

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: W111003296

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.

115-04-006

or Catalogued Well No.

(please insert no.)

(please insert no.)

OBJECTOR INFORMATION

Objector's Name:

United States Department of the
Interior, Bureau of Land Management

Objector's Address:

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

Objector's Telephone No.:

(602) 640-5512

Objector's Watershed File Report or Zone 2 Well Report No. (if the Objector's claimed water rights are within the San Pedro River Watershed):

111-19-009

Or Objector's Catalogued Well Number (if the Objector's claimed water rights appear only in Volume 8 of the HSR):

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the San Pedro River Watershed):

STATE OF ARIZONA
COUNTY OF MARICOPA

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 18th day of May, 1992, postage prepaid and addressed as follows:

115-04-006

Name: BLM - SAFFORD DISTRICT

Address: 425 E. 4TH STREET
SAFFORD AZ 85546

(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.

Signature of Objector or Objector's Representative

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

- [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).
- [XX] 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).
- [XX] 10. I object to the Explanation provided for the claimed water right(s).
- [] 11. Other Objections (please state volume, page and line number for each objection).

REASON FOR OBJECTION

The reason for my objection is as follows (please number your objections to correspond to the boxes checked above; please attach supporting information and additional pages as necessary):

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

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

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

The quantity of water use listed by the claimant and/or evaluated by ADWR under this Watershed File Report is inaccurate and should be adjusted prior to the final adjudication. (1010)
3. The Bureau of Land Management objects to ADWR's incomplete or inaccurate creation or preparation of Potential Water Rights (PWR's). (220)

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

There are uses for water listed under this Watershed File Report that have not been accurately identified. (810)
5. ADWR failed to identify and/or associate filings and/or prefilings with water uses under this Watershed File Report. (410)

8. The Bureau of Land Management objects to ADWR's inclusion and use of inaccurate or unrelated legal descriptions in this Watershed File Report. (210)

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

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

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

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

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

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

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

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

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

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

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

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. W111003296

Please file a separate objection for each Watershed File Report, Zone 2 Well Report or Catalogued Well Report. Objections to information contained in Volume 1 of the HSR can be stated on one objection form. Objections must be written. Use of this form, or a computer facsimile, is required. Objections must be received on or before May 18, 1992.

This objection is directed to Watershed

or Catalogued Well No.

File Report or Zone 2 Well Report No.

11504 006

(please insert 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 18 day of May, 1992, postage prepaid and addressed as follows:

Name: BLM - SAFFORD DISTRICT

Address: 425 E. 4TH STREET

SAFFORD AZ 85546

I declare under perjury that I am a claimant in this proceeding or the duly-authorized representative of a claimant; that I have read the contents of this Objection (both sides and any attachments) and know the contents thereof; and that the information contained in the Objection is true based on my own personal knowledge, except those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.

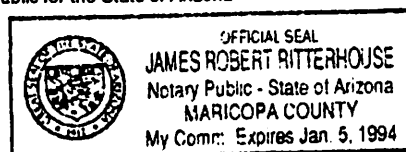
Alfred L. Cox

Signature of Objector or Objector's Representative

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

James R. Ritterhouse
Notary Public for the State of Arizona

(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well report; or to information contained in Volume 1 of the Hydrographic Survey Report.)



Objections must be filed with the Clerk of the Superior Court in and for Maricopa County, Maricopa County Courthouse Annex,
3345 W. Durango Street, Phoenix, AZ 85009, on or before May 18, 1992.

STATEMENT OF THE OBJECTION

The following are the main categories of the typical Watershed File Report (Zone 2 Well Reports and some Watershed File Reports lack certain categories). Please check the category(ies) to which you object, and state the reason for the objection on the back of this form.

- ☐ 1. I object to the description of Land Ownership
- ☒ 2. I object to the description of Applicable Filings and Decrees
- ☐ 3. I object to the description of DWR's Analysis of Filings and Decrees
- ☒ 4. I object to the description of Diversions for the claimed water right(s)
- ☒ 5. I object to the description of Uses for the claimed water right(s)
- ☐ 6. I object to the description of Reservoirs used for the claimed water right(s)
- ☐ 7. I object to the description of Shared Uses & Diversions for the claimed water right(s)
- ☐ 8. I object to the PWR (Potential Water Right) Summary of the claimed water right(s)
- ☒ 9. I object to the description of Quantities of Use for the claimed water right(s)
- ☒ 10. I object to the Explanation provided for the claimed water right(s)
- ☐ 11. Other Objections (please state volume, page and line number for each objection)

REASON FOR OBJECTION

The reason for my objection is as follows (please number your objections to correspond to the boxes checked above; please attach supporting information and additional pages as necessary):

CATEGORY
NUMBER

See Attached

W. F. R. No. 115-04-006

United States Bureau of Land Management

Safford District

ATTACHMENT

STATEMENT OF THE OBJECTION

5. description of Uses

9. description of Quantities of Uses

REASON FOR OBJECTION

5 The HSR shows (Vol. 6, Table 4, Page 30) that two Filing Numbers claim water uses that ADWR did not confirm:

36-0059854 39-0002673

The HSR shows that ADWR found that: "FILING 36-59854 - CLAIMS IRRIGATION, DOMESTIC, AND STOCKWATERING USES. NO DOMESTIC OR IRRIGATION USES WERE FOUND AT THE CLAIMED LOCATION."

The HSR shows that ADWR also found that: "FILING 39-2673 - CLAIMS IRRIGATION AND DOMESTIC WATER USES. NO IRRIGATION OR DOMESTIC USES WERE FOUND AT THE CLAIMED LOCATION." (830)

9. The HSR shows (Vol. 6, Table 4, Page 30) that Filing No. 36-0059854 claims 220 AFA and Filing No. 39-0002673 claims 2,000 AFA of water. Each of the quantities claimed appears to be significantly larger than the minimum quantity of water necessary for human and animal consumption that Solicitor Coldiron's 1983 supplement to a 1979 opinion views as what a presidential Executive Order of April 17, 1926 reserved (see HSR Vol. 1, p. 376, lines 2-20). Such uses interfere with senior Indian water rights. (560)

Attachment to Objection re BLM Safford District
WFR# 115-04-006

2. HSR does not show statement of Claimants filing for each Zone 1 Potential Water Right. (475)
2. HSR does not show Water Rights Registration for each Zone 1 Potential Water Right. (420)
2. The HSR shows that quantities of water in AFA from filing(s) and/or pre-filing(s) are inconsistent. (478)(430)
2. The HSR shows that locations of POU's from filing(s) and/or Pre-filing(s) are inconsistent. (478)(430)
4. Use of the water claimed depletes water for senior federal and Indian water rights (1150)
9. HSR does not show claimed water use rate. (1000)
10. Claimed uses were not found by DWR. (830)

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

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

No. W1, W2, W3 & W4
Contested Case No. W1-11-003296

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- -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: BLM - SAFFORD DISTRICT
Address: 425 E. 4TH STREET
SAFFORD, AZ 85546

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. Polak
Signature of Objector or Objector's Representative

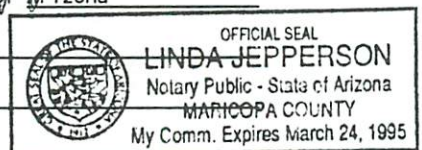
(The above section must be completed if you object to another claimant's Watershed File Report, Zone 2 Well Report, or Catalogued Well Report. It does not need to be completed if you file an objection to your own Watershed File Report, Zone 2 Well Report, Catalogued Well Report, or to information contained in Volume 1 of the Hydrographic Survey Report.)

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 _____



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 absence of an apparent date of first use for this Potential Water Right (PWR). Previous filings, where available, are the evidentiary basis for any appropriative right. This PWR has been matched to a Water Rights Registration Act (WRRRA) filing. The date claimed in the WRRRA filing 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 articulate sufficient historical evidence to refute the priority date claimed in the WRRRA filing matched to this PWR. In the absence of such evidence, the apparent date of first use assigned to this PWR should be the date claimed in the WRRRA filing (0910). This objection applies to: SW001.

WFR CATEGORY 9 - QUANTITIES OF USE

The Salt River Project objects to the failure of DWR to assign a quantity of use to this Potential Water Right (PWR). All water rights subject to the court's jurisdiction must be quantified in accordance with A.R.S. § 45-257(B). This PWR is no exception (1010). This objection applies to: SW001.