

**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. W111000068

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.

92 MAY 14 AM 9:44
 FILED
 JUDITH ALLEN CLERK
 BY
 DER.

This objection is directed to Watershed _____ or Catalogued Well No. _____
 File Report or Zone 2 Well Report No. 11119 059 (please insert no.)
 (please insert no.)

OBJECTOR INFORMATION

Objector's Name: Gila River Indian Community San Carlos Apache Tribe; Tonto Apache Tribe; Yavapai-Apache Indian Community, Camp Verde Reservation
 C/O Cox & Cox C/O Sparks & Siler, P.C.
 Objector's Address: Suite 300 Luhrs Tower, P.O. Box 4245 7503 First Street
 Phoenix, AZ 85030 Scottsdale, AZ 85251
 Objector's Telephone: (602) 254-7207 (602) 949-1988

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

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

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

39-11-05478	39-05-41142	39-07-12652	39-07-12676	39-05-50058	39-07-12169
39-U8-60083	39-L8-36340	39-L8-37360	39-U8-63614	39-07-12675	39-05-50059

STATE OF ARIZONA

VERIFICATION (must be completed by objector)

COUNTY OF MARICOPA

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

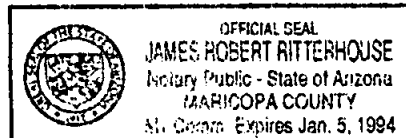
Name: DALY, PATRICK J. & NORA
 Address: HCR 662, CLADDAGH RANCH
 ELGIN AZ 85611

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

Alfred S. Cox Joe Sparks
 Signature of Objector or Objector's Representative

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

James R. Ruffalo
 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.

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STATEMENT OF THE OBJECTION

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

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

REASON FOR OBJECTION

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

- 1. 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 individual associated with this Watershed File Report failed to file an adjudication claim as required. Therefore, the individual has no legal standing in this adjudication. (SM 475)
Adjudication filings associated with this WFR contain inaccurate or incomplete information. (SM 478)
- 3. The individual associated with this Watershed File Report failed to file an adjudication claim as required. Therefore, the individual has no legal standing in this adjudication. (SM 475)
Adjudication filings associated with this WFR contain inaccurate or incomplete information. (SM 478)
- 8. The individual associated with this Watershed File Report failed to file an adjudication claim as required. Therefore, the individual has no legal standing in this adjudication. (SM 475)

See Attached

WFR No. 111-19-059

Daly, Patrick J. & Nora

ATTACHMENT

STATEMENT OF THE OBJECTION

- X 4. description of Diversions
- X 5. description of Uses
- X 11. Other Objections. No claim date. Vol. 3, page 92.

REASON FOR OBJECTION

- 4. The HSR states that ADWR found that "FILING 39-1721 - APPARENTLY CLAIMS INCORRECTLY THE WATER USE AND DIVERSION LOCATIONS. THE APPARENT CORRECT LOCATION IS THE NE 1/4, SW 1/4, SE 1/4, SECTION 32, T.19S., R18E." (623)
- 5. The HSR statement of what ADWR found concerning diversion location quoted immediately above applies equally to use location. Moreover, the HSR states that ADWR also found that "SP1 - SECTION 32 RESERVOIR STOCKPOND, AKA CLARK TANK. THIS TANK, AT MAXIMUM CAPACITY, HAS THE ABILITY TO PROVIDE WATER FOR STOCKWATERING PURPOSES IN W.F.R. # 111-19-36." The HSR also reports that ADWR found: "FILING 39-1721 - CLAIMS IRRIGATION AND STOCKWATERING USES. NO IRRIGATION WAS FOUND AT THE CLAIMED LOCATION." (Vol. 3, p. 83 concerning W.F.R. No. 111-19-036). No use = no claim. (830)
- 11. The HSR shows (Vol. 3, p. 92) that Filing No. 36-0042593 has no claim date whatsoever. No claim date = no priority date can be assigned prior to the date of this HSR. (430)

LATE OBJECTION

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

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

No. W1,W2,W3 & W4

MANDATORY FORM FOR OBJECTIONS TO
The Hydrographic Survey Report for
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W1-11-0068

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This objection is directed to Watershed
File Report or Zone 2 Well Report No. 111-19-059
(please insert no.)

or Catalogued Well No. _____
(please insert no.)

92 MAY 19 PM 1:37

FILED
JUDITH ALLEN, CLERK
ST. J. P. P. P.
DEPT.

OBJECTOR INFORMATION

Objector's Name: Patrick J. and Nora Daly
Objector's Address: HCR Box 662, Elgin, Arizona 85611
Objector's Telephone No.: (602) 456-9828

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):
111-19-059 ✓

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

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

STATE OF _____
COUNTY OF _____

VERIFICATION (must be completed by objector)

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the _____ day of _____, 199____, postage prepaid and addressed as follows:

Name: _____
Address: _____

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

Nora Daly
Signature of Objector or Objector's Representative

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

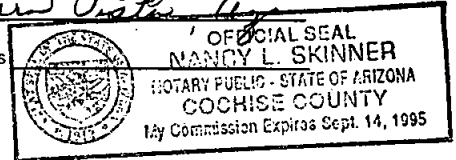
Nancy L. Skinner

Notary Public for the State of Arizona

Residing at Elgin, Arizona

My commission expires _____

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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):

CATEGORY
NUMBER

- 11 A. The Department of Water Resources (DWR) has included my groundwater uses in this stream adjudication. Groundwater should not be included.
- 11 B. The adjudication process in general, and the objection process in particular, is too confusing for individual water claimants to participate in effectively. My rights should not be determined or denied until a mechanism is devised to place private claimants on equal footing with the government and institutional claimants.
- 11 C. The small claimants have no ability to generate the funds necessary to compete with the government and institutional claimants on complex legal and scientific issues. My rights should not be determined or denied until a mechanism is devised to provide technical and legal back-up to private claimants.
- 11 D. The hydrographic survey report implies that my existing water use is the extent of my water rights. Under Arizona law, I have the right to drill more wells, increase my water usage, and change both the type and place of use.
- 11 E. The DWR report fails to recognize my incidental stock watering rights from surface water sources. My priority date stems from 1542, when stock first watered from this source of water.