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6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
7 IN AND FOR THE COUNTY OF MARICOPA  
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10 IN RE THE GENERAL ADJUDICATION  
11 OF ALL RIGHTS TO USE WATER IN  
12 THE GILA RIVER SYSTEM AND  
13 SOURCE

CIVIL NO. W1-11-3315

CASE MANAGEMENT ORDER

14  
15  
16 CONTESTED CASE NAME: *In re Young*

17 HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report.

18 DESCRIPTIVE SUMMARY: Designation of case as subject to Track 1 Procedures and  
19 directing Arizona Department of Water Resources to set a meeting with claimants and  
20 objectors.

21 NUMBER OF PAGES: 45.

22 DATE OF FILING: February 13, 2018

23  
24 This contested case will adjudicate potential water rights and resolve objections to  
25 Watershed File Reports 115-04-ADB-006, 115-04-ADB-007, and 115-04-ADB-010.  
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1 **Landowners**

2 The landowners identified in each of the Watershed File Reports have transferred title  
3 to the properties. The Court has approved a form of Assignment of Statement of Claimant to  
4 effectuate an assignment of a claim for a water right when ownership of property is transferred.  
5 Assignments have been filed for: Statements of Claimant 39-5682 and 39-5683 to the Lemuel  
6 B. Young Trust dated October 18, 2016 and Statements of Claimant 39-5846 and 39-5847 to  
7 Harold D. Young and Nancy L. Young as Trustees of the Young Living Trust, dated March 2,  
8 2012.

10 Statements of Claimant 39-5848 and 39-5849 pertain to land owned by the Louise  
11 Young Living Trust which was conveyed by Lemuel Young as trustee by Trustee's Deed dated  
12 August 6, 2007 to: Arthur Young, Pauline Young Barney, Lester Young, Harold Young,  
13 Lemuel Young, Nathan Young, Sandra Verdugo, Jeffrey Young and Stephen Young. On  
14 December 1, 2017, an assignment was filed to assign the above listed statements of claimant  
15 from the Louise Young Living Trust Agreement by Lemuel Young, assignor, to the  
16 beneficiaries of the trust who had been deeded a fractional interest in the property pursuant to  
17 the Trustee's Deed. Attached to the assignment were the notarized signatures of the following  
18 seven assignees: Arthur Young, Pauline Young Barney, Harold Young, Lemuel B. Young,  
19 Nathan Young, Sandra (Verdugo) Waltz, and Jeffrey Young.<sup>1</sup> Further assignments of their  
20 respective interests in the Statements of Claimant 39-5848 and 39-5849 were executed by  
21 Lemuel B. Young to the Lemuel B. Young Trust, Harold Young and Nancy Young to the  
22 Young Living Trust, dated March 2, 2012, Pauline Y. Barney to the Pauline Y. Barney Family  
23  
24  
25

26 <sup>1</sup> Also attached to the assignment was a list of property owners and their respective fractional interests.  
27 Two original property owners, Lester Young and Stephen Young, were listed as having no fractional interest.  
28 Included in the extensive documentation submitted to the Arizona Department of Water Resources, were copies of  
a deed from Stephen Young to Lemuel Young, recorded September 18, 2009, conveying land in Pinal County and  
a deed from Lester Young to Arthur Young recorded June 18, 2010, conveying land in Pinal County.



1 Trust and by Sandra D. (Verdugo) Waltz to the Verdugo Living Trust. Thus, the only  
2 claimants under Statements of Claimant 39-5848 and 39-5849 for water rights are now: Arthur  
3 Young, Nathan Young, Jeffrey Young, Lemuel B. Young Trust, Young Living Trust, Pauline  
4 Y. Barney Family Trust, and the Verdugo Living Trust.

### 5 6 7 **Procedures to Adjudicate Water Rights**

8 Each of the watershed file reports lists potential water right for a well for domestic  
9 use. Watershed File Reports 115-04-ADB-006 and 115-04-ADB-010 also include a potential  
10 water right for irrigation use which is characterized as water for irrigation for less than two  
11 acres associated with domestic use. Watershed File Report 115-04-ADB-007 classified the  
12 additional potential water right, IR001, as one for irrigation. The Rules for Proceedings  
13 Before the Special Master<sup>2</sup> requires the Master to assign contested cases to either Track 1 or  
14 Track 2. Given the relatively small amounts of water involved Watershed File Reports 115-  
15 04-ADB-006 and 115-04-ADB-010 and the fact that the landowners involved in those claims  
16 also have an ownership interest in the land in Watershed File Reports 115-04-ADB-007, this  
17 contested case will initially be assigned to Track 1. At any time, any litigant may file a  
18 motion requesting that the contested case be transferred to Track 2.  
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21 The first step required by Track 1 is a meeting with Arizona Department of Water  
22 Resources (DWR) to clarify the objections and determine whether the objections can be  
23 resolved by amendment to the Statements of Claimant, by an agreement between the litigants,  
24 or by an amendment of the Watershed File Reports. Copies of the objections are attached as  
25

26  
27 <sup>2</sup> A copy of the Rules for Proceeding before the Special Master can be found on the website:  
28 [https://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/docs/pdfs-](https://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/docs/pdfs-RulesRev053105.pdf)  
[RulesRev053105.pdf](https://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/docs/pdfs-RulesRev053105.pdf)

1 Appendix A. The meeting will be attended by the litigants or their representatives and their  
2 attorneys, if any. Rule 8.02[1][a] provides that when none of the claimants has filed an  
3 objection to the Watershed File Report:

4 In cases where one or more objectors have filed an objection to the claimant's  
5 Watershed File Report, DWR will convene the meeting and will explain the basis of  
6 its findings. DWR will thereafter facilitate the discussion between the litigants and  
7 inform the litigants that, unless an agreement on the objection is reached, the matter  
8 will be heard by the Master.

8 Accordingly,

9 **IT IS ORDERED** that DWR shall schedule a meeting with the claimants and the  
10 objectors no later than April 5, 2018. At the conclusion of the meeting, DWR shall file a  
11 Meeting Report pursuant to Rule 8.02[1][c], which shall include a statement identifying  
12 whether the wells that are the source of the domestic water use are located within the subflow  
13 zone. No discovery deadline or readiness conference shall be set until receipt of the Meeting  
14 Report.  
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18 SUSAN WARD HARRIS  
19 Special Master  
20  
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22 On February 13, 2018, the original of the foregoing was  
23 delivered to the Clerk of the Maricopa County Superior  
24 Court for filing and distributing a copy to all persons  
25 listed on the Court-approved mailing list for this  
26 contested case.  
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## **APPENDIX A**



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: W111003315

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, 3346 W. Durango Street, Phoenix, AZ 85009.

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

115-04-ADB-006

or Catalogued Well No.

(please insert no.)

(please insert no.)

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 Volumes 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 18<sup>th</sup> day of May, 1992, postage prepaid and addressed as follows:

115-04-ADB-006  
Name: YOUNG, LEMUEL B.  
& MARGARET  
Address: BOX 309  
HAYDEN AZ 85235

(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.)



OFFICIAL SEAL  
PAMELA L. SPARKS  
Notary Public - State of Arizona  
MARICOPA COUNTY  
My Comm. Expires Aug. 25, 1995

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 J. 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 7 day of May, 1992.

Pamela L. Sparks  
Signature of Notary Public

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.

- [XX] 1. I object to the description of Land Ownership.
- [XX] 2. I object to the description of Applicable Filings and Decrees.
- [XX] 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).
- [XX] 8. I object to the PWR (Potential Water Right) Summary of the claimed water right(s).
- [XX] 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. There is a discrepancy between the name of owner/lessee listed by ADWR for this Watershed File Report and the name of the owner/lessee identified in the adjudication filing. (SM 320)
2. The claimant and/or ADWR fail(s) to associate this claim with a pre-adjudication water filing as required by Arizona statute. (SM 420) (P01; P02)

The available historical record does not support the priority date listed in the pre-filings. (SM 430) (OT001)

The available historical record does not support the priority date listed in the adjudication filings. (SM 478) (OT001)

Adjudication filings associated with this WFR contain inaccurate or incomplete information. (SM 478)

The statement of claimant lists a use not verified by DWR. (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)

There is no quantity amount listed for a pre-filing and/or filing under this WFR. (SM 1000) (3600465700000; 3900056820000; 3900058450000)

3. Adjudication filings associated with this WFR contain inaccurate or incomplete information. (SM 478)
8. The claimant and/or ADWR fail(s) to associate this claim with a pre-adjudication water filing as required by Arizona statute. (SM 420) (P01; P02)

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)

The legal description for the point of diversion listed by ADWR is not fully supported by the applicable filings listed. (SM 623) (P01; P02; W01)

The available historical record does not support the priority date listed in the ADWR analysis of Apparent First Use Date. (SM 920) (OT001)

The regional volume of use is less than both the claimed and maximum observed volume of use. This indicates that the water is being used inefficiently. The claimant is not entitled to the water that will be wasted. (SM 1000)

9. The regional volume of use is less than both the claimed and maximum observed volume of use. This indicates that the water is being used inefficiently. The claimant is not entitled to the water that will be wasted. (SM 1000)

ADWR uses a methodology that over-estimates crop water requirements. (SM 1020)



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: W111003316

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.

115-04-ADB-007

or Catalogued Well No.

(please insert no.)

(please insert no.)

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

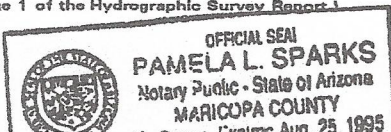
STATE OF ARIZONA  
COUNTY OF MARICOPA

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 18<sup>th</sup> day of May, 1992, postage prepaid and addressed as follows:

115-04-ADB-007  
Name: YOUNG, MARY LOUISE

Address: BOX 55  
HAYDEN AZ 85235

(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 J. 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 7 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.

- [XX] 1. I object to the description of Land Ownership.
- [XX] 2. I object to the description of Applicable Filings and Decreases.
- [XX] 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).
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- [XX] 8. I object to the PWR (Potential Water Right) Summary of the claimed water right(s).
- [XX] 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. There is a discrepancy between the name of owner/lessee listed by ADWR for this Watershed File Report and the name of the owner/lessee identified in the adjudication filing. (SM 320)
2. The claimant and/or ADWR fail(s) to associate this claim with a pre-adjudication water filing as required by Arizona statute. (SM 420) (P01; P02)

The available historical record does not support the priority date listed in the pre-filings. (SM 430) (IR001)

The available historical record does not support the priority date listed in the adjudication filings. (SM 478) (IR001)

Adjudication filings associated with this WFR contain inaccurate or incomplete information. (SM 478)

The statement of claimant lists a use not verified by DWR. (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)

There is no quantity amount listed for a pre-filing and/or filing under this WFR. (SM 1000) (3600465700000; 3900058450000; 3900058620000; 3900058630000)

Applicable or potentially applicable filings indicate a volume of actual or claimed use less than the volume estimated by ADWR (both maximum observed and regional use for irrigation PWR's). The claimant is not entitled to more than actually used or claimed. (SM 1000)

3. Adjudication filings associated with this WFR contain inaccurate or incomplete information. (SM 478)



8. The claimant and/or ADWR fail(s) to associate this claim with a pre-adjudication water filing as required by Arizona statute. (SM 420) (P01; P02)

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)

The legal description for the point of diversion listed by ADWR is not fully supported by the applicable filings listed. (SM 623) (P01; P02; W01)

The available historical record does not support the priority date listed in the ADWR analysis of Apparent First Use Date. (SM 920) (IR001)

Applicable or potentially applicable filings indicate a volume of actual or claimed use less than the volume estimated by ADWR (both maximum observed and regional use for irrigation PWR's). The claimant is not entitled to more than actually used or claimed. (SM 1000)

9. Applicable or potentially applicable filings indicate a volume of actual or claimed use less than the volume estimated by ADWR (both maximum observed and regional use for irrigation PWR's). The claimant is not entitled to more than actually used or claimed. (SM 1000)

ADWR uses a methodology that over-estimates crop water requirements. (SM 1020)



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: W111003319

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.

115-04-ADB-010

or Catalogued Well No.

(please insert no.)

(please insert no.)

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 18<sup>th</sup> day of May, 1992, postage prepaid and addressed as follows:

115-04-ADB-010  
Name: YOUNG, HAROLD D.  
& NANCY L.  
Address: P.O. BOX 55  
HAYDEN AZ 85235

(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.

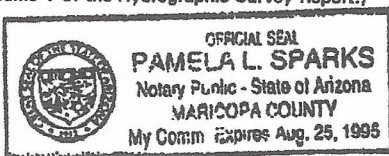
Gary B. Randall  
Signature of Objector or Objector's Representative

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 7 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).
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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):

1. There is a discrepancy between the name of owner/lessee listed by ADWR for this Watershed File Report and the name of the owner/lessee identified in the adjudication filing. (SM 320)
2. The claimant and/or ADWR fail(s) to associate this claim with a pre-adjudication water filing as required by Arizona statute. (SM 420) (P02)  
  
The available historical record does not support the priority date listed in the pre-filings. (SM 430) (OT001)  
  
The available historical record does not support the priority date listed in the adjudication filings. (SM 478) (OT001)  
  
Adjudication filings associated with this WFR contain inaccurate or incomplete information. (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 filings or pre-filings as reported in this WFR is missing a place of use legal description. (SM 720) (3900058470000)  
  
There is no quantity amount listed for a pre-filing and/or filing under this WFR. (SM 1000) (3900058470000)
3. Adjudication filings associated with this WFR contain inaccurate or incomplete information. (SM 478)
8. The claimant and/or ADWR fail(s) to associate this claim with a pre-adjudication water filing as required by Arizona statute. (SM 420) (P02)

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)

The legal description for the point of diversion listed by ADWR is not fully supported by the applicable filings listed. (SM 623) (P02)

The available historical record does not support the priority date listed in the ADWR analysis of Apparent First Use Date. (SM 920) (OT001)

9. ADWR uses a methodology that over-estimates crop water requirements. (SM 1020)



**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

115 - 04 - ADB - 006  
( please insert no. )

or Catalogued Well No.

(please insert no.)

**OBJECTOR INFORMATION**

Objector's Name: Magma Copper Company (1267)  
Objector's Address: 7400 North Oracle Rd  
Suite 200  
Tucson, Arizona 85704

ASARCO Incorporated (1263)  
P.O. Box 8  
Hayden, Arizona 85235

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

COUNTY OF MARICOPA

**VERIFICATION**

(must be completed by objector)

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, 199 2, postage prepaid and addressed as follows:

Name YOUNG, LEMUEL B.  
and && MARGARET  
Address BOX 309  
HAYDEN, AZ 85235

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.

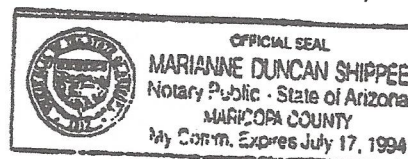
*Jeffrey W. Corbett*  
Signature of Objector's Representative (Magma)

*Gene Phil Kuntz*  
Signature of Objector's Representative (ASARCO)

SUBSCRIBED AND SWORN to before me this 11th day

of May 199 2.  
*Marianne Duncan Shippee*

(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
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- ☐ 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 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)  
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  
IN AND FOR THE COUNTY OF MARICOPA

RECEIVED MAY 11 1992

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

No. W1, W2, W3 & W4  
W1-11-003316

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

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

115 - 04 - ADB - 007  
( please insert no. )

or Catalogued Well No.

(please insert no.)

OBJECTOR INFORMATION

Objector's Name: Magma Copper Company (1267)  
Objector's Address: 7400 North Oracle Rd  
Suite 200  
Tucson, Arizona 85704  
Objector's Telephone No.: (602) 575-5600

ASARCO Incorporated (1263)  
P.O. Box 8  
Hayden, Arizona 85235

(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

COUNTY OF MARICOPA

VERIFICATION

(must be completed by objector)

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, 199 2, postage prepaid and addressed as follows:

Name YOUNG, MARY LOUISE  
and BOX 55  
Address HAYDEN, AZ 85235

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.

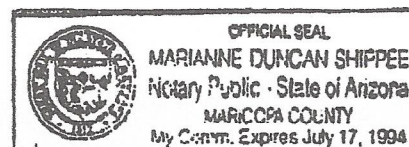
[Signature]  
Signature of Objector's Representative (Magma)

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

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

[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.



## STATEMENT OF THE OBJECTION

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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)  
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  
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. W1-11-003315

COPY

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

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

115-04-ADB -006  
(please insert no.)

or Catalogued Well No.

(please insert no.)

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

COUNTY OF Maricopa

VERIFICATION (must be completed by objector)

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: YOUNG, LEMUEL B.

Address: BOX 309

HAYDEN, AZ 85235

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.

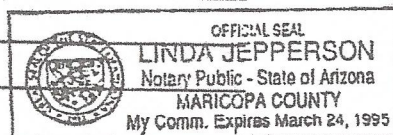
David C. Robt  
Signature of Objector or Objector's Representative

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 \_\_\_\_\_



(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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- ☐ 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

WFR CATEGORY 8 - PWR SUMMARY

The Salt River Project objects to the apparent date of first use assigned to this Potential Water Right (PWR). Previous filings, in this case, filings made pursuant to the Water Rights Registration Act (WRRRA), are the evidentiary foundation for the priority date associated with a water right. Where two or more WRRRA filings have been matched to the same PWR but claim different dates of priority, the WRRRA filing claiming the earliest date should form the basis for the apparent date of first use, unless sufficient historical evidence indicates a contrary date.

The Watershed File Report fails to set forth sufficient historical evidence to refute the earliest date of priority claimed in the WRRRA filings matched to this PWR. In the absence of such evidence, the apparent date of first use for this PWR should be the earliest date claimed in the WRRRA filing (0920). This objection applies to: OT001.

\* \* \* \*

The Salt River Project objects to the use of "statement of claimant" as the basis for the apparent date of first use assigned to this Potential Water Right (PWR). Mere allegations made in a Statement of Claimant are insufficient to refute the date of priority evidenced by one or more applicable previous filings. The Watershed File Report fails to set forth historical evidence sufficient to refute the priority date evidenced by the previous filings matched to this PWR. In the absence of such evidence, the apparent date of first use assigned to this PWR should be the date evidenced by those filings (0910). This objection applies to: OT001.

WFR CATEGORY 9 - QUANTITIES OF USE

The Salt River Project objects to the quantity of use assigned to this Potential Water Right (PWR). The regional method used by DWR for determining quantity of use for certain agricultural and other irrigation PWRs is inconsistent with the Arizona doctrine of prior appropriation; this method is also technically inaccurate. For an additional discussion of the problems associated with DWR's method of quantification for these types of PWRs, see the Salt River Project's Volume 1 objections to this method, a copy of which is attached to this objection and incorporated herein by reference (1020). This objection applies to: OT001.

\* \* \* \*

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: OT001.



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

REGIONAL IRRIGATION QUANTITY ESTIMATES

(page numbers refer to Volume 1)

INTRODUCTION

The Salt River Project objects to DWR's estimation methods and results for regional irrigation water quantities for the following reasons:

First, in the absence of decreed rights, which must be accepted by the court in the absence of abandonment, Arizona law requires that the extent of an appropriative right be measured according to the quantity of water that the appropriator diverted for beneficial use since the time of the appropriation. A.R.S. § 45-141(B) ("Beneficial use shall be the basis, measure and limit to the use of "water"). The "regional" quantification method employed by DWR does not properly estimate maximum actual historical beneficial use as required by law.

Second, although DWR has developed new terminology in reporting regional water duties, DWR still uses the Arizona Groundwater Code method of "areas of similar farming conditions" (ASFC), now termed "regional farming conditions" (RFC). The RFC method assigns a weighted average consumptive use requirement to the water duty equation based upon the types of crops recently grown by appropriators in a designated area. Historical information or records evincing an individual claimant's actual cropping patterns and the quantities of water actually used to cultivate such crops since the time of appropriation are not considered. In fact, the Court noted that "[average efficient use] is not directly related to what is the property's water right[s] . . . ." (Entitlement Order at 6). Under the prior appropriation doctrine, an appropriator who has grown alfalfa on his property historically is entitled to a water duty that will support alfalfa, regardless of the crops that he or his neighbors are currently growing. Under DWR's "averaging" approach, an appropriator in this situation would be assigned an apparent entitlement inadequate to meet crop needs.

Additionally, under the RFC concept, the efficiency of various irrigation methods is averaged among appropriators, thus further exacerbating the inadequate water duty for the appropriator who does not have a system with above-average efficiency.

Third, there are several technical errors in DWR's calculation of crop consumptive use including the use of a five year crop history, adjusted weather data, relative humidity, growing season, effective precipitation, crop coefficients, alfalfa stand establishment, deficit irrigation, and efficiency estimates.



In place of regional water duties, the Salt River Project supports DWR's estimation of water duty using the "maximum potential" method since, in the absence of sufficient historical records, this method properly estimates maximum actual historical beneficial use.

These objections are more fully set forth in the following sections.

#### **Five Year Crop History**

pp. 146-151, C-18, C-19, C-68 through C-78

The Salt River Project objects to DWR's use of its five year investigation period for computing acreages irrigated for maximum observed quantification and for computing crop irrigation water requirements for both maximum observed and regional quantifications. Indeed, it appears that DWR has relied heavily on a single year (1990) of crop survey data. The information developed from a single year, or five year period, cannot be used to properly estimate actual historical beneficial use since low consumptive use crops or no crop may be present during the period. Thus, historical cropping practices or completion of a crop rotation are not reflected.

#### **Adjusted Weather Data**

pp. C-6 through C-19

The Salt River Project objects to DWR's adjustment of weather station temperatures from recorded values and relative humidities from estimated values. The temperature and relative humidity adjustment procedure is intended for prediction of crop water requirements for large, new irrigation developments where the current observations are from a nearby non-irrigated area. Because of the "clothesline" configuration of San Pedro irrigated areas in relation to the extremely arid surrounding environment, it is extremely doubtful there is any moderating effect due to surrounding irrigated land or to the San Pedro River.

#### **Relative Humidity**

pp. C-9, C-17, C-25, C-29, C-34, C-92

The Salt River Project objects to DWR's failure to specify whether it used minimum relative humidity as specified in Food and Agricultural Organization (FAO) Paper 24. Minimum relative humidity is not reported by Sellers and Hill. Furthermore, their 6 p.m. (1800 hours) data must be adjusted downward to reflect lower humidity in mid-afternoon. The proper publication date for Arizona Climate, 1931-1972, by Sellers and Hill, is 1974.

#### **Growing Season**

pp. C-20, C-24

The Salt River Project objects to DWR's use of field observations during one or just a few years to estimate the length of growing season for perennial crops. A few field observations of irrigation dates do not define the water use period because water use occurs both before and after irrigation and because growing seasons vary from year to year. Growing seasons can best be determined for perennial crops by a relationship between plant growth and mean temperature or mean date of low temperatures over an extended period of record.

### **Effective Precipitation**

pp. C-38, C-40 through C-49

The Salt River Project objects to DWR's method of estimating non-growing season effective precipitation. The procedure used neglects runoff, uses soil constant values that are highly variable and not well quantified, and is unclear about assumptions of initial soil moisture conditions for each month. Published methods can be used to estimate non-growing season effective precipitation for the winter months, the relevant period for most crops. Furthermore, the Salt River Project objects to DWR's use of a 50 percent probability of precipitation, which results in an inadequate supply in one-half of the years. A 50 percent probability indicates that average effective precipitation is subtracted from crop consumptive use when DWR calculates the irrigation requirement. This means that in years of below-average precipitation, irrigation users would be unable to replace the lack of precipitation with additional irrigation water. The amount of precipitation that is available 80 percent of the time for field crops and 90 percent of the time for orchards and vegetables is appropriate.

### **Crop Coefficients**

p. C-33

The Salt River Project objects to DWR's use of 0.8 as the kc for Winter Pasture. Winter Pasture is a cool-season grass mixture that has a higher crop coefficient than a warm-season grass. SRP also objects to DWR's use of the mean of kc1 and kc3 as a value for kc2, instead of interpolation. Both FAO-24 and University of California Leaflet 21427 specify interpolation.

### **Alfalfa Stand Establishment**

p. C-37

The Salt River Project objects to DWR's failure to include water for alfalfa stand establishment as an "Other Need."

### **Efficiency Estimates**

pp. 138-140, C-51 through C-54

The Salt River Project objects to DWR's omission of the effect of a rotation delivery system on On-Farm Irrigation Efficiency. A rotation delivery system reduces On-Farm Irrigation Efficiency below that which can be achieved if irrigation water is available on demand.

The Salt River Project also objects to DWR's use of average estimated values of irrigation efficiency for regional quantification. The use of average efficiencies understates entitlements for one-half of all irrigated acres on this basis alone.







### STATEMENT OF THE OBJECTION

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- ☐ 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

WFR CATEGORY 8 - PWR SUMMARY

The Salt River Project objects to the apparent date of first use assigned to this Potential Water Right (PWR). Previous filings, in this case, filings made pursuant to the Water Rights Registration Act (WRRRA), are the evidentiary foundation for the priority date associated with a water right. Where two or more WRRRA filings have been matched to the same PWR but claim different dates of priority, the WRRRA filing claiming the earliest date should form the basis for the apparent date of first use, unless sufficient historical evidence indicates a contrary date.

The Watershed File Report fails to set forth sufficient historical evidence to refute the earliest date of priority claimed in the WRRRA filings matched to this PWR. In the absence of such evidence, the apparent date of first use for this PWR should be the earliest date claimed in the WRRRA filing (0920). This objection applies to: IR001.

\* \* \* \*

The Salt River Project objects to the use of "statement of claimant" as the basis for the apparent date of first use assigned to this Potential Water Right (PWR). Mere allegations made in a Statement of Claimant are insufficient to refute the date of priority evidenced by one or more applicable previous filings. The Watershed File Report fails to set forth historical evidence sufficient to refute the priority date evidenced by the previous filings matched to this PWR. In the absence of such evidence, the apparent date of first use assigned to this PWR should be the date evidenced by those filings (0910). This objection applies to: IR001.

WFR CATEGORY 9 - QUANTITIES OF USE

The Salt River Project objects to the quantities of use assigned to this Potential Water Right (PWR). The maximum observed and regional methods used by DWR for determining quantities of use for certain agricultural irrigation PWRs are inconsistent with the Arizona doctrine of prior appropriation; these methods are also technically inaccurate. The maximum potential method used by DWR for determining quantities of use is consistent with Arizona law; however, several technical corrections are necessary. For an additional discussion of the problems associated with DWR's methods of quantification for this type of PWR, see the Salt River Project's Volume 1 objections to these methods, a copy of which is attached to this objection and incorporated herein by reference (1020). This objection applies to: IR001.

\* \* \* \*

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: IR001.



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

IRRIGATION QUANTITY ESTIMATES

(page numbers refer to Volume 1)

INTRODUCTION

The Salt River Project objects to DWR's estimation methods and results for irrigation water quantities for the following reasons:

First, the Salt River Project objects to DWR's estimation of water duty under both the "maximum observed" and "regional" methods. In the absence of decreed rights, which must be accepted by the court in the absence of abandonment, Arizona law requires that the extent of an appropriative right be measured according to the quantity of water that the appropriator diverted for beneficial use since the time of the appropriation. A.R.S. § 45-141(B) ("Beneficial use shall be the basis, measure and limit to the use of water"). Neither the "maximum observed" or "regional" quantification methods employed by DWR properly estimate maximum actual historical beneficial use as required by law.

The Salt River Project supports DWR's estimation of water duty using the "maximum potential" method since, in the absence of sufficient historical records, this method properly estimates maximum actual historical beneficial use.

Second, DWR's method to compute maximum observed water duty does not accurately estimate maximum actual historical beneficial use since it incorporates inaccurate crop irrigation requirements, deficit irrigation, five years or less of crop history, or overly high efficiency estimates.

Third, although DWR has developed new terminology in reporting regional water duties, DWR still uses the Arizona Groundwater Code method of "areas of similar farming conditions" (ASFC), now termed "regional farming conditions" (RFC). The RFC method assigns a weighted average consumptive use requirement to the water duty equation based upon the types of crops recently grown by appropriators in a designated area. Historical information or records evincing an individual claimant's actual cropping patterns and the quantities of water actually used to cultivate such crops since the time of appropriation are not considered. In fact, the Court noted that "[average efficient use] is not directly related to what is the property's water right[s] . . . ." (Entitlement Order at 6). Under the prior appropriation doctrine, an appropriator who has grown alfalfa on his property historically is entitled to a water duty that will support alfalfa, regardless of the crops that he or his neighbors are currently growing. Under DWR's "averaging" approach, an appropriator in this situation would be assigned an apparent entitlement inadequate to meet crop needs.



Additionally, under the RFC concept, the efficiency of various irrigation methods is averaged among appropriators, thus further exacerbating the inadequate water duty for the appropriator who does not have a system with above-average efficiency.

Fourth, there are a number of technical errors in DWR's calculation of crop consumptive use including the use of a five year crop history, adjusted weather data, relative humidity, growing season, effective precipitation, crop coefficients, alfalfa stand establishment, deficit irrigation, and efficiency estimates.

#### **Five Year Crop History**

pp. 146-151, C-18, C-19, C-68 through C-78

The Salt River Project objects to DWR's use of its five year investigation period for computing acreages irrigated for maximum observed quantification and for computing crop irrigation water requirements for both maximum observed and regional quantifications. Indeed, it appears that DWR has relied heavily on a single year (1990) of crop survey data. The information developed from a single year, or five year period, cannot be used to properly estimate actual historical beneficial use since low consumptive use crops or no crop may be present during the period. Thus, historical cropping practices or completion of a crop rotation are not reflected.

#### **Adjusted Weather Data**

pp. C-6 through C-19

The Salt River Project objects to DWR's adjustment of weather station temperatures from recorded values and relative humidities from estimated values. The temperature and relative humidity adjustment procedure is intended for prediction of crop water requirements for large, new irrigation developments where the current observations are from a nearby non-irrigated area. Because of the "clothesline" configuration of San Pedro irrigated areas in relation to the extremely arid surrounding environment, it is extremely doubtful there is any moderating effect due to surrounding irrigated land or to the San Pedro River.

#### **Relative Humidity**

pp. C-9, C-17, C-25, C-29, C-34, C-92

The Salt River Project objects to DWR's failure to specify whether it used minimum relative humidity as specified in Food and Agricultural Organization (FAO) Paper 24. Minimum relative humidity is not reported by Sellers and Hill. Furthermore, their 6 p.m. (1800 hours) data must be adjusted downward to reflect lower humidity in mid-afternoon. The proper publication date for Arizona Climate, 1931-1972, by Sellers and Hill, is 1974.

#### **Growing Season**

pp. C-20, C-24

The Salt River Project objects to DWR's use of field observations during one or just a few years to estimate the length of growing season for perennial crops. A few field observations of irrigation dates do not define the water use period because water use occurs both before and after irrigation and because growing seasons vary from year to year. Growing seasons can best be determined for perennial crops by a relationship between plant growth and mean temperature or mean date of low temperatures over an extended period of record.



### **Effective Precipitation**

pp. C-38, C-40 through C-49

The Salt River Project objects to DWR's method of estimating non-growing season effective precipitation. The procedure used neglects runoff, uses soil constant values that are highly variable and not well quantified, and is unclear about assumptions of initial soil moisture conditions for each month. Published methods can be used to estimate non-growing season effective precipitation for the winter months, the relevant period for most crops. Furthermore, the Salt River Project objects to DWR's use of a 50 percent probability of precipitation, which results in an inadequate supply in one-half of the years. A 50 percent probability indicates that average effective precipitation is subtracted from crop consumptive use when DWR calculates the irrigation requirement. This means that in years of below-average precipitation, irrigation users would be unable to replace the lack of precipitation with additional irrigation water. The amount of precipitation that is available 80 percent of the time for field crops and 90 percent of the time for orchards and vegetables is appropriate.

### **Crop Coefficients**

p. C-33

The Salt River Project objects to DWR's use of 0.8 as the kc for Winter Pasture. Winter Pasture is a cool-season grass mixture that has a higher crop coefficient than a warm-season grass. SRP also objects to DWR's use of the mean of kc1 and kc3 as a value for kc2, instead of interpolation. Both FAO-24 and University of California Leaflet 21427 specify interpolation.

### **Alfalfa Stand Establishment**

p. C-37

The Salt River Project objects to DWR's failure to include water for alfalfa stand establishment as an "Other Need."

### **Deficit Irrigation**

pp. C-4, C-5, C-54 through C-68

The Salt River Project objects to DWR's use of deficit irrigation values for the maximum observed quantification for water right entitlements. As noted above, maximum actual historical beneficial use is the proper measure of a water right entitlement, not current practice.

### **Efficiency Estimates**

pp. 138-140, C-51 through C-54

The Salt River Project objects to DWR's omission of the effect of a rotation delivery system on On-Farm Irrigation Efficiency. A rotation delivery system reduces On-Farm Irrigation Efficiency below that which can be achieved if irrigation water is available on demand.

The Salt River Project also objects to DWR's use of average estimated values of irrigation efficiency for regional quantification. The use of average efficiencies understates entitlements for one-half of all irrigated acres on this basis alone.

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. W1-11-003319

COPY

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.

115-04-ADB -010  
(please insert no.)

or Catalogued Well No.

(please insert no.)

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: YOUNG, HAROLD D.

Address: P.O. BOX 55

HAYDEN, AZ 85235

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.

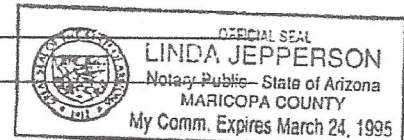
David C. Roberts  
Signature of Objector or Objector's Representative

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 \_\_\_\_\_



(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 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

WFR CATEGORY 8 - PWR SUMMARY

The Salt River Project objects to the apparent date of first use assigned to this Potential Water Right (PWR). Previous filings, in this case, filings made pursuant to the Water Rights Registration Act (WRRRA), are the evidentiary foundation for the priority date associated with a water right. The Watershed File Report fails to set forth sufficient historical evidence to refute the date of priority claimed in the WRRRA filing matched to this PWR. In the absence of such evidence, the apparent date of first use for this PWR should be the date claimed in the WRRRA filing (0920). This objection applies to: OT001.

\* \* \* \*

The Salt River Project objects to the use of "statement of claimant" as the basis for the apparent date of first use assigned to this Potential Water Right (PWR). Mere allegations made in a Statement of Claimant are insufficient to refute the date of priority evidenced by one or more applicable previous filings. The Watershed File Report fails to set forth historical evidence sufficient to refute the priority date evidenced by the previous filings matched to this PWR. In the absence of such evidence, the apparent date of first use assigned to this PWR should be the date evidenced by those filings (0910). This objection applies to: OT001.

WFR CATEGORY 9 - QUANTITIES OF USE

The Salt River Project objects to the quantity of use assigned to this Potential Water Right (PWR). The regional method used by DWR for determining quantity of use for certain agricultural and other irrigation PWRs is inconsistent with the Arizona doctrine of prior appropriation; this method is also technically inaccurate. For an additional discussion of the problems associated with DWR's method of quantification for these types of PWRs, see the Salt River Project's Volume 1 objections to this method, a copy of which is attached to this objection and incorporated herein by reference (1020). This objection applies to: OT001.

\* \* \* \*



WFR CATEGORY 9 - QUANTITIES OF USE (continued)

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: OT001.

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

REGIONAL IRRIGATION QUANTITY ESTIMATES

(page numbers refer to Volume 1)

INTRODUCTION

The Salt River Project objects to DWR's estimation methods and results for regional irrigation water quantities for the following reasons:

First, in the absence of decreed rights, which must be accepted by the court in the absence of abandonment, Arizona law requires that the extent of an appropriative right be measured according to the quantity of water that the appropriator diverted for beneficial use since the time of the appropriation. A.R.S. § 45-141(B) ("Beneficial use shall be the basis, measure and limit to the use of "water"). The "regional" quantification method employed by DWR does not properly estimate maximum actual historical beneficial use as required by law.

Second, although DWR has developed new terminology in reporting regional water duties, DWR still uses the Arizona Groundwater Code method of "areas of similar farming conditions" (ASFC), now termed "regional farming conditions" (RFC). The RFC method assigns a weighted average consumptive use requirement to the water duty equation based upon the types of crops recently grown by appropriators in a designated area. Historical information or records evincing an individual claimant's actual cropping patterns and the quantities of water actually used to cultivate such crops since the time of appropriation are not considered. In fact, the Court noted that "[average efficient use] is not directly related to what is the property's water right[s] . . . ." (Entitlement Order at 6). Under the prior appropriation doctrine, an appropriator who has grown alfalfa on his property historically is entitled to a water duty that will support alfalfa, regardless of the crops that he or his neighbors are currently growing. Under DWR's "averaging" approach, an appropriator in this situation would be assigned an apparent entitlement inadequate to meet crop needs.

Additionally, under the RFC concept, the efficiency of various irrigation methods is averaged among appropriators, thus further exacerbating the inadequate water duty for the appropriator who does not have a system with above-average efficiency.

Third, there are several technical errors in DWR's calculation of crop consumptive use including the use of a five year crop history, adjusted weather data, relative humidity, growing season, effective precipitation, crop coefficients, alfalfa stand establishment, deficit irrigation, and efficiency estimates.



In place of regional water duties, the Salt River Project supports DWR's estimation of water duty using the "maximum potential" method since, in the absence of sufficient historical records, this method properly estimates maximum actual historical beneficial use.

These objections are more fully set forth in the following sections.

#### **Five Year Crop History**

pp. 146-151, C-18, C-19, C-68 through C-78

The Salt River Project objects to DWR's use of its five year investigation period for computing acreages irrigated for maximum observed quantification and for computing crop irrigation water requirements for both maximum observed and regional quantifications. Indeed, it appears that DWR has relied heavily on a single year (1990) of crop survey data. The information developed from a single year, or five year period, cannot be used to properly estimate actual historical beneficial use since low consumptive use crops or no crop may be present during the period. Thus, historical cropping practices or completion of a crop rotation are not reflected.

#### **Adjusted Weather Data**

pp. C-6 through C-19

The Salt River Project objects to DWR's adjustment of weather station temperatures from recorded values and relative humidities from estimated values. The temperature and relative humidity adjustment procedure is intended for prediction of crop water requirements for large, new irrigation developments where the current observations are from a nearby non-irrigated area. Because of the "clothesline" configuration of San Pedro irrigated areas in relation to the extremely arid surrounding environment, it is extremely doubtful there is any moderating effect due to surrounding irrigated land or to the San Pedro River.

#### **Relative Humidity**

pp. C-9, C-17, C-25, C-29, C-34, C-92

The Salt River Project objects to DWR's failure to specify whether it used minimum relative humidity as specified in Food and Agricultural Organization (FAO) Paper 24. Minimum relative humidity is not reported by Sellers and Hill. Furthermore, their 6 p.m. (1800 hours) data must be adjusted downward to reflect lower humidity in mid-afternoon. The proper publication date for Arizona Climate, 1931-1972, by Sellers and Hill, is 1974.

#### **Growing Season**

pp. C-20, C-24

The Salt River Project objects to DWR's use of field observations during one or just a few years to estimate the length of growing season for perennial crops. A few field observations of irrigation dates do not define the water use period because water use occurs both before and after irrigation and because growing seasons vary from year to year. Growing seasons can best be determined for perennial crops by a relationship between plant growth and mean temperature or mean date of low temperatures over an extended period of record.

### **Effective Precipitation**

pp. C-38, C-40 through C-49

The Salt River Project objects to DWR's method of estimating non-growing season effective precipitation. The procedure used neglects runoff, uses soil constant values that are highly variable and not well quantified, and is unclear about assumptions of initial soil moisture conditions for each month. Published methods can be used to estimate non-growing season effective precipitation for the winter months, the relevant period for most crops. Furthermore, the Salt River Project objects to DWR's use of a 50 percent probability of precipitation, which results in an inadequate supply in one-half of the years. A 50 percent probability indicates that average effective precipitation is subtracted from crop consumptive use when DWR calculates the irrigation requirement. This means that in years of below-average precipitation, irrigation users would be unable to replace the lack of precipitation with additional irrigation water. The amount of precipitation that is available 80 percent of the time for field crops and 90 percent of the time for orchards and vegetables is appropriate.

### **Crop Coefficients**

p. C-33

The Salt River Project objects to DWR's use of 0.8 as the kc for Winter Pasture. Winter Pasture is a cool-season grass mixture that has a higher crop coefficient than a warm-season grass. SRP also objects to DWR's use of the mean of kc1 and kc3 as a value for kc2, instead of interpolation. Both FAO-24 and University of California Leaflet 21427 specify interpolation.

### **Alfalfa Stand Establishment**

p. C-37

The Salt River Project objects to DWR's failure to include water for alfalfa stand establishment as an "Other Need."

### **Efficiency Estimates**

pp. 138-140, C-51 through C-54

The Salt River Project objects to DWR's omission of the effect of a rotation delivery system on On-Farm Irrigation Efficiency. A rotation delivery system reduces On-Farm Irrigation Efficiency below that which can be achieved if irrigation water is available on demand.

The Salt River Project also objects to DWR's use of average estimated values of irrigation efficiency for regional quantification. The use of average efficiencies understates entitlements for one-half of all irrigated acres on this basis alone.



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. W111003315

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.

11504ADB 006  
(please insert no.)

or Catalogued Well No.  
  
(please insert no.)

OBJECTOR INFORMATION

Objector's Name: Gila River Indian Community  
C/O Cox & Cox

San Carlos Apache Tribe; Tonto Apache Tribe; Yavapai-Apache Indian Community, Camp Verde Reservation  
C/O Sparks & Siler, P.C.

Objector's Address: Suite 300 Luhrs Tower, P.O. Box 4245  
Phoenix, AZ 85030

7503 First Street  
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 15 day of May, 1992, postage prepaid and addressed as follows:

Name: YOUNG, LEMUEL B.

Address: BOX 309

HAYDEN AZ 85235

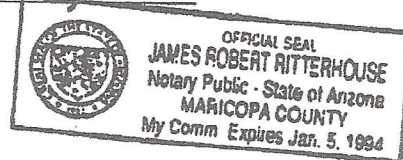
I declare under perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my 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 15 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
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 unclaimed water right(s)
11. Other Objections (please state volume, page and line number for each 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 is 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). |
| 2 | HSR does not show a well registration filing (420).  |
| 9 | HSR does not show a claimed water use rate (1000).   |
| 2 | Claim date from filing(s) and/or pre-filing(s) are inconsistent (478)(430).                    |
| 2 | Quantities from filing(s) and/or pre-filing(s) are inconsistent (478)(430).                    |

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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. W111003316

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.

11504ADB 007  
(please insert no.)

or Catalogued Well No.

(please insert no.)

OBJECTOR INFORMATION

Objector's Name: Gila River Indian Community  
C/O Cox & Cox

San Carlos Apache Tribe; Tonto Apache Tribe; Yavapai-Apache Indian Community, Camp Verde Reservation  
C/O Sparks & Siler, P.C.

Objector's Address: Suite 300 Luhrs Tower, P.O. Box 4245  
Phoenix, AZ 85030

7503 First Street  
Scottsdale, AZ 85251

Objector's Telephone: (602) 254-7207

(602) 949-1888

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

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

Name: YOUNG, MARY LOUISE

Address: BOX 55

HAYDEN AZ 85235

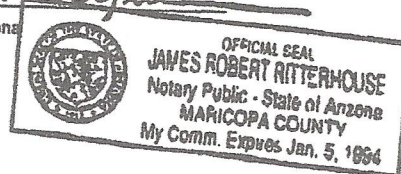
I declare under perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my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

Signature of Objector or Objector's Representative

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

James R. Butler  
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
- 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)
- 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)

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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

- 4 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).
- 9 HSR does not show a claimed water use rate (1000).
- 2 Claim date from filing(s) and/or pre-filing(s) are inconsistent (478)(430).
- 2 Quantities from filing(s) and/or pre-filing(s) are inconsistent (478)(430).

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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. W111003319

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.

11504ADB 010  
(please insert no.)

or Catalogued Well No.

(please insert no.)

OBJECTOR INFORMATION

Objector's Name: Gila River Indian Community  
C/O Cox & Cox

San Carlos Apache Tribe; Tonlo Apache Tribe; Yavapai-Apache Indian Community, Camp Verde Reservation  
C/O Sparks & Siler, P.C.

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STATE OF ARIZONA

VERIFICATION (must be completed by objector)

COUNTY OF MARICOPA

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Name: YOUNG, HAROLD D.

Address: P.O. BOX 55

HAYDEN AZ 85235

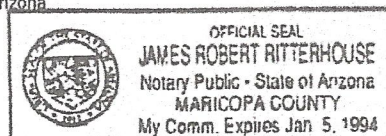
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I declare under perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information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



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