

Objection(s)

RECEIVED MAY 13 1992

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

W1-11-3428

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.

115 - 09 - ** - 006
(please insert no.)

or Catalogued Well No.

(please insert no.)

OBJECTOR INFORMATION

Objector's Name: Anderson Development Corporation

Objector's Address: 4600 Montgomery NE, #8, Albuquerque, NM 87109

Objector's Telephone No.: 505 884-6901

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):

115 - 09 - *** - 006

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 NEW MEXICO

COUNTY OF BERNALILLO

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: _____

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.

Russell Rager
Signature of Objector or Objector's Representative

SUBSCRIBED AND SWORN to before me this 12th day of May 1992.

Carol S. Elembaugh
Notary Public for the State of New Mexico
3816 Carlisle NE
Residing at Albuquerque, NM 87107
My commission expires 2/10/92

(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**
- 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

8 36-0025608 China Peak Spring is in use and should
be matched with 39-0001056 on file 115-10-001, and
assigned a PWR #.

39-0012224 Oak Spring Stockpond is in use and should
be assigned a PWR #.

10 33-0087801 and 33-0087802 are used for stockwatering.

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The San Pedro River Watershed

No. W111003428

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This objection is directed to Watershed
File Report or Zone 2 Well Report No.
11509 006

or Catalogued Well 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: FS - CORONADO
Address: 301 W. CONGRESS
TUCSON AZ 85701

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.

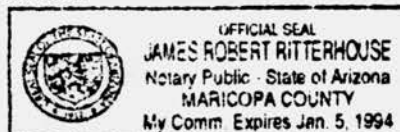
Alfred S. Cox Joe [Signature]

Signature of Objector or Objector's Representative

SUBSCRIBED AND SWORN to before me this 14 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.)



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 Objection re FS Coronado
WFR# 115-09-006

2. HSR does not show Water Rights Registration for each Zone 1 Potential Water Right. (420)
2. HSR does not show location of POD for Statement of Claimant (478)
2. The HSR shows that quantities of water in AFA from filing(s) and/or pre-filing(s) are inconsistent. (478)(430)
2. The historical record does not support the early claim date(s) (900)
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)

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W 1 11 003428

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File Report or Zone 2 Well Report No.

115-09-006
(please insert no.)

or Catalogued Well No.

(please insert no.)

OBJECTOR INFORMATION

Objector's Name: United States of America, USDA Forest Service
Objector's Address: Coronado National Forest, 300 W. Congress, Tucson AZ 85701
Objector's Telephone No.: (602) 670-6483

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):

115-09-006

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STATE OF _____

COUNTY OF _____

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Name Anderson Development Corp.
Address 4600 Montgomery Blvd. NE
Albuquerque, NM, 87109

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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

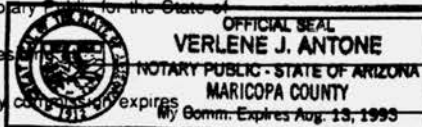
SUBSCRIBED AND SWORN to before me this 8th day of May, 1992

Verlene J. Antone

Notary Public for the State of _____

Res. _____

My Comm. Expires _____



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.

WATERSHED FILE REPORT NO. 115-09-006

STATEMENT OF OBJECTIONS

ALLOTTEE - Anderson Development & Corporation

Category No. 1 - Land Ownership - 320

The following claims are challenged on the basis that the claimant is not the landowner. If the court determines that the entitlements must be held by the landowner, the United States respectfully requests the court to substitute the United States, USDA Forest Service as the owner of the entitlements so as to not forfeit the priority date and to not work a hardship on the lessee or permittee claimants.

36-0025608

39-0012226

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This objection is directed to Watershed _____ or Catalogued Well No. _____
File Report or Zone 2 Well Report No. 11509 006
(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

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39-U8-60083 39-L8-36340 39-L8-37360 39-U8-63614 39-07-12675 39-05-50059

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TUCSON AZ 85701

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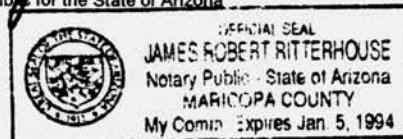
Alfred S. Cox Joe Sparks

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

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W.F.R. No. 115-09-006

United States Forest Service

ATTACHMENT

STATEMENT OF THE CLAIM

11. Other objections. Claim date: Vol. 6, Table 4, Page 67.

REASON FOR OBJECTION

11. The HSR shows (Vol. 6, Table 4, Page 67) Pre Filing Number 36-0012394 with an 1880 claim date (also shown as 1890).

The HSR at the same page shows Filing Number 39-0008222 with an 1890 claim date.

The HSR at the same page shows two Filing Numbers with a 1900 claim date:

39-0025608 39-0001056

The United States did not reserve a water use priority date earlier than the date when Coronado National Forest was reserved. The President proclaimed the Coronado National Forest on July 2, 1908. The historic record does not substantiate the 1880 , 1890, or the 1900 claim date (900).

The use of the water claimed depletes water for senior federal and Indian water rights (1150).