

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

W111001999

FILED  
92 MAY 13 11:00:50  
BY J. ALLEN, CLERK  
J. Allen

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 \_\_\_\_\_ or Catalogued Well No. \_\_\_\_\_  
File Report or Zone 2 Well Report No. 11217BDD 009  
(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: KARTCHNER, MARK & MARION  
Address: 3040 BEAR CANYON  
TUCSON AZ 85749

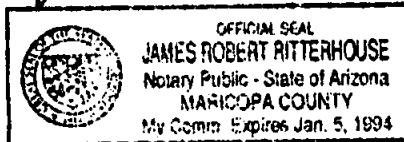
I declare under perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my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

Signature of Objector or Objector's Representative

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

James R. Ritterhouse  
Notary Public for the State of Arizona

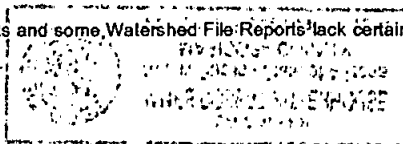


(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well report; or to information contained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

# 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)
- 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)
- 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

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 diversion data for the claim (620).

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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. W111001999

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.

JUDICIAL CLERK  
FILED  
MAY 14 AM 8:51  
*Alfred S. Cox*

This objection is directed to Watershed \_\_\_\_\_ or Catalogued Well No. \_\_\_\_\_  
File Report or Zone 2 Well Report No.  
11217BDD 009

OBJECTOR INFORMATION

Objector's Name: Gila River Indian Community San Carlos Apache Tribe; Tonto Apache Tribe; Yavapai-Apache Indian Community, Camp Verde Reservation  
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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: KARTCHNER, MARK & MARION  
Address: 3040 BEAR CANYON  
TUCSON AZ 85749

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.

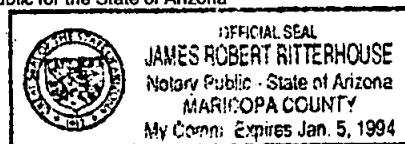
*Alfred S. Cox*

*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.)

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

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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 attached supporting information and additional pages as necessary. The following objection(s) are based upon information and belief:

CATEGORY  
NUMBER

- 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

No. W1, W2, W3 & W4

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

W1-11-1999

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.

112-17-BDD-009  
(please insert no.)

or Catalogued Well No.

(please insert no.)

92 MAY 18 PM 1:31

JUDITH ALLEN, CLERK  
FILED  
BY [Signature]

OBJECTOR INFORMATION

Objector's Name:

Mark M Kartelner

Objector's Address:

3040 Bear Canyon Tucson AZ 85794

Objector's Telephone No.:

(602) 749 4416

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):

112-17-DDV-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 -

STATE OF Arizona  
COUNTY OF Pima

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.

Mark M Kartelner  
Signature of Objector or Objector's Representative

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

Judith W. Bishop  
Notary Public for the State of Arizona

Residing at Pima County

My commission expires June 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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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

3- Job # 39-0013549 has been used for livestock & wildlife with a free flow of 129 gpm since drilling -

1. The Department of Water Resources (DWR) has included my groundwater uses in this stream adjudication. Groundwater should not be included.
2. The adjudication process in general, and the objection process in particular, is too confusing for individual water claimants to participate in effectively. My rights should not be determined or denied until a mechanism is devised to place private claimants on equal footing with the government and institutional claimants.
3. The small claimants have no ability to generate the funds necessary to compete with the government and institutional claimants on complex legal and scientific issues. My rights should not be determined or denied until a mechanism is devised provide technical and legal back-up to private claimants.
4. Determining my rights in Maricopa County is too expensive and cumbersome for me to effectively participate. DWR and the court should arrange for local services including the ability to file papers locally, hold hearings locally, hold public workshops locally and have DWR staff available locally to answer questions.
5. The format of the hydrographic survey report was too confusing for me to understand my own claim or object to others.
6. The hydrographic survey report implies that my existing water use is the extent of my water rights. Under Arizona law I have the right to drill more wells, increase my water usage and change both the type and place of use.
7. DWR underestimated my current water usage and failed to recognize that my groundwater rights are much larger than my current level of usage.

DWR has classified my well as Zone 2. Withdrawing water from my well does not have any legally recognizable impact on federally reserved rights. My well should be excluded from both this zone and the adjudication.

The DWR report fails to recognize my incidental stock watering rights from surface water sources. My priority date stems from territorial times when stock first watered from this source of water.