

Objection(s)

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. W111003286

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.

11502 010
(please insert no.)

or Catalogued Well 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: BLM - SAFFORD DISTRICT

Address: 425 E. 4TH STREET

SAFFORD AZ 85546

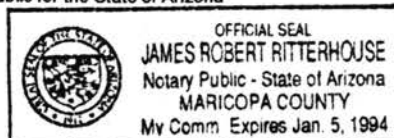
I declare under perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my 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. 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.)

W.F.R. No. 115-02-010

United States Bureau of Land Management

Safford District

ATTACHMENT

STATEMENT OF THE OBJECTION

5. description of Uses

9. description of Quantities of Use

REASON FOR OBJECTION

5. The HSR shows (Vol. 6, Table 4, Page 22) nine Filing Numbers with no use location information whatsoever:

36-0020664	36-0020669
36-0020665	36-0020670
36-0020666	36-0020671
36-0020667	36-0020672
36-0029668	

No location of use = no claim. (430)

9. The HSR shows (v. 6, t. 4, p. 22) the same nine Filing Numbers claiming no quantity of water whatsoever. No quantity = no claim.

The HSR also shows Filing Number 4A-0000655 claiming 16.13 AFA for stock with a 1926 claim date. The quantity claimed appears to be significantly larger than the minimum quantity of water necessary for human and animal consumption that Solicitor Coldiron's 1983 supplement to a 1979 opinion views as what a presidential Executive Order of April 17, 1926 reserved (see HSR Vol. 1, p. 376, lines 2-20): (560)

Attachment to Objection re BLM Safford District
WFR# 115-02-010

2. HSR does not show statement of Claimants filing for each Zone 1 Potential Water Right. (475)
2. HSR does not show a quantity of water in AFA for pre-filing(s) (430)
2. HSR does not show a location of POU for pre-filing(s) (430)
4. Use of the water claimed depletes water for senior federal and Indian water rights (1150)
9. HSR does not show claimed water use rate. (1000)
10. Claimed uses were not found by DWR. (830)

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: W111003286

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.

115-02-010

or Catalogued Well No.

(please insert no.)

(please insert no.)

OBJECTOR INFORMATION

Objector's Name:

United States Department of the
Interior, Bureau of Land Management

Objector's Address:

Arizona State Office
3707 North 7th Street
P.O. Box 16563
Phoenix, AZ 85011

Objector's Telephone No.:

(602) 640-5512

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):

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:

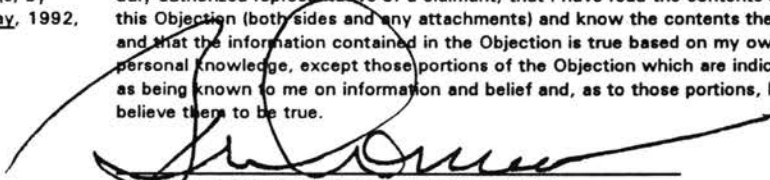
115-02-010

Name: BLM - SAFFORD DISTRICT

Address: 425 E. 4TH STREET
SAFFORD AZ 85546

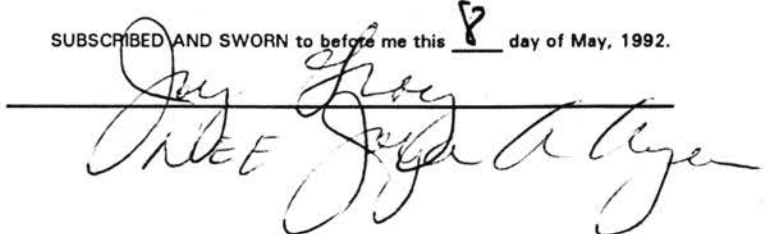
VERIFICATION(must be completed by objector)

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.


Signature of Objector or Objector's Representative

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

(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.)



My Commission Expires April 23, 1993

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):

1. The Bureau of Land Management objects to inaccurate ownership status reported by ADWR in this Watershed File Report. If the court determines that the entitlement must be held by the landowner, the United States respectfully requests the court to substitute the Bureau of Land Management as the owner of the entitlement so the priority date is not forfeited and a hardship is not worked on the lessee or permittee claimant. (310, 320)
2. The Bureau of Land Management objects to ADWR's inclusion and use of inaccurate or unrelated legal descriptions in this Watershed File Report. (210)

Some of the claims submitted under the requirements of the adjudication were not identified or evaluated by ADWR. (400)

There are uses for water listed under this Watershed File Report that have not been accurately identified. (810)

The quantity of water use listed by the claimant and/or evaluated by ADWR under this Watershed File Report is inaccurate and should be adjusted prior to the final adjudication. (1010)
3. The Bureau of Land Management objects to ADWR's inclusion of unrelated adjudication and/or pre-adjudication filings in this Watershed File Report. (210)

The Bureau of Land Management objects to ADWR's incomplete or inaccurate creation or preparation of Potential Water Rights (PWR's). (220)

The Bureau of Land Management objects to ADWR's inaccurate analysis of information provided in the pre-filings and/or filings listed in this Watershed File Report. (410, 471)

There are uses for water listed under this Watershed File Report that have not been accurately identified. (810)

5. ADWR failed to identify and/or associate filings and/or prefilings with water uses under this Watershed File Report. (410)
8. The Bureau of Land Management objects to ADWR's inclusion and use of inaccurate or unrelated legal descriptions in this Watershed File Report. (210)

The Bureau of Land Management objects to ADWR's inclusion of unrelated adjudication and/or pre-adjudication filings in this Watershed File Report. (210)

The Bureau of Land Management objects to ADWR's incomplete or inaccurate creation or preparation of Potential Water Rights (PWR's). (220)

Some of the claims submitted under the requirements of the adjudication were not identified or evaluated by ADWR. (400)

ADWR failed to identify and/or associate filings and/or prefilings with water uses under this Watershed File Report. (410)

ADWR incorrectly indicated that there was no water use at some of the locations listed by the claimant. The claimant has information that refutes ADWR's assessment. (720)

There are uses for water listed under this Watershed File Report that have not been accurately identified. (810)

The priority date assigned to some of the uses listed under this Watershed File Report are inaccurate. (920)

9. Some of the claims submitted under the requirements of the adjudication were not identified or evaluated by ADWR. (400)

ADWR incorrectly indicated that there was no water use at some of the locations listed by the claimant. The claimant has information that refutes ADWR's assessment. (720)

The quantity of water use listed by the claimant and/or evaluated by ADWR under this Watershed File Report is inaccurate and should be adjusted prior to the final adjudication. (1010)

10. The Bureau of Land Management objects to the fact that ADWR has inaccurately or incompletely explained information related to this Watershed File Report. (210)

ADWR incorrectly indicated that there was no water use at some of the locations listed by the claimant. The claimant has information that refutes ADWR's assessment. (720)