

Objection(s)

W111001517

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

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. 11215 016 or Catalogued Well No. _____
(please insert no.) (please insert no.)

OBJECTOR INFORMATION

Objector's Name: ARIZONA STATE LAND DEPARTMENT
Objector's Address: 1616 W. Adams, Phoenix, AZ 85007
Objector's Telephone No.: (602) 542-3500

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):
11215 016

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 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 15th day of May, 1992, postage prepaid and addressed as follows:

Name: _____
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.

Glendon E. Collins
Signature of Objector or Objector's Representative

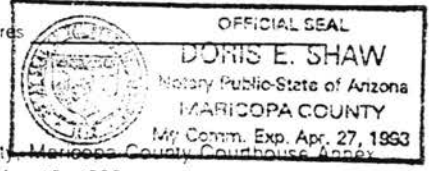
SUBSCRIBED AND SWORN to before me this 15th day of May, 1992.

Doris E. Shaw

Notary Public for the State of Arizona

Residing at Maricopa County

My commission expires _____



(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, 3345 W. Durango Street, Phoenix, AZ 85009, on or before May 18, 1992.

ATTACHMENT

WATERSHED FILE REPORT NO.: 11215 016

<u>OBJECTION(S)</u>	<u>UNIFORM CODE(S)</u>
The Arizona State Land Department objects to DWR's methodology and determination of apparent first use date within the PWR summary of this WFR.	200, 900
The Arizona State Land Department objects to DWR's methodology and determination of claim date within the Applicable Filings and Decrees section of this WFR.	200, 900
The Arizona State Land Department objects to DWR's methodology and determination of stockwatering locations in this WFR. A stockwatering use should include the stockpond and reaches of the stream above the stockpond within the WFR.	200, 400, 600, 700, 800
The Arizona State Land Department objects that the following SOC, which claimed two uses, was given only one PWR. A PWR should be assigned for each use. 39-13417 An associated filing for this SOC is 38-94511. The Arizona State Land Department objects to DWR's failure to assign a PWR for the stockpond use.	200, 400, 600, 700, 800

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No. W111001517

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This objection is directed to Watershed _____ or Catalogued Well No. _____
File Report or Zone 2 Well Report No. 11215 016
(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 18 day of May, 1992, postage prepaid and addressed as follows:

Name: SLD

Address: 1616 W. ADAMS

PHOENIX AZ 85007

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.

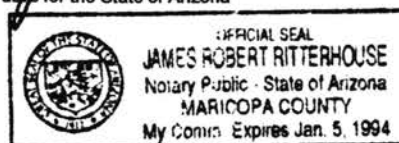
Alfred S. Cox

Joe Sparks

Signature of Objector or Objector's Representative

SUBSCRIBED AND SWORN to before me this 11 day of May 1992

James R. Rittterhouse
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

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**
- X 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**
- X 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 & Diversions** for the claimed water right(s)
- 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)
- X 10. I object to the **Explanation** provided for the unclaimed 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 attached supporting information and additional pages as necessary. The following objection(s) are based upon information and belief:

CATEGORY
NUMBER

- 4) The use of the water claimed depletes water for senior federal and Indian water rights (1150).
- 9) HSR does not show a claimed water use rate (1000).
- 2) HSR does not show a Quantity of water in AFA for pre-filing(s) (430).
- 2) HSR shows that quantities of water in AFA from filing(s) and/or pre-filing(s) are inconsistent (478)(430).
- 10) Claimed uses were not found by DWR (830).
- 2) The historical record does not support the early claim date(s) (900).

See Attached

W.F.R. No. 112-15-016

State Land Department

ATTACHMENT

STATEMENT OF THE OBJECTION

- 4. description of Diversions
- 5. description of Uses
- 9. description of Quantities of Use

REASON FOR OBJECTION

4 and 5. The ADWR found: "FILINGS 38-94511 & 39-13417 - CLAIM

STOCKWATERING AND WILDLIFE USES FROM MCGOFFIN TANK STOCKPOND. THE ACTUAL IMPOUNDMENT DAM FOR THIS STOCKPOND IS LOCATED ON BUREAU OF LAND MANAGEMENT PROPERTY (REFER TO W.F.R. # 112-15-50, SP1). ALTHOUGH SOME OF THE WATER IMPOUNDED BY MCGOFFIN TANK MAY SPILL OVER ONTO SLD LAND, NO POTENTIAL WATER RIGHT (P.W.R.) WAS CREATED FOR MCGOFFIN TANK IN THIS W.F.R." (831)

No diversion location = no claim. No valid use location = no claim.

9. The HSR shows for Filing Number 38-0094511 no quantity whatsoever of water claimed.

No quantity = no claim. (430)

W.F.R. No. 112-15-016

State Land Department

ATTACHMENT

STATEMENT OF THE OBJECTION

11. Other Objections. Claim date: Vol. 4, Table 2, Page 351.

REASON FOR OBJECTION

11. The HSR shows (Vol. 4, Table 2, Page 351) two Filing Numbers with an 1884
claim date:

36-0100030

39-0013417

The state of Arizona did not exist in 1884. The United States admitted Arizona as a state
in 1912, at which time it conveyed public domain lands to the new state. The
historic record does not substantiate the 1884 claim date. (900)

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W1-11-1517

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This objection is directed to Watershed
File Report or Zone 2 Well Report No. 112-15-016
(please insert no.)

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

OBJECTOR INFORMATION

Objector's Name: Roy W. Mc Goffin
Objector's Address: Box 774 Benson AZ 85602
Objector's Telephone No.: (602) 586-2674

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):
112-15-061

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 AZ
COUNTY OF COCCHISE

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 13th day of MAY, 1992, postage prepaid and addressed as follows:

Name: ARIZONA STATE LAND DEPT.
Address: 1616 W. ADAMS
PHOENIX AZ 8

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.

Roy W. Mc Goffin
Signature of Objector or Objector's Representative

SUBSCRIBED AND SWORN to before me this 13 day of May, 1992.

Lauraann Keith

Notary Public for the State of ARIZONA

Residing at Benson, Az 85602

My commission expires My Commission Expires Aug. 9, 1995

(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.)

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- 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

10 Under Filings & Decrees it states: "The actual impoundment dam for this stockpond is located on Bureau of Land Management Property (Refer to WFR # 112-15-50, SPI)"

I bought that property from BLM: Parcel No 200-49-024, SE 1/4 NW 1/4 and NE 1/4 SW 1/4 S9 T16S R22E. I (Ray Mc Goffin) am the current owner. Also, there is no reference to WFR # 112-15-50 in the index of Vol 4 so I couldn't check that report.

2 PWR # SW001, filing #s 39-0013417, 36-0100030 claim quantities, 0.49 & 4.87 AFA respectively. I request documentation of those amounts. These are excessive amounts to claim for instream flow. The instream flow claimed is dependent on impoundment of my stock tank upstream.