

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. W111001207

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.
11124 078

or Catalogued Well No.

OBJECTOR INFORMATION

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

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

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

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

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

STATE OF ARIZONA

VERIFICATION (must be completed by objector)

COUNTY OF MARICOPA

I hereby make this Objection. I certify that, if required, a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 10 day of May, 1992, postage prepaid and addressed as follows:

Name: PHELPS DODGE CORPORATION
Address: HIGHWAY 92
BISBEE AZ 85603

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

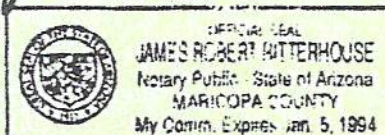
James R. Butfel

Signature of Objector or Objector's Representative

SUBSCRIBED AND SWORN to before me this 4 day of May 1992

James R. Butfel
Notary Public for the State of Arizona

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



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

STATEMENT OF THE OBJECTION

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

- 1. I object to the description of Land Ownership
- X 2. I object to the description of Applicable Filings and Decrees
- 3. I object to the description of DWR's Analysis of Filings and Decrees
- 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)
- X 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)

Handwritten signature or initials

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

- 2) HSR does not show a quantity of water in AFA for Statement of Claimant (478).
- 2) HSR does not show location of POU for Statement of Claimant (478).
- 2) HSR does not show a claim date for Statement of Claimant (478).
- 2) HSR does not show location of POD for Statement of Claimant (478).
- 10) DWR investigations found that uses were abandoned and/or forfeited (832)(833).

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The Hydrographic Survey Report for
The San Pedro River Watershed

No. W111001207

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. 11124 078
(please insert no.) (please insert no.)

OBJECTOR INFORMATION

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

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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: PHELPS DODGE CORPORATION

Address: HIGHWAY 92

BISBEE AZ 85603

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.

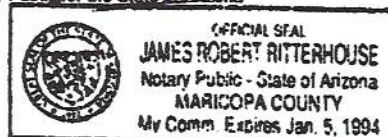
Alfred S. Cox

Joe Sparks

Signature of Objector or Objector's Representative

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

James R. Rutter
Notary Public for the State of Arizona



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

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

STATEMENT OF THE OBJECTION

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

- 1. I object to the description of Land Ownership
- X 2. I object to the description of Applicable Filings and Decreases
- 3. I object to the description of DWR's Analysis of Filings and Decreases
- X 4. I object to the description of Diversions for the claimed water right(s)
- 5. I object to the description of Uses for the claimed water right(s)
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- X 9. I object to the description of Quantities of Use for the claimed water right(s)
- 10. I object to the Explanation provided for the unclaimed water right(s)
- 11. Other Objections (please state volume, page and line number for each objection)

REASON FOR OBJECTION

The reason for my objection is as follows (please number your objections to correspond to the boxes checked above; please attached supporting information and additional pages as necessary. The following objection(s) are based upon information and belief:

CATEGORY
NUMBER

- 4 The use of the water claimed depletes water for senior federal and Indian water rights (1150).
- 9 HSR does not show a claimed water use rate (1000).
- 2 HSR does not show diversion data for the claim (620).

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

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

No. W1,W2,W3 & W4

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

W1-11-001207

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.

111-24-XXXX-078
(please insert no.)

or Catalogued Well No.

(please insert no.)

OBJECTOR INFORMATION

Objector's Name: Phelps Dodge Corporation

Objector's Address: 4521 State Hwy. 666, Morenci, AZ 85540-9795

Objector's Telephone No.: (602) 865-4521 ext. 273

The name, address, and telephone number of Objector's attorneys are on the Attachment hereto

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):

111-24-DDB-001
111-24-XXXX-078

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

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

39 - _____

STATE OF Arizona

COUNTY OF 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 _____ day of _____, 199____, postage prepaid and addressed as follows:

Name: _____

Address: _____

(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.)

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.

Jay S. Hayward
Signature of Objector or Objector's Representative
Attorney for Phelps Dodge Corporation

SUBSCRIBED AND SWORN to before me this 14th day of

May 1992

John S. Brown
Notary Public for the State of Arizona

Residing at Glendale, Arizona

My commission expires 10-8-95

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

Attachment to Objection re Phelps Dodge Corporation.
WFR #111-24-078

Category
No.

Reason for Objection

2. The Use Location column should make reference to the Phelps Dodge Corporation property contained in Exhibit A of the original filing (12-24-79) since this column is supposed to reflect the "legal description of the location of the water use(s) claimed or shown on each applicable filing". (700, 710)
- The Diversion Location column should list the claimed points of diversions contained in Exhibit A of the original 12-25-79 filing and in subsequent amendments (1-11-89, 11-21-89, and 8-5-91). Phelps Dodge wells are not listed. (600, 610, 623, 410)
3. The Uses Claimed or Referenced column should not include recreation and should include commercial/industrial, in addition to the other uses listed, as filed. (800, 810, 820)
- The Applies to Diversions column should reference Phelps Dodge wells listed in SOC No. 39-0002297 and subsequent amendments. (600, 610, 620, 410)
10. The Filings and Decrees section should be changed to reflect the statement that "Phelps Dodge Corporation claims the right to the reasonable use of all percolating groundwater underlying all lands which it owns or leases and all lands on which it owns patented or unpatented mining claims in the Upper Gila River watershed in Arizona upstream from the Ashurst Hayden Dam. On information and belief this percolating groundwater is neither appropriable under A.R.S. 45-131 nor subject to claims based on Federal Law, and accordingly is not properly within the scope of these proceedings.", as filed in the 11-21-89 amendment. Municipal, commercial/industrial, mining, stockwatering other than from a stockpond and possible future irrigation use, were claimed as uses in the 1-11-89, 11-21-89, and 8-5-91 amendments. Recreation use has not been claimed. The third sentence should read "The Phelps Dodge Corporation operated dewatering units in the San Pedro watershed which pumped water from mine shafts and portals to supply mining operations and irrigation activities under WFR No. 111-24-DDB-001. (400, 410, 500, 510, 520, 521, 800, 810, 820)

Attorneys for Objector: Jerry L. Haggard, Id. No. 002667
APKER, APKER, HAGGARD & KURTZ, P.C.
2111 E. Highland, Suite 230
P.O. Box 10280
Phoenix, Arizona 85064-0280
(602) 381-0085

AMENDMENTS TO ORIGINAL FILINGS
TO BE ADDED TO EACH CLAIM

EXHIBIT "A" (continued)

Phelps Dodge Corporation
State Commercial Lease
Lease No. 03-24667

T.6S., R.26E., G&SRB&M in the County of Graham

Sec. 36; Lots 1 thru 4, N2NW,
SEW, N2S2

T.6S., R.27E., G&SRB&M in the County of Graham

Sec. 16; N2, SW, N2SE, SWSE
Sec. 32: All

T.7S., R.26E., G&SRB&M in the County of Graham

Sec. 2; Lots 1 thru 4, S2N2, S2

WFR:mgb (8)
1/4/89

