Decrees on the following grounds:

1. In Mammoth's Watershed File Report, under the heading
"PWR Summary" and the sub-heading "Applicable Previous
Filings," Mammoth objects to the notation "None." There
are applicable previous filings, in the form of well
registrations ("55s"), for each of Mammoth's wells.
These should be shown on Mammoth's Watershed File Report.
(Code 410)

Attachment 3

to Town of Mammoth Objection to Watershed File Report Number
113-04-003

Objection Category No. 4: Diversions

The Town of Mammoth objects to the description of Diversions
for the claimed water right(s) for the following reasons:

I. W01

- A. The Watershed File Report shows an incorrect location for W01. As shown on the map of Mammoth's wells attached hereto as "Exhibit A," the correct location of W01 is NW, SE, SW, Sec. 18, T8S, R17E. (W01 is also incorrectly located on the HSR map in Volume 9.) (Code 623)
- B. W01 is not unnamed. Its name is "Well #3." (Code 620)
- C. Mammoth objects to DWR's classification of W01 in Zone 1 of the San Pedro River. It is Mammoth's position that the water pumped from the well is percolating groundwater not subject to this adjudication. (Code 531)
- D. Mammoth further objects to the unstated implication that W01 is also located within Zone 2. It is Mammoth's position that the water pumped from the well is not subject to federal claims. (Code 532)

II. W02

- A. The Watershed File Report shows an incorrect location for W02. As shown on the map of Mammoth's wells attached hereto as "Exhibit A," the correct location of W02 is SW, NW, SE, Sec. 18, T8S, R17E. (W02 is also incorrectly located on the HSR map in Volume 9.) (Code 623)
- B. W02 is not unnamed. Its name is "Well #4." (Code 620)
- C. Mammoth objects to DWR's classification of W02 in Zone 1 of the San Pedro River. It is Mammoth's position that the water pumped from the well is percolating groundwater not subject to this adjudication. (Code 531)
- D. Mammoth further objects to the unstated implication that W02 is also located within Zone 2. It is

Mammoth's position that the water pumped from the well is not subject to federal claims. (Code 532)

III. W03

- A. The Watershed File Report shows an incorrect location for W03. As shown on the map of Mammoth's wells attached hereto as "Exhibit A," the correct location of W03 is NW, SW, SE, Sec. 18, T8S, R17E. (W03 is also incorrectly located on the HSR map in Volume 9.) (Code 623)
- B. W03 is not unnamed. Its name is "Well #5." (Code 620)
- C. Mammoth objects to DWR's classification of W03 in Zone 1 of the San Pedro River. It is Mammoth's position that the water pumped from the well is percolating groundwater not subject to this adjudication. (Code 531)
- D. Mammoth further objects to the unstated implication that W03 is also located within Zone 2. It is Mammoth's position that the water pumped from the well is not subject to federal claims. (Code 532)

IV. W04

- A. W04 is not unnamed. Its name is "Well #2." (Code 620)
- B. Mammoth objects to DWR's classification of W04 in Zone 1 of the San Pedro River. It is Mammoth's position that the water pumped from the well is percolating groundwater not subject to this adjudication. (Code 531)
- C. Mammoth further objects to the unstated implication that W04 is also located within Zone 2. It is Mammoth's position that the water pumped from the well is not subject to federal claims. (Code 532)

V. W05

- A. W05 is not unnamed. Its name is "Well #1." (Code 620)
- B. Mammoth objects to DWR's classification of W05 in Zone 2 of the San Pedro River. It is Mammoth's position that the water pumped from the well is not subject to federal claims. (Code 532)

VI. W06

- A. The Watershed File Report fails to identify a well located in SW, SW, SE, Sec. 18, T8S, R17E (Well Registration No. 55-801443-L). (Nor is W06 shown on the HSR map in Volume 9.) The well was constructed in 1940 and is named "Well #6." (Code 620)
- B. As a result, the Watershed File Report contains incomplete diversion information. (Code 620)
1. The Watershed File Report should list this well under the heading "Diversions," as an additional diversion supplying MU001. (Code 620)
 2. The Map in Volume 9 of the HSR should include W06. (Code 620)
 3. The Town of Mammoth requests adjudication of this well along with its other water rights, but only to the extent that it is subject to the adjudication. (Code 1120)

VII. The Town objects to the classification of any or all of its wells in the Watershed File Report as Zone 1 or Zone 2 wells. However, the Town agrees that the water source for all wells is groundwater. (Code 531, 532)

Attachment 4

to Town of Mammoth Objection to Watershed File Report Number
113-04-003

Objection Category No. 5: Uses

The Town of Mammoth objects to the description of Uses for the
claimed water right(s) for the following reasons:

- I. The Watershed File Report fails to identify water use
from a well located in SW, SW, SE, Sec. 18, T8S, R17E.
This is Mammoth's Well #6. (Code 720)
 - A. As a result, the Watershed File Report contains
incomplete Use Information. (Code 720)
 - B. The Watershed File Report should show under the
column "Supplied by Diversions" that W06 supplies
MU001. (Code 720)
- II. The Town objects to the classification of any or all of
its wells in the Watershed File Report as Zone 1 or Zone
2 wells. However, the Town agrees that the water source
for all wells is groundwater. (Code ~~531, 532~~)

Attachment 5

to Town of Mammoth Objection to Watershed File Report Number
113-04-003

Objection Category No. 6: Reservoirs

The Town of Mammoth objects to the description of Reservoirs
used for the claimed water right(s) for the following reasons:

- I. Objection to DWR's determination of reservoir storage
volume. (Code 1050)
 - A. Mammoth objects that the Watershed File Report does
not report reservoir storage volume. Mammoth has a
storage right consisting of two 250,000 gallon
storage tanks, and two 2,000 gallon pressure tanks,
for a total storage capacity of 504,000 gallons.
(Code 200,1050)

Attachment 6

to Town of Mammoth Objection to Watershed File Report Number
113-04-003

Objection Category No. 8: Potential Water Right Summary

The Town of Mammoth objects to the description of PWR (Potential Water Right) Summary of the claimed water right(s) for the following reasons:

- I. Under the sub-heading "Applicable Adjudication Filings," "none" is correct. However, Mammoth filed a motion to intervene and file Statement of Claimant forms for its six wells on May 15, 1992. If that motion is granted, Mammoth will file the Statements of Claimant attached to its motion.
- II. Under the sub-heading "Applicable Previous Filings," Mammoth objects to the notation "None." There are applicable previous filings, in the form of well registrations ("55s"), for each of Mammoth's wells. These should be shown on Mammoth's Watershed File Report. (Code 410)
- III. The Apparent First Use Date should be 1885, rather than 1958. DWR erroneously based the Apparent First Use Date on the date of the Town's incorporation, rather than the date of initiation of municipal water use. Mammoth has discovered historical documentation for an Apparent First Use Date of 1885. That documentation is summarized as follows: (Code 920)
 - A. There is documentary evidence that the Town of Mammoth was first settled in 1876. Mammoth has been continuously inhabited since that time. In 1885, a mill and a mine were established, as were several stores and saloons (such as the J.N. Dotson Saloon). A man named William Neal contracted for the hauling of ore, and also had a contract for furnishing wood and water to the Town's citizens. That was the beginning of organized municipal delivery of water. Undoubtedly, water was being used for municipal purposes by 1885, to supply the stable population of the town, as well as the transient mill and mine workers.
- IV. The Town objects to the classification of any or all of its wells in the Watershed File Report as Zone 1 or Zone 2 wells. However, the Town agrees that the water source for all wells is groundwater. (Code 534,532)

Attachment 7

to Town of Mammoth Objection to Watershed File Report Number
113-04-003

Objection Category No. 9: Quantities of Use

The Town of Mammoth objects to the description of **Quantities of Use** for the claimed water right(s) for the following reasons:

1. Mammoth objects that DWR has not shown any data under the "Quantities of Use" section. The information supplied to DWR personnel during its HSR investigation was incorrect. The current annual volume of water use is 245 acre feet. Mammoth's annual volume of water use has increased over the years, and will continue to increase with population growth. Therefore, Mammoth will assert a right to a demand-based entitlement in the adjudication. 10/0

Attachment 8

to Town of Mammoth Objection to Watershed File Report Number
113-04-003

Objection Category No. 10: Explanation

The Town of Mammoth objects to the Explanation provided for
the claimed water right(s) for the following reasons:

- I. Mammoth objects to the explanation of "Diversions." All
six of its wells provide water for municipal uses. There
are two standby wells, W03 and W04. 620

Attachment 9

to Town of Mammoth Objection to Watershed File Report Number
113-04-003

Objection Category No. 11: Other Objections

The Town of Mammoth objects to the San Pedro HSR on the following additional ground:

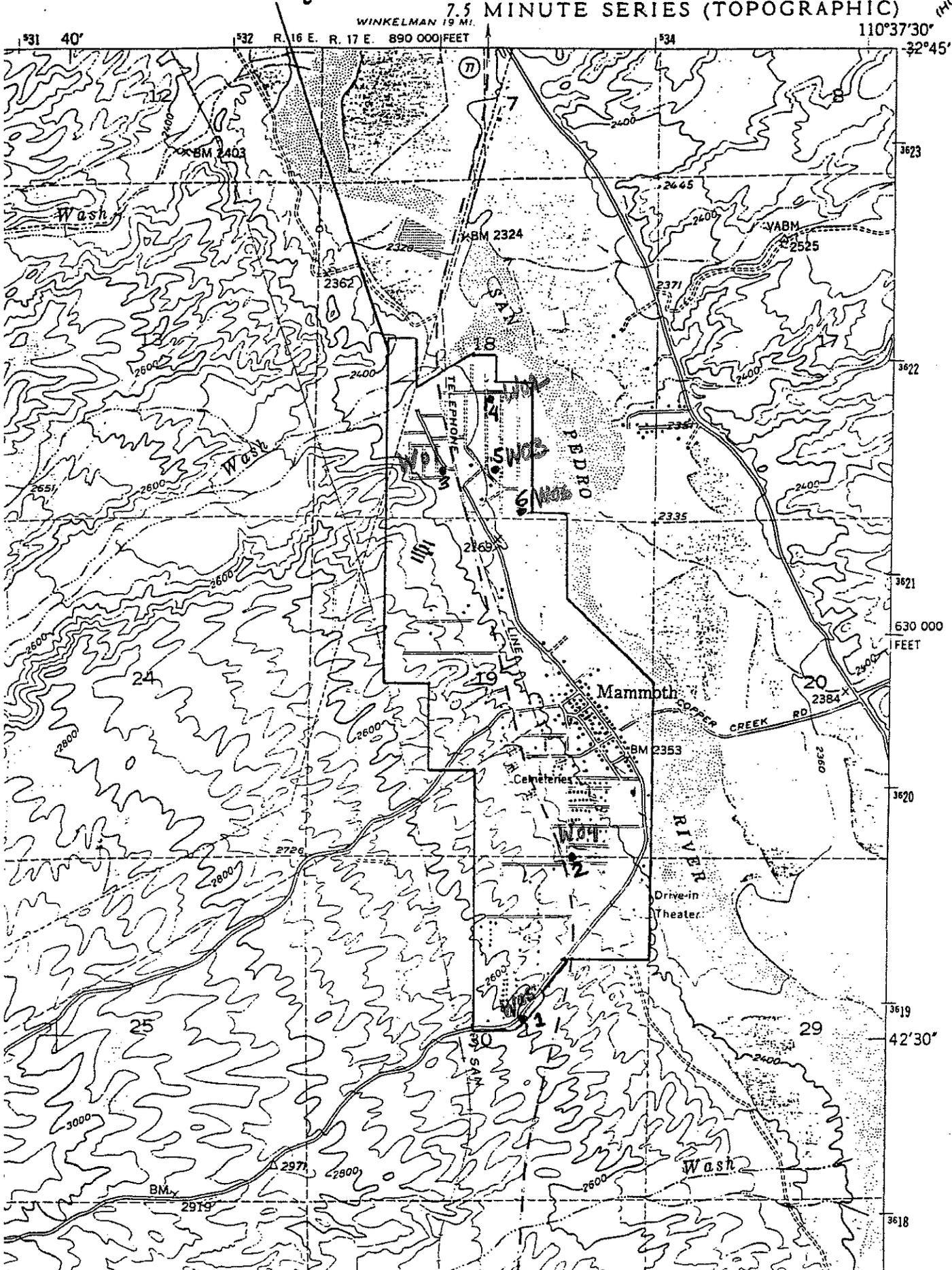
1. The procedures imposed by the trial court and Master to preserve an objection to a watershed file report are inconsistent with A.R.S. Sec. 45-256(B). The Legislature did not intend each party to be required to review each and every claim and file all potential objections within the 180 day period or be foreclosed from participating in a contested case. The statute clearly permits a party who has filed an objection "to make objections to any other claim." (Code 100)

Town of Mammoth Municipal Water Service Boundary

EXHIBIT A

MAMMOTH QUADRANGLE ARIZONA-PINAL CO. 7.5 MINUTE SERIES (TOPOGRAPHIC)

3849 1 SF
HOLY JOE PEPA



IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO
USE WATER IN THE GILA RIVER SYSTEM AND SOURCE

No. W1,W2,W3 & W4
W111002325

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This objection is directed to Watershed
File Report or Zone 2 Well Report No.

113-04-003

or Catalogued Well No.

OBJECTOR INFORMATION

Objector's Name: City of Phoenix
Objector's Address: Suite 800
251 W. Washington St.
Phoenix, AZ 85003

Objector's Telephone: (602)-262-6761

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed): N/A

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 or the HSR): N/A

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39-07-7927; 39-05-50153 through 39-05-50155; 39-L8-37666 through 39-L8-37691

92 MAY 19 PM 1:56
FILED
R. Callahan

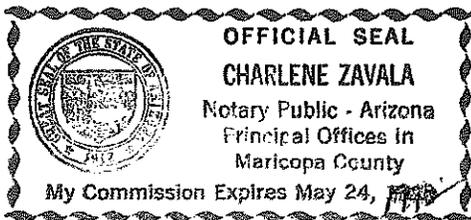
STATE OF ARIZONA
COUNTY OF MARICOPA

VERIFICATION

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the claimant(s) by mailing true and correct copies thereof on the 18th day of May, 1992, postage prepaid and addressed as follows:

TOWN OF MAMMOTH MUN. WATR
& SUPPLY
P.O. BOX 30

MAMMOTH AZ 85618



I declare under penalty of perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and as to those portions, I believe them to be true.

M. James Callahan

Signature of Objector or Objector's Representative

SUBSCRIBED AND SWORN to before me this 18th day of May, 1992

Charlene Zavala

Notary Public for the State of Arizona
Residing at: Phoenix, Maricopa County, Arizona
My commission expires: MAY 24, 1992

Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex, 3345 W. Durango Street, Phoenix, AZ 85009, on or before May 18, 1992.

STATEMENT OF THE OBJECTION

The following are the main categories of the typical Watershed File Report (Zone 2 Well Reports and some Watershed File Reports lack certain categories). Please check the category(ies) to which you object and state the reason for the objection on the back of this form.

1. I object to the description of **Land Ownership**
2. I object to the description of **Applicable Filings and Decrees**
3. I object to the description of **DWR's Analysis of Filings and Decrees**
4. I object to the description of **Diversions** for the claimed water right(s)
- X 5. I object to the description of **Uses** for the claimed water right(s)
6. I object to the description of **Reservoirs** used for the claimed water right(s)
7. I object to the description of **Shared Uses & Diversion** for the claimed water right(s)
- X 8. I object to the **PWR (Potential Water Right) Summary** of the claimed water right(s)
- X 9. I object to the description of **Quantities of Use** for the claimed water right(s)
10. I object to the **Explanation** provided for the claimed water right(s)
- X 11. Other Objections (please state volume, page and line number for each objection)

REASON FOR OBJECTION

The reason for my objection is as follows (please number your objections to correspond to the boxes checked above; please attach supporting information and additional pages as necessary):

Category

Numbers

5

8

9

11

Attachment to Watershed File Report: 113-04-003

Phoenix objects to Category 8 for the reason that: DWR assigns a Potential Water Right to the Town of Mammoth Municipal Water Supply yet no adjudication Statement of Claimant was filed for this use. (475)

Phoenix objects to Category 8 for the reason that: DWR reports that the basis of the apparent date of first use was DWR's field investigation when in reality the basis was simply "claimant comment" information and not an independent determination by DWR. (910)

Phoenix objects to Categories 5 and 8 for the reason that: DWR reports four Zone 1 wells and one Zone 2 well in the Watershed File Report for the Town of Mammoth Municipal Water Supply but fails to report any volume of water attributable to the use supplied by those wells. In Volume 7 DWR repeats certain data for the Zone 2 well and then attributes to that well the volume for the uses supplied by both the Zone 1 and the Zone 2 wells. (1040)

Phoenix objects to Category 8 for the reason that: DWR reports an apparent quantity for MU001 which reflects the quantity of water delivered, rather than the quantity pumped, so that transmission losses in the water delivery system are improperly excluded from the Potential Water Right. (1040)

Phoenix objects to Category 11 for the reason that: DWR fails to depict the brightline on the regional map which depicts the Town of Mammoth so that it is impossible to evaluate DWR's conclusions that the Town's wells fall in Zone 2. (532)

The Watershed File Report relates to the Mammoth Municipal Supply. (Major User Code 1221)

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO USE
WATER IN THE GILA RIVER SYSTEM AND SOURCE

No. W1,W2,W3 & W4

MANDATORY FORM FOR OBJECTIONS TO
The Hydrographic Survey Report for
The San Pedro River Watershed

W1-11-002325

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to Watershed
File Report or Zone 2 Well Report No.

113-04-003
(please insert no.)

or Catalogued Well No.

(please insert no.)

OBJECTOR INFORMATION

Objector's Name: City of Mesa
Objector's Address: P.O. Box 1466, Mesa, Arizona 85211-1466
Objector's Telephone No.: (602) 644-2343

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39-18-37263-37640,
39-07-7828

STATE OF ARIZONA
COUNTY OF Maricopa

VERIFICATION (must be completed by objector)

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 18th day of May, 1992, postage prepaid and addressed as follows:

Name: Town of Mammoth Municipal Water
Supply Address: P.O. Box 30
Mammoth, AZ 85618

I declare under penalty of perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

Stephen J. Burg
Signature of Objector or Objector's Representative

SUBSCRIBED AND SWORN to before me this 15th day of May, 1992.

Carla Wagner
Notary Public for the State of Arizona
Residing at Mesa
My commission expires 10-25-95

(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well Report; or to information contained in Volume 1 of the Hydrographic Survey Report.)

Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex, 3345 W. Durango Street, Phoenix, AZ 85009, on or before May 18, 1992.

FILED
MAY 15 AM 9:55
DEPT

STATEMENT OF THE OBJECTION

The following are the main categories of the typical Watershed File Report (Zone 2 Well Reports and some Watershed File Reports lack certain categories). Please check the category(ies) to which you object, and state the reason for the objection on the back of this form.

- 1. I object to the description of Land Ownership
- 2. I object to the description of Applicable Filings and Decrees
- 3. I object to the description of DWR's Analysis of Filings and Decrees
- 4. I object to the description of Diversions for the claimed water right(s)
- 5. I object to the description of Uses for the claimed water right(s)
- 6. I object to the description of Reservoirs used for the claimed water right(s)
- 7. I object to the description of Shared Uses & Diversions for the claimed water right(s)
- 8. I object to the PWR (Potential Water Right) Summary of the claimed water right(s)
- 9. I object to the description of Quantities of Use for the claimed water right(s)
- 10. I object to the Explanation provided for the claimed water right(s)
- 11. Other Objections (please state volume, page and line number for each objection)

REASON FOR OBJECTION

The reason for my objection is as follows (please number your objections to correspond to the boxes checked above; please attach supporting information and additional pages as necessary):

CATEGORY
NUMBER

11 Objector has objected to Volume 1, page 559, lines 13-23, of the San Pedro HSR for the reason that DWR has reported a "place of use" for municipal surface water rights. This information is not a necessary component of a municipal surface water right. Compare A.R.S. § 45-152(B)(1) with A.R.S. § 45-152(B)(4). The incorrect inference arising from the method DWR used to report municipal uses is that the appurtenancy doctrine applies to municipal uses. Also, as to municipal service area groundwater wells, the place of use is limited only by the reasonable use doctrine. See A.R.S. § 45-453. (143) This WFR contains a water right claim which is representative of Objector's underlying objection. (700, 1202)

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO USE
WATER IN THE GILA RIVER SYSTEM AND SOURCE

No. W1,W2,W3 & W4
Contested Case No. W1-11-002325

MANDATORY FORM FOR OBJECTIONS TO
The Hydrographic Survey Report for the
San Pedro River Watershed

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to Watershed
File Report or Zone 2 Well Report No. 113-04-___-003
(please insert no.)

or Catalogued Well No. _____
(please insert no.)

RECEIVED
MAY 11 11:10
FILED
BY [Signature]
COUNTY CLERK
MARICOPA COUNTY
ARIZONA

OBJECTOR INFORMATION

Objector's Name: Salt River Project
Objector's Address: Post Office Box 52025
Phoenix, Arizona 85072-2025
Objector's Telephone No: (602) 236-2210

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed): _____

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR): _____

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro Watershed)
39-07 01040, 01041, 01206, 01207, 01998
39-05 50053, 50054, 50055
39-L8 35212, 35213

STATE OF Arizona

VERIFICATION (must be completed by objector)

COUNTY OF Maricopa

I hereby make this Objection. I certify that, if required, copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 14th day of May, 1992, postage prepaid and addressed as follows:

Name: TOWN OF MAMMOTH MUN. WATR
Address: P.O. BOX 30
MAMMOTH, AZ 85618

I declare under penalty of perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on by own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

David C. Roberts

Signature of Objector or Objector's Representative

(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well Report, or to information contained in Volume 1 of the Hydrographic Survey Report.)

SUBSCRIBED AND SWORN to before me this 1st day of May, 1992.

Linda Jepperson
Notary Public for the State of Arizona

Residing at Maricopa County

My commission expires _____

OFFICIAL SEAL

LINDA JEPPELSON
Notary Public - State of Arizona
MARICOPA COUNTY
My Comm. Expires March 24, 19

Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex, 3345 W. Durango Street, Phoenix Az 85009, on or before May 18, 1992.

STATEMENT OF THE OBJECTION

The following are the main categories of the typical Watershed File Report (Zone 2 Well Reports and some Watershed File Reports lack certain categories). Please check the category(ies) to which you object, and state the reason for the objection on the back of this form.

- 1. I object to the description of LAND OWNERSHIP
- 2. I object to the description of APPLICABLE FILINGS AND DECREES
- 3. I object to the description of DWR's ANALYSIS OF FILINGS AND DECREES
- 4. I object to the description of the DIVERSIONS for the claimed water right(s)
- 5. I object to the description of the USES for the claimed water right(s)
- 6. I object to the description of RESERVOIRS used for the claimed water right(s)
- 7. I object to the description of SHARED USES & DIVERSIONS for the claimed water right(s)
- 8. I object to the PWR (POTENTIAL WATER RIGHT) SUMMARY of the claimed water right(s)
- 9. I object to the description of the QUANTITIES OF USE for the claimed water right(s)
- 10. I object to the EXPLANATION provided for the claimed water right(s)
- 11. Other Objections (please state volume number, page number and line number for each objection)

REASON FOR OBJECTION

The reason for my objection is as follows (please number your objections to correspond to the boxes checked above; please attach supporting information and additional pages as necessary):

CATEGORY
NUMBER

SEE ATTACHMENT 1

In this attachment the uniform code designated by the

Special Master in accordance with Case Management

Order No. 1 is shown in parenthesis following each

objection statement.

ATTACHMENT 1

The following objection is directed to the Mammoth Municipal Water Supply. The corresponding major user number for the Mammoth Municipal Water Supply is 1221.

WFR CATEGORY 8 - PWR SUMMARY

The Salt River Project objects to the apparent date of first use assigned to a Potential Water Right (PWR) where historical evidence indicates water use prior to that date and incremental increases in water use thereafter. Historical information in Volume 1 of the HSR suggests that an earlier apparent date of first use should have been assigned to a portion of the use attributed to this PWR. Moreover, it appears that DWR has assigned a single quantity of use to this PWR reflecting all incremental increases in use over time. Since no previous filings have been matched to this PWR, separate PWRs should have been created for the initial use, as well as each subsequent incremental increase in use. For further discussion of this objection, see the Salt River Project's objections to Volume 1 of the HSR, attached to this objection and incorporated herein by reference (0930,1090). This objection applies to: MU001.

* * * *

The Salt River Project objects to the failure of DWR to consider the total history of water use in assigning an apparent date of first use and quantity of use to this Potential Water Right (PWR). Where the purpose of use associated with a water right has changed over time, the original right to use water is not impaired or removed. A PWR which has undergone a change in purpose of use should be assigned an apparent date of first use and quantity of use reflecting all prior water use on the land, and taking into account any applicable previous filings (0230, 0810,0920,1010). This objection applies to: MU001.

WFR CATEGORY 9 - QUANTITIES OF USE

The Salt River Project objects to the failure of DWR to calculate a diversion rate for this Potential Water Right (PWR). All PWRs assigned a point or points of diversion should be assigned a separate diversion rate for each point of diversion. Diversion rates should be calculated at the point of diversion and should include conveyance losses (1010). This objection applies to: MU001.

**EXCERPT FROM
SALT RIVER PROJECT OBJECTIONS TO
VOLUME 1 OF THE SAN PEDRO RIVER HSR**

HISTORICAL MUNICIPAL USE

(page numbers refer to Volume 1)

**Earlier Date of Initiation of Use
pp. 49-51, 267-304**

The Salt River Project objects to the late date assigned to municipal PWRs where historical evidence exists suggesting water use prior to the date assigned by DWR. The apparent date of first use should not be based solely on the date of incorporation or formal establishment of the current water company or some such similar event. Information in Volume 1 of the HSR indicates that a portion of the municipal use associated with the PWRs listed below should have been assigned a date earlier than that reported by DWR. The following municipal uses have information in the HSR indicating that this objection may apply.

Name	WFR/PWR	Vol. 1 Page(s)	Basis of Objection
Epsilon	111-23-50-ID1	363, 364	Use initiated in 1972
Bisbee	111-24-59-MU1	269, 271	Acquired existing system
Pomerene	112-17-37-MU1	294	Prior domestic use likely
Benson	112-17-39-MU1	50, 51, 272	Founded in 1880
St. David	112-17-44-MU1	50, 51, 296	Founded in 1880
Mammoth	113-4-3-MU1	51, 289	Established in 1883
San Manuel	113-8-3-MU1	271, 272	Established in 1952

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO USE
WATER IN THE GILA RIVER SYSTEM AND SOURCE

MANDATORY FORM FOR OBJECTIONS TO
The Hydrographic Survey Report for
The San Pedro River Watershed

No. W11100232

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

92 MAY 13 AM 9:21
FILED
JUDITH ALLEN, CLERK
DEPT.

This objection is directed to Watershed _____ or Catalogued Well No. _____
File Report or Zone 2 Well Report No. 11304 003 (please insert no.) (please insert no.)

OBJECTOR INFORMATION

Objector's Name: Gila River Indian Community San Carlos Apache Tribe; Tonto Apache Tribe; Yavapai-Apache Indian Community, Camp Verde Reservalio
C/O Cox & Cox C/O Sparks & Siler, P.C.
Objector's Address: Suite 300 Luhrs Tower, P.O. Box 4245 7503 First Street
Phoenix, AZ 85030 Scottsdale, AZ 85251
Objector's Telephone: (602) 254-7207 (602) 949-1988

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):
39-11-05476 39-05-41142 39-07-12652 39-07-12676 39-05-50058 39-07-12169
39-U8-60083 39-L8-36340 39-L8-37360 39-U8-63614 39-07-12675 39-05-50059

STATE OF ARIZONA

VERIFICATION (must be completed by objector)

COUNTY OF MARICOPA

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 13 day of May, 1992, postage prepaid and addressed as follows:

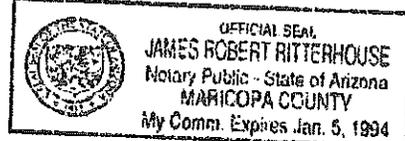
Name: TOWN OF MAMMOTH MUN. WATR
Address: P.O. BOX 30
MAMMOTH AZ 85618

I declare under perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof, and that the information contained in this Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions I believe them to be true.

Alfred S. Cox
Signature of Objector or Objector's Representative

SUBSCRIBED AND SWORN to before me this 06 day of May, 1992.

James R. Ritterhouse
Notary Public for the State of Arizona



(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well report; or to information contained in Volume 1 of the Hydrographic Survey Report.)

STATEMENT OF THE OBJECTION



following are the main categories of the typical Watershed File Report (Zone 2 Well Reports and some Watershed File Reports lack certain categories). Please check the category(ies) to which you object, and state the reason for the objection on the back of this form.

- 1. I object to the description of **Land Ownership**
- 2. I object to the description of **Applicable Filings and Decreases**
- 3. I object to the description of **DWR's Analysis of Filings and Decreases**
- 4. I object to the description of **Diversions** for the claimed water right(s)
- 5. I object to the description of **Uses** for the claimed water right(s)
- 6. I object to the description of **Reservoirs** used for the claimed water right(s)
- 7. I object to the description of **Shared Uses & Diversions** for the claimed water right(s)
- 8. I object to the **PWR (Potential Water Right) Summary** of the claimed water right(s)
- 9. I object to the description of **Quantities of Use** for the claimed water right(s)
- 10. I object to the **Explanation** provided for the unclaimed water right(s)
- 11. Other Objections (please state volume, page and line number for each objection)

REASON FOR OBJECTION

reason for my objection is as follows (please number your objections to correspond to the boxes checked above; please attached supporting information and additional pages necessary. The following objection(s) are based upon information and belief:

CATEGORY
NUMBER

- 1 The use of the water claimed depletes water for senior federal and Indian water rights (1150).
 - 2 HSR does not show a well registration filing (420).
 - 3 HSR does not show a claimed water use rate (1000).
-
-
-
-
-
-

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO USE
WATER IN THE GILA RIVER SYSTEM AND SOURCE

MANDATORY FORM FOR OBJECTIONS TO
The Hydrographic Survey Report for
The San Pedro River Watershed

No. W11100232E

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to Watershed _____ or Catalogued Well No. _____
File Report or Zone 2 Well Report No. 11304 003
(please insert no.) (please insert no.)

OBJECTOR INFORMATION

Objector's Name: Gila River Indian Community San Carlos Apache Tribe; Tonto Apache Tribe; Yavapai-Apache Indian Community, Camp Verde Reservation
C/O Cox & Cox C/O Sparks & Siler, P.C.
Objector's Address: Suite 300 Luhrs Tower, P.O. Box 4245 7503 First Street
Phoenix, AZ 85030 Scottsdale, AZ 85251
Objector's Telephone: (602) 254-7207 (602) 949-1988

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39-11-05478 39-05-41142 39-07-12652 39-07-12676 39-05-50058 39-07-12169
39-U8-60083 39-L8-36340 39-L8-37360 39-U8-63614 39-07-12675 39-05-50059

STATE OF ARIZONA

VERIFICATION (must be completed by objector)

COUNTY OF MARICOPA

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 13 day of May, 1992, postage prepaid and addressed as follows:

Name: TOWN OF MAMMOTH MUN. WATR
Address: P.O. BOX 30
MAMMOTH AZ 85618

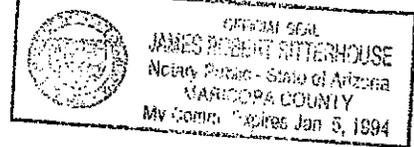
I declare under perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

Alfred S. Cox [Signature]

Signature of Objector or Objector's Representative

SUBSCRIBED AND SWORN to before me this 6 day of May 1992.

James R. Ruffalo
Notary Public for the State of Arizona



(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well report; or to information contained in Volume 1 of the Hydrographic Survey Report.)

Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex, 3345 W. Durango Street, Phoenix, AZ 85009, on or before May 18, 1992.

STATEMENT OF THE OBJECTION

Following are the main categories of the typical Watershed File Report (Zone 2 Well Reports and some Watershed File Reports lack certain categories). Please check the category(ies) to which you object, and state the reason for the objection on the back of this form.

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2. I object to the description of **Applicable Filings and Decrees**
1. I object to the description of **DWR's Analysis of Filings and Decrees**
4. I object to the description of **Diversions** for the claimed water right(s)
5. I object to the description of **Uses** for the claimed water right(s)
6. I object to the description of **Reservoirs** used for the claimed water right(s)
7. I object to the description of **Shared Uses & Diversions** for the claimed water right(s)
8. I object to the **PWR (Potential Water Right) Summary** of the claimed water right(s)
9. I object to the description of **Quantities of Use** for the claimed water right(s)
3. I object to the **Explanation** provided for the unclaimed water right(s)
1. Other Objections (please state volume, page and line number for each objection)

REASON FOR OBJECTION

The reason for my objection is as follows (please number your objections to correspond to the boxes checked above; please attached supporting information and additional pages necessary. The following objection(s) are based upon information and belief:

CATEGORY

NUMBER

- 1 The use of the water claimed depletes water for senior federal and Indian water rights (1150).
- 2 HSR does not show a well registration filing (420).
- 2 HSR does not show a claimed water use rate (1000).
- 2 Not all wells have applicable statement of claimants (475).

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO USE
WATER IN THE GILA RIVER SYSTEM AND SOURCE

Contested Case File: W111002325
Major User No. 1221

**MANDATORY FORM FOR OBJECTIONS TO
The Hydrographic Survey Report for
The San Pedro River Watershed**

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992. Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex, 3345 W. Durango Street, Phoenix, AZ 85009.

This objection is directed to Watershed
File Report or Zone 2 Well Report No.

113-04-003

or Catalogued Well No.

(please insert no.)

(please insert no.)

02 MAY 12 AM 1992
 FILED
 J. ALLEN CLERK
 DEPT. OF CLERK & DISTRICT CLERK

OBJECTOR INFORMATION

Objector's Name:
United States of America

Co-Objector's Name:
Gila River Indian Community
c/o Cox & Cox

Co-Objector's Name:
San Carlos Apache Tribe; Tonto
Apache Tribe; Yavapai-Apache Indian
Community; Camp Verde Reservation
c/o Sparks & Siler, P.C.

Objector's Address:
601 Pennsylvania Ave.
Washington, D.C. 20004

Co-Objector's Address:
Suite 300 Luhrs Tower
Phoenix, AZ 85003

Co-Objector's Address:
7503 First Street
Scottsdale, AZ 85251

Objector's Telephone No.:
(202) 272-4059 / 272-6978

Co-Objector's Telephone No.:
(602) 254-7207

Co-Objector's Telephone No.:
(602) 949-1998

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

111-19-009

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

39-11-05478	39-05-41142	39-07-12652	39-07-12676	39-05-50058	39-07-12169
39-U8-60083	39-L8-36340	39-L8-37360	39-U8-63614	39-07-12675	39-05-50059

STATE OF ARIZONA
COUNTY OF MARICOPA

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 18th day of May, 1992, postage prepaid and addressed as follows:

Name: 113-04-003
TOWN OF MAMMOTH MUN. WATR
SUPPLY
Address: P.O. BOX 30
MAMMOTH AZ 85618

(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well Report, or to information contained in Volume 1 of the Hydrographic Survey Report.)

VERIFICATION(must be completed by objector)

I declare under penalty of perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

Gary B. Randall

Signature of Objector or Objector's Representative

Alfred L. Cox

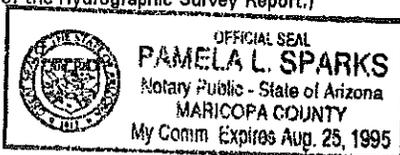
Signature of Co-Objector or Co-Objector's Representative

Joe Sparks

Signature of Co-Objector or Co-Objector's Representative

SUBSCRIBED AND SWORN to before me this 17 day of May, 1992.

Pamela L. Sparks



STATEMENT OF THE OBJECTION

The following are the main categories of the typical Watershed File Report (Zone 2 Well Reports and some Watershed File Reports lack certain categories). Please check the category(ies) to which you object, and state the reason for the objection on the back of this form.

- 1. I object to the description of Land Ownership.
- 2. I object to the description of Applicable Filings and Decrees.
- 3. I object to the description of DWR's Analysis of Filings and Decrees.
- 4. I object to the description of Diversions for the claimed water right(s).
- 5. I object to the description of Uses for the claimed water right(s).
- 6. I object to the description of Reservoirs used for the claimed water right(s).
- 7. I object to the description of Shared Uses & Diversions for the claimed water right(s).
- 8. I object to the PWR (Potential Water Right) Summary of the claimed water right(s).
- 9. I object to the description of Quantities of Use for the claimed water right(s).
- 10. I object to the Explanation provided for the claimed water right(s).
- 11. Other Objections (please state volume, page and line number for each objection).

REASON FOR OBJECTION

The reason for my objection is as follows (please number your objections to correspond to the boxes checked above; please attach supporting information and additional pages as necessary):

- 2. The individual associated with this Watershed File Report failed to file an adjudication claim as required. Therefore, the individual has no legal standing in this adjudication. (SM 475) (MU001)

The amount claimed, as described by ADWR, exceeds a reasonable amount required for beneficial use. (SM 478)

The use of water listed under this Watershed File Report is challenged because it interferes with downstream federal reserved rights and is contrary to state and federal law. (SM 560)

One or more of the POD legal descriptions listed in the WFR is too general. (SM 623) (1011144381200)

One or more of the POU legal descriptions listed in the WFR is too general. (SM 720) (1011144381200; MU001)

There is no quantity amount listed for a pre-filing and/or filing under this WFR. (SM 1000) (1011144381200)

- 3. The individual associated with this Watershed File Report failed to file an adjudication claim as required. Therefore, the individual has no legal standing in this adjudication. (SM 475) (MU001)

- 8. The individual associated with this Watershed File Report failed to file an adjudication claim as required. Therefore, the individual has no legal standing in this adjudication. (SM 475) (MU001)

The use of water listed under this Watershed File Report is challenged because it interferes with downstream federal reserved rights and is contrary to state and federal law. (SM 560)

One or more of the POD legal descriptions listed in the WFR is too general. (SM 623) (1011144381200)

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO
USE WATER IN THE GILA RIVER SYSTEM AND SOURCE

No. W1, W2, W3 & W4
W1-11-002325

MANDATORY FORM FOR OBJECTIONS TO
The Hydrographic Survey Report for
The San Pedro River Watershed

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to Watershed
File Report or Zone 2 Well Report No. 113 - 04 - ___ - 003 or Catalogued Well No. _____
(please insert no.) (please insert no.)

OBJECTOR INFORMATION

Objector's Name: Magma Copper Company (1267) ASARCO Incorporated (1263)
Objector's Address: 7400 North Oracle Rd P.O. Box 8
Suite 200 Hayden, Arizona 85235
Tucson, Arizona 85704
Objector's Telephone No.: (602) 575-5600 (602) 356-7811

* The names, addresses and telephone numbers of Objectors' attorneys are on the back of this form.

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):
Magma Copper Company: 113-08-XXXX-022, et al.
ASARCO Incorporated: 114-01-XXXX-005, et al.

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):
NOT APPLICABLE

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):
39 - NOT APPLICABLE

STATE OF ARIZONA

VERIFICATION (must be completed by objector)

COUNTY OF MARICOPA

I hereby make this Objection. I certify that, if required, a copy of the forgoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 11th day of May, 1992, postage prepaid and addressed as follows:

Name TOWN OF MAMMOTH MUN. WATR
and &SUPPLY
Address P.O. BOX 30
MAMMOTH, AZ 85618

Major user code: 1221

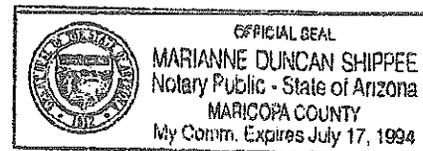
I declare under penalty of perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

[Signature]
Signature of Objector's Representative (Magma)

[Signature]
Signature of Objector's Representative (ASARCO)

SUBSCRIBED AND SWORN to before me this 11th day of May, 1992.
[Signature]

(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well Report; or to information contained in Volume 1 of the Hydrographic Survey Report)



Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex, 3345 W. Durango Street, Phoenix, AZ 85009, on or before May 18, 1992.

9 MAY 11 PM 1:06
FILED
BY JUDITH ALLEN, CLERK
DEP

STATEMENT OF THE OBJECTION

The following are the main categories of the typical Watershed File Report (Zone 2 Well Reports and some Watershed File Reports lack certain categories). Please check the category(ies) to which you object, and state the reason for the objection on the back of this form.

- 1. I object to the description of **Land Ownership**
- 2. I object to the description of **Applicable Filings and Decrees**
- 3. I object to the description of **DWR's Analysis of Filings and Decrees**
- 4. I object to the description of **Diversions** for the claimed water right(s)
- 5. I object to the description of **Uses** for the claimed water right(s)
- 6. I object to the description of **Reservoirs** used for the claimed water right(s)
- 7. I object to the description of **Shared Uses & Diversions** for the claimed water right(s)
- 8. I object to the **PWR (Potential Water Right) Summary** of the claimed water right(s)
- 9. I object to the description of **Quantities of Use** for the claimed water right(s)
- 10. I object to the **Explanation** provided for the claimed water right(s)
- 11. Other Objections (please state volume, page and line number for each objection)

REASON FOR OBJECTION

The reason for my objection is as follows (please number your objections to correspond to the boxes checked above; please attach supporting information and additional pages as necessary):

Category Number: 4, 8 and 11

Magma Copper Company ("Magma") and ASARCO Incorporated ("ASARCO") submit this objection as co-objectors.

Magma and ASARCO object to the inclusion of groundwater in this Adjudication because groundwater is not subject to claims based on federal law (Uniform Objection Code Nos. 561, 562 and 1134). In addition, this objection is intended to preserve this issue until such time as it is resolved by the Arizona Supreme Court. (Uniform Objection Code No. 1130)

While this objection pertains to a specific Zone 2 Well Report number ("Zone 2 Report"), Magma and ASARCO are objecting to each Zone 2 Report that classifies a well as a "Zone 2 Well", that extends federal reserved rights to groundwater pumped from the Zone 2 Well(s), or that otherwise creates a presumption that groundwater withdrawals from the well(s) significantly affect federal reserved rights.

With respect to this particular Zone 2 Report, Magma and ASARCO presently believe that groundwater withdrawn from the subject well(s) does not significantly diminish water otherwise available to a federal reservation and therefore is not subject to the Gila Adjudication. However, should it be determined that groundwater withdrawn from the well(s) does significantly diminish water otherwise available to a federal reservation, Magma and ASARCO object to such use where such groundwater withdrawal interferes with paramount water rights of Magma or ASARCO. (Uniform Objection Code Nos. 1135, 1136 and 1150)

Magma and ASARCO are also filing this objection to obtain notice and an opportunity to be heard on all issues in the event that claims to the groundwater referenced in claimant's Zone 2 Report are adjudicated.

Attorneys for Magma:

Robert B. Hoffman (004415)
Carlos D. Ronstadt (006468)
Jeffrey W. Crockett (012672)
SNELL & WILMER
One Arizona Center
Phoenix, Arizona 85004-0001
(602) 382 - 6000

Attorneys for ASARCO:

Burton M. Apker (001258)
Gerrie Apker Kurtz (005637)
APKER, APKER, HAGGARD
& KURTZ, P.C.
2111 E. Highland, Suite 230
P.O. Box 10280
Phoenix, Arizona 85064-0280
(602) 381 - 0085

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
AND FOR THE COUNTY OF MARICOPA

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO
USE WATER IN THE GILA RIVER SYSTEM AND SOURCE

No. W1, W2, W3 & W4
W1-11-002325

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This objection is directed to Watershed
File Report or Zone 2 Well Report No. 113 - 04 - ___ - 003 or Catalogued Well No. _____
(please insert no.) (please insert no.)

92 MAY 11 PM 1:06

FILED
JUDITH ALLEN, CLERK
BY _____
DEP

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Objector's Telephone No.: (602) 575-5600 (602) 356-7811
* The names, addresses and telephone numbers of Objectors' attorneys are on the back of this form.

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ASARCO Incorporated: 114-01-XXXX-005, et al.

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):
NOT APPLICABLE

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):
39 - NOT APPLICABLE

STATE OF ARIZONA

VERIFICATION (must be completed by objector)

COUNTY OF MARICOPA

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Name TOWN OF MAMMOTH MUN. WATR
and &SUPPLY
Address P.O. BOX 30
MAMMOTH, AZ 85618

Major user code: 1221

(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well Report; or to information contained in Volume 1 of the Hydrographic Survey Report)

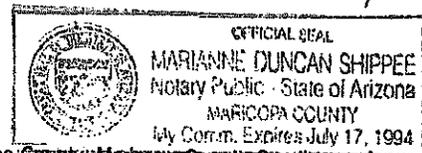
I declare under penalty of perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

Jeffrey W. Cockrell
Signature of Objector's Representative (Magma)

Gene O'Brien
Signature of Objector's Representative (ASARCO)

SUBSCRIBED AND SWORN to before me this 11th day of May, 199 2.

Marianne Duncan Shippee



STATEMENT OF THE OBJECTION

The following are the main categories of the typical Watershed File Report (Zone 2 Well Reports and some Watershed File Reports lack certain categories). Please check the category(ies) to which you object, and state the reason for the objection on the back of this form.

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REASON FOR OBJECTION

The reason for my objection is as follows (please number your objections to correspond to the boxes checked above; please attach supporting information and additional pages as necessary):

Category Number: 4, 8 and 11

Magma Copper Company ("Magma") and ASARCO Incorporated ("ASARCO") submit this objection as co-objectors.

Magma and ASARCO object to the inclusion of groundwater in this Adjudication because groundwater is neither appropriable under Arizona law (Uniform Objection Code Nos. 500, 510, 1120 and 1132), nor is it subject to claims based on federal law (Uniform Objection Code Nos. 561, 562, 1120 and 1134). In addition, this objection is intended to preserve these issues until such time as each is resolved by the Arizona Supreme Court. (Uniform Objection Code No. 1130)

While this objection pertains to a specific Watershed File Report ("WFR"), Magma and ASARCO are objecting to each WFR that classifies a well as a "Zone 1 Well" or otherwise employs the "50% - 90 day standard" to create a presumption of a well's diversion of appropriable surface water.

With respect to this particular WFR, Magma and ASARCO presently believe that the subject well(s) is/are taking nonappropriable groundwater not subject to the Gila Adjudication. However, should it be determined that the well(s) is/are taking appropriable surface water, Magma and ASARCO object to such use where such taking is a diversion of surface water without an appropriative right under state law and/or is interfering with the water rights of Magma or ASARCO. (Uniform Objection Code Nos. 600, 610 and 1150)

Magma and ASARCO are also filing this objection to obtain notice and an opportunity to be heard on all issues in the event that claims to the groundwater referenced in claimant's WFR are adjudicated.

Attorneys for Magma:

Robert B. Hoffman (004415)
Carlos D. Ronstadt (006468)
Jeffrey W. Crockett (012672)
SNELL & WILMER
One Arizona Center
Phoenix, Arizona 85004-0001
(602) 382 - 6000

Attorneys for ASARCO:

Burton M. Apker (001258)
Gerrie Apker Kurtz (005637)
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& KURTZ, P.C.
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