



WATER-RIGHT DOCKET

Coronado National Memorial

Docket No: 9

HAZEL WELL

Preliminary Docket Information

05-07-2003: Water Rights Summary

WATER RIGHTS SUMMARY - Coronado National Memorial
Compiled by William R. Hansen on April 2, 2002; Modified by Alberti April 5, 2002; Modified by Hansen Dec. 20, 2002 and May 7, 2003 (Yellow indicates claims to be withdrawn)
This Summary was done to evaluate water right use and claims as part of ongoing settlement discussions in the San Pedro River Adjudication and replaces previous evaluations and summaries that may be found in CORO dockets.

Docket No.	WaterSource/Name	San Pedro SOC No.	Date Filed	State Reg. No.	USGS 1/4, 1/4, 1/4	Legal Location 1/4, 1/4, 1/4, Sec. T, and R	Type of Right	Comp. Date	Res/Acq Date	Well Depth	Case Dia	DTW	Pump GPM	Use
01	Brown Allot. Spring.	39-11130	1/4/82	36-11163	AAD	SENESE 17 (24S21E)	Federal	1880	11/10/78	--	--	--	--	S. WL
02	Joe's Spring #3	39-11129A	1/4/82	36-11205	AAD	SENESE 12 (24S20E)	Federal	1880	11/10/78	--	--	--	--	S. WL
03	Tunnel Mine Spring	39-11129B	1/4/82	33-87251	DBD	SENESE 11 (24S20E)	State	12/14/81	3/26/80	--	--	--	--	S. WL
04	Baumkirchner Well #2	39-11130E	1/4/82	55-629138	BCB	NWSWNW 17 (24S21E)	State	1943	3/20/80	86	6	56	35	P.W.L.F
05	Baumkirchner Well #3	39-11130F	1/4/82	55-629137	BCB	NWSWNW 17 (24S21E)	State	1943	3/20/80	124	6	52	35	P.W.L.F
06	Brown Allot. Well (aka Coronado #4)	39-11130B	1/4/82	55-629140	CDB	NWSSESW 8 (24S21E)	Federal	1946	11/10/78	115	6	85	4	P.S.W.L.F
07	Forest Service Well	39-11130C	1/4/82	55-633159	CDD	SESESW 17 (24S21E)	Federal	7/3/75	11/5/52	758	10	624	30	No Use
08	Hazel Well	39-11130H	1/4/82	55-629141	BDA	NESESW 18 (24S21E)	Federal	?	9/2/60	140.6	5	43.4	--	Collap/Dry
09	Headquarters Well	39-11130G	1/4/82	55-629142	BAD	SENESE 11 (24S20E)	State	?	11/10/78	0	0	0	0	W/draw
10	Sparks Well #1	39-1113636	4/3/89	55-633156	BCC	SWSWNW 18 (24S21E)	Federal	5/6/59	9/2/60	98	8	44	35	P.W.L.F
11	Sparks Well #2	39-1113637	4/3/89	55-629658	BBC	SWNWNW 13 (24S20E)	State	11/1/941	1941	28	5 ft	14	15	P.W.L.F
12	Zaleski Well	39-11130D	1/4/82	55-629659	BBC	SWNWNW 13 (24S20E)	State	1890	1890	365	6 ft	80	0	W/draw
13	Federal Reserved Water Rights	39-11129	1/4/82	No 55 Form	BCB	NWSWNW 17 (24S21E)	State	?	3/20/80	?	?	?	?	W/draw
14	Montez Ranch Pond	39-004344	6/13/80	See Docket Summary	ACB	Park Wide	Federal	--	Many	--	--	--	--	10 AF Adm Use
15	Montez Ranch Well SX5	39-004343A	6/13/80	38-0064702	ACB	NWSWNE 17 (24S21E)	State	2/28/77	2/29/88**	320	6	147	25	W.L.F
16	Montez Ranch Well SX6	39-004343B	6/13/80	55-649476	ACB	NWSWNE 17 (24S21E)	State	10/20/75	2/29/88**	300	6	150	7	P. WL.F
17	Montez Ranch Well SX6	39-004343C	6/13/80	55-084460	ACB	NWSWNE 17 (24S21E)	State	6/16/80	2/29/88**	300	3	150	6	P. WL.F
18	Montez Ranch Well SX6	39-004343C	6/13/80	55-649477	ACB	NWSWNE 17 (24S21E)	State	6/30/80	2/29/88**	320	6	160	25	P. WL.F
19	Montez Ranch Well ADX1	39-004343	6/13/80	55-649479	ADC	NWSWNE 17 (24S21E)	State	6/30/80	2/29/88**	300	6	150	6	Dry - W/draw
20	Montez Ranch Well SX1	39-004343	6/13/80	55-649478	ACB	NWSWNE 17 (24S21E)	State	6/30/80	2/29/88**	300	6	235	15	P. WL.F
21	Montez Ranch Well SX3	39-004343D	6/13/80	55-507449	ACB	NWSWNE 17 (24S21E)	State	10/16/84	2/29/88**	300	6	216	8	P. WL.F
22	Montez Ranch Well SX1	39-004343E	6/13/80	55-507448	ACB	NWSWNE 17 (24S21E)	State	10/16/84	2/29/88**	340	6	215	12	P. WL.F
23	Montez Ranch Well SX2	39-004343F	6/13/80	55-507450	ACB	NWSWNE 17 (24S21E)	State	10/16/84	2/29/88**	300	6	235	35	P. WL.F
24	Montez Ranch Well X3	39-004343G	6/13/80	55-509098	ACB	NWSWNE 17 (24S21E)	State	11/6/84	2/29/88**	310	6	235	25	P. WL.F
25	Montez Ranch Well X3	39-004343H	6/13/80	55-509097	ACB	NWSWNE 17 (24S21E)	State	11/6/84	2/29/88**	340	6	250	30	P. WL.F
26	Montez Ranch Well ABC1	39-004343I	6/13/80	55-509096	ABC	NWSWNE 17 (24S21E)	State	2/28/85	2/29/88**	340	6	246	--	P. WL.F
27	Montez Ranch Well ACA2	39-004343J	6/13/80	55-509095	ACA	NWSWNE 17 (24S21E)	State	3/27/85	2/29/88**	340	6	250	--	P. WL.F
28	Montez Ranch Well ACA3	39-004343K	6/13/80	55-510144	ACA	NWSWNE 17 (24S21E)	State	3/28/85	2/29/88**	340	6	250	--	P. WL.F
29	Montez Ranch Well ACA4	39-004343L	6/13/80	55-510143	ACA	NWSWNE 17 (24S21E)	State	4/3/85	2/29/88**	340	8	250	--	P. WL.F
30	Montez Ranch Well ACA4	39-004343M	6/13/80	55-510145	ACA	NWSWNE 17 (24S21E)	State	4/3/85	2/29/88**	340	8	250	--	P. WL.F

Notes to File and Action Items

** - Assumes wells on Tract 101-41; SOC - Statement of Claimant; State Registration No. - 33, 36, and 38 forms for surface waters, 55 forms for well registration, T-Township; R-Range. Type of Right & Priority Date - Determined by land ownership & date of reservation or purchase; P - Park Administration; S-Stockwater; WL-Wildlife; and F - Fire Suppression.
Docket 0001 - SOC 39-8208 w/drawn by Order dated June 2, 1995 - duplicate claim by FS.
Docket 0002 - SOC 39-8152 w/drawn by Order dated June 2, 1995 - duplicate claim by FS. Assign 36-11205 to NPS from FS.
Docket 0003 - Change legal from DBC - SWNWSW to DBD - SENWSE per Alberti email dated Feb 26, 2003.

Dockets 4 and 5 - Well registrations 55-633157 and 55-633158 were w/drawn on June 8, 1995 (letter to ADWR) because they were duplicate registrations filed by CORO and the Western Region. Remove stock as a beneficial use on 39-11130 E and F. 39-003608 was w/drawn by the Baumkirchner's on July 1, 1995. Amend NPS SOC 39-11130F (Baumkirchner #3) completion date to 1932 (from 1969).

Docket 0006 - Withdraw 55-642742. Duplicate registration from NPS and FS. SOC 39-8264 w/drawn by Order dated June 2, 1995. Assign 36-11163 to NPS from FS.

Docket 0007 - Withdraw 55-633159 for Coronado Well #4. Duplicate registration filed by CORO and Western Region.

Docket 0008 - Withdraw SOC 39-1130H per instructions from Alberti on Sept. 27, 200 - well collapsed and dry at 21 ft. Incorrect legal - no need to amend because withdrawing claim.

Docket 0009 - Withdraw SOC 39-8265 per instructions from Alberti on Jan 29, 2002 - well never found by NPS. Has Lone Min. Ranch w/drawn their claim (39-003748)?

Docket 0010 - Withdraw 55-633156. Duplicate registration filed by CORO and Western Region. Change legal to SWSWNW (BCC) 18 (24S21E).

Docket 0011 - Assign well registration (55-629658) to NPS. Change legal to NWSWSW 13 (24S20E)

Docket 0012 - Withdraw SOC 39-11-13637 per instructions from Alberti on Jan 29, 2002 - well may have been mine shaft which was plugged before acquisition by NPS.

Docket 0013 - Withdraw SOC 39-11130D. Not found by NPS on May 2, 1995 or Jan 29, 2002. Alberti recommends withdrawal on Jan 29, 2002.

Docket 0014 - Change uses to park administration, stock, wildlife, and fire suppression in docket and amend individual claims as necessary.

Docket 0015 - Amend SOC 39-004344 - change purpose from irrigation and stockwater to wildlife for 1 AFY. Amend maximum capacity from 15 to 1 AFY. Amend 38-64702 - change capacity from 15 to 1 AFY and quantity from 30-40 to 1 AFY.

Docket 0019 - Withdraw 55-649479 - Dry! Amend Richards' SOC 39004343 dropping well from claim.

Docket 0020 - Withdraw 55-649478 - Dry! Amend Richards' SOC 39004343 dropping well from claim.

Amend Richard's SOC 39-004343 for Montezuma Ranch well's (13 wells) and SOC 39-0004344 for the stockpond. Completed by letter to ADWR on December 5, 2002.

Do we w/draw 36 claims on 0001, 0002, 0003 when surface water rights recognized as reserved right? When?

Correct addresses on all claims/registrations.

Lone Mountain Ranch - claims of concern in park (55-612472 and 55-612487).

1 GEORGE A. SCHADE, JR.
Special Master
2 Arizona General Stream Adjudication
Arizona State Courts Building, Suite 228
3 1501 W. Washington Street
Phoenix, AZ 85007
4 (602) 542-9600
State Bar No. 003289
5

6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

7 IN AND FOR THE COUNTY OF MARICOPA

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

W-1 (Salt)
W-2 (Verde)
W-3 (Upper Gila)
W-4 (San Pedro)
(Consolidated)

11 **Contested Cases Nos. W1-11-556**
12 **and W1-11-1132**

13 ORDER AND PARTIAL DECREE OF
14 STIPULATED WATER RIGHTS IN THE
SAN PEDRO RIVER WATERSHED FOR
THE CORONADO NATIONAL MEMORIAL

15 This matter came before the Court on the Final Hydrographic Survey Report for the San Pedro
16 River Watershed (1991) ("San Pedro HSR") and objections to that report; consideration of the San
17 Pedro HSR and objections were referred to Special Master John E. Thorson and, subsequently, to
18 Special Master George A. Schade, Jr.; the Special Masters organized and conducted proceedings in
19 Contested Cases Nos. W1-11-556 and W1-11-1132 involving the water rights of the United States of
20 America appurtenant to the Coronado National Memorial, a federal reservation of land within the San
21 Pedro River Watershed administered by the United States Department of the Interior, National Park
22 Service; certain parties in both contested cases having reached stipulations that were filed on March
23 19, 1996, and on May 2, 2003, as to the water rights in one stockpond, three springs, and twenty wells,
24 to be decreed for the Coronado National Memorial; Special Master Thorson having accepted the

1 stipulation filed on March 19, 1996, and Special Master Schade having accepted the stipulation filed
2 on May 2, 2003; Special Master Schade having filed a report with the Clerk of the Court on May 15,
3 2003, recommending the approval of both stipulated agreements and abstracts of water rights and
4 having served the involved parties and all persons listed on the Gila River Adjudication Court-
5 Approved Mailing List; the Special Master having given claimants in the Gila River Adjudication,
6 pursuant to A.R.S. § 45-257(A)(2), a period of 180 days, or until November 12, 2003, to file an
7 objection to the report, and until December 8, 2003, to file responses to the objections; the Bella Vista
8 Water Company, Inc. and Pueblo Del Sol Water Company (the "Water Companies") having filed an
9 objection; the United States having filed a response; and the Court having considered the report and
10 the objection and being fully advised;

11 THE COURT FINDS that notice of the Special Master's report was given as required by law
12 and prior orders of this Court; the period allowed for filing objections to the Special Master's report
13 was as required by A.R.S. § 45-257(A)(2); the period for filing objections to the report has passed; and
14 the stipulated agreements and abstracts of proposed water rights for the United States of America
15 within the Coronado National Memorial should be approved.

16 THE COURT ADJUDICATES AND DECREES the water rights of the United States of
17 America for the Coronado National Memorial as set forth in the twenty-four abstracts of water rights
18 stipulated by the parties and described in Special Master Schade's report of May 15, 2003.

19 IT IS ORDERED that the twenty-four abstracts of water rights shall be incorporated in the
20 tabulations or lists of all water rights and their relative priorities on the Gila River system and source
21 in the form that the Court shall determine, pursuant to A.R.S. § 45-257(B)(2), to be most appropriate.

22 IT IS FURTHER ORDERED that the dismissals of Statements of Claimant Nos. 39-8265, 39-
23 11130(D), 39-11130(H), and 39-13637 are accepted.

24 IT IS FURTHER ORDERED overruling the objection of the Water Companies.

1 Dated this 9th day of March, 2004.

2
3
4 /s/ Eddward P. Ballinger, Jr.
5 EDDWARD P. BALLINGER, JR.
6 Judge of the Superior Court

7 A copy of this order is mailed to all parties
8 appearing on the Court-approved mailing
9 list for Contested Cases Nos. W1-11-556
10 and W1-11-1132, dated May 6, 2003, and
11 the Gila River Adjudication Court-
12 Approved Mailing List, Nos. W-1, W-2, W-
13 3, and W-4 (Consolidated), dated October 6,
14 2003.
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CORO-0009



United States Department of the Interior

NATIONAL PARK SERVICE

Water Resources Division
1201 Oakridge Drive, Suite 250
Fort Collins, Colorado 80525-5596

IN REPLY REFER TO:

May 7, 2003

L54 (2380)
CORO/Water Rights

Ms. Elizabeth Logan, Section Manager
Water Management Support Section
Arizona Department of Water Resources
500 N. Third Street
Phoenix, AZ 85004

Re: Coronado National Memorial - Withdrawal of Well Registrations (55-642742, 55-633156, and 55-633159) and Claims (39-11130D and H, 39-008265, and 39-11-13637); Change of Ownership (36-11163 and 36-11205); and Amendments (39-11130 and 39-004344)

Dear Ms. Logan:

We have recently completed an extensive review of our water rights and adjudication claims for Coronado National Memorial in the San Pedro River Basin as part of settlement discussions with various objectors. Therefore, we request that you make the following changes to our claims.

Please withdraw well registrations 55-642742, 55-633156, and 55-633159 because they are redundant with well registrations 55-629140, 55-629139, and 55-629142. The National Park Service (NPS) inadvertently filed duplicate claims through two separate offices in the 1980's for the same wells.

Please amend 39-11130 by withdrawing our claim to the two wells known as Zaleski Well (39-11130D) and the Forest Service Well (39-11130H). We would also like to withdraw claims 39-008265 and 39-11-13637 which were filed by previous land owners prior to assignment to the NPS. Our file review and field reconnaissance reveal that these wells are either dry, collapsed or non-existent.

Please change the ownership on 36-11163 and 36-11205 in your records from the USDA - Coronado National Forest to the USA - National Park Service - Coronado National Memorial. The Statement of Claimant forms (39's) are already in the name of the Coronado National Memorial. The land and water rights were transferred from the Forest Service to the National Park Service on November 10, 1978 (P.L. 95-625).

Please amend our claims filed for 39-11130 B, E, F, and G (Tunnel Mine Springs, Baumkirchner Wells #2 and #3, and the Headquarters Well) and 39-004344 (Montezuma

Ranch stockpond). We are amending the beneficial use, completion date, and legal locations for 39-11130 and amending the beneficial use, storage capacity and annual volume for 39-004344. The attached Amendments indicate the specifics of each of these changes.

If you have any questions please contact Bill Hansen, on my staff, at (970) 225-3532.

Sincerely,



Charles Pettie
Chief, Water Rights Branch

Cc: Fahmy – SOL
Leininger – DoJ
Alberti – CORO
Callahan – City of Phoenix
Wilmoth – Fennemore Craig
Chandley – Ryley, Carlock & Applewhite
Carla Consoli – Bryan Cave LLP
Lewis – Gila River Indian Community
Ronald – Arizona Attorney Generals Office
Schade – Special Master, Arizona General Stream Adjudication
Sparks – Sparks, Tehan & Ryley, P.C.
Weldon – Salmon, Lewis and Weldon, P.L.C.

NOTE TO FILE

Hazel Well (aka Mine Shaft or Shift Well) was acquired from _____ on _____. The well was originally drilled by Lone Mountain Ranch in May 1920 and used continuously? for watering of stock. Lone Mountain Ranch filed a Statement of Claimant (SOC) form (39-011130) was filed on June 6, 1980. The Forest Service filed a SOC (39-8265) (because they managed the grazing allotment) on December 29, 1981. A Well Registration form (55-642701) was filed on June 7, 1982. Park staff, the Department of Justice (DOJ), and myself agreed to call the well Hazel's Well. The attorney for Lone Mountain Ranch has informed Jim DuBois, DOJ, that the Ranch will drop their objection to the United States claim.

Wm. R. Hansen
May 3, 1995

DEPARTMENT OF WATER RESOURCES
99 EAST VIRGINIA AVENUE
PHOENIX, ARIZONA 85004

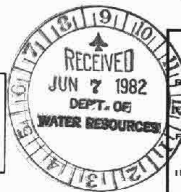
Mine Shaft Well
WS #50
D-3

*Dup w/ Mine Shaft Well
in NW 1/4 Sec 11*

REGISTRATION OF EXISTING WELLS

READ INSTRUCTIONS ON BACK OF THIS FORM BEFORE COMPLETING
PRINT OR TYPE - FILE IN DUPLICATE

REGISTRATION FEE (CHECK ONE)
EXEMPT WELL (NO CHARGE) ☒
NON-EXEMPT WELL - \$10.00 ☐



FOR OFFICE USE ONLY
REGISTRATION NO. 642701
FILE NO. D(24-20)11bad
FILED 6-7-82 AT 8:45 am
(DATE) (TIME)
INA _____
AMA _____

1. Name of Registrant:
USA USDA Forest Service Coronado N.F.
301 West Congress, Tucson, Arizona 85701
(Address) (City) (State) (Zip)
(602) 792-6483
2. File and/or Control Number under previous groundwater law:
35
(File Number) (Control Number)
3. a. The well is located within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11,
of Township 24 N/S, Range 20 EW, G & SRB & M, in the
County of Cochise.
b. If in a subdivision: Name of subdivision _____,
Lot No. _____, Address _____.
4. The principal use(s) of water (Examples: irrigation - stockwater - domestic - municipal - industrial)
Stockwater, Wildlife 0.2 AF
5. If for irrigation use, number of acres irrigated from well _____.
6. Owner of land on which well is located. If same as Item 1, check this box ☒

(Address) (City) (State) (Zip)
7. Well data (If data not available, write N/A)
a. Depth of Well N/A feet
b. Diameter of casing N/A inches
c. Depth of casing N/A feet
d. Type of casing N/A
e. Maximum pump capacity N/A gallons per minute.
f. Depth to water N/A feet below land surface.
g. Date well completed N/A
(Month) (Day) (Year)
8. The place(s) of use of water. If same as Item 3, check this box ☒
1/4 1/4 1/4, Section _____ Township _____ Range _____
1/4 1/4 1/4, Section _____ Township _____ Range _____
Attach additional sheet if necessary.
9. DATE 5.21.82 SIGNATURE OF REGISTRANT R.B. Dippel



CHANGE OF WELL INFORMATION

Registration No. 55- 642701

I request the following information be changed in Well File Number 0624-20111 B.A.D

Date _____, 19____ Signature of Well Owner _____

STATEMENT OF CHANGE OF WELL OWNERSHIP

I, _____, state that I am (no longer) the
(new) owner of the well described below:

Township _____ Range _____ Section _____, _____ $\frac{1}{2}$ _____ $\frac{1}{2}$ _____ $\frac{1}{2}$

Registration #55- _____ File No. _____

Previous Owner _____ New Owner _____

Address _____ Address _____

City _____ State _____ Zip _____ City _____ State _____ Zip _____

NOTE: ARS 45-593 requires that the Department be notified of change of well ownership and that the well owner is required to keep the Department's Well Registration records current and accurate. Well data and ownership changes must be submitted within 30 days after changes take place.

NOTE: SAVE THIS FORM TO REPORT FUTURE
CHANGES IN OWNERSHIP OR WELL
DATA SUCH AS PUMP CAPACITY, ETC.

ARIZONA STATE LAND DEPARTMENT
1624 West Adams
Phoenix, Arizona 85007

STATEMENT OF CLAIMANT

(Leave Blank)

IN THE MATTER OF DETERMINATION OF)
RELATIVE RIGHTS TO THE USE OF)
WATERS OF THE SAN PEDRO RIVER AND ITS)
TRIBUTARY WATERSHED, INC. ARAVAIPA CK.)

File No. 39-8265
Filed: 12-29-81 at 9:45 AM
(date) (time)

The State Land Department has enclosed with the accompanying Notice this form on which claimant shall present as required, the particulars of his claim of right to the subject waters. All applicable portions must be completed. A separate Statement of Claimant must be submitted for each source or point of diversion of public water unless those waters are commingled prior to use. A map published by the United States Geological Survey or a map of equal standard shall be submitted with this Statement showing on the face of the map the particulars of point of diversion, place of use and other pertinent information.

(Print or type. If more space is required, use explanatory at end of form, or attachment.)

1. Name of Claimant: USA USDA Forest Service Coronado NF
(Last) (First) (M.I.)
301 West Congress, Tucson, AZ 85701 602-792-6483
(Address, City, State, Zip) (Telephone No.)
2. State the nature of the right or use on which claim is based: (indicate, and attach supporting documentation)
 - A. Right to surface water initiated by beneficial use prior to June 12, 1919.
Indicate registry number if previously submitted under Water Rights
Registration Act _____.
 - B. Court Decreed Water Right. Cite Title and Date of Case _____
Cause No. _____ County _____.
 - C. Application for Permit to Appropriate Water filed. State Land Department
Application No. _____, Permit No. _____, Certificate of
Water Right No. _____.
 - D. Claim of Water Right for a Stockpond. State Land Department Application
No. _____.
 - E. ☒ Other. Describe: Groundwater _____.
3. A. Date of initiation of right: Unknown
(Month/Day/Year)
B. Date water first used for beneficial purposes: Unknown
(Month/Day/Year)
4. Purpose, annual amount and annual period of use:

Purpose	Amount	Month/Day	Month/Day
Irrigation	_____ ac.ft./gallons	From _____ to _____	
Domestic	_____ ac.ft./gallons	From _____ to _____	
Stockwater	<u>.20</u> ac.ft./gallons	From <u>Jan 1</u> to <u>Dec 31</u>	
Municipal	_____ ac.ft./gallons	From _____ to _____	
Power	_____ ac.ft./gallons	From _____ to _____	
Mining	_____ ac.ft./gallons	From _____ to _____	
Recreation	_____ ac.ft./gallons	From _____ to _____	
Wildlife	<u>0.10</u> ac.ft./gallons	From <u>Jan 1</u> to <u>Dec 31</u>	
Other Uses	_____ ac.ft./gallons	From _____ to _____	
5. A. (1) If for irrigation purposes, describe place of use: (also indicate on map)
Township (N/S) _____ Range (E/W) _____ Section _____ Legal Subdivision _____ No. of Acres. _____
(2) If land reclaimed over period of years, indicate schedule and amount of
land reclaimed first and each subsequent year(s): _____

5. A. (3) Indicate kind of crops cultivated: _____
 Character of soil: _____
- B. If for domestic purposes, number of persons: _____, or families: _____
- C. If for stockwater purposes, number and kind of stock watered: 133 Cattle
- D. If for municipal purposes, population to be served, and estimate of future requirements: _____
- E. If for power purposes, describe type of plant and capacity: _____
- F. If for mining purposes, describe purpose of use, location and character of the mine(s) to be served: _____
- G. If for recreational purposes, describe: _____
- H. If for wildlife purposes, including fish, describe: Deer, Javelina, Turkey
- I. If for other purposes, describe: _____
6. A. Direct source of public water diverted: Groundwater tributary to does not apply on the San Pedro watershed.
- B. Point of Diversion (indicate on map): NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11 Township 24S (N/S), Range 20E (E/W), Gila and Salt River Base and Meridian, County Cochise. Ownership USA
- C. Place of use (indicate on map): NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11 Township 24S (N/S), Range 20E (E/W), Gila and Salt River Base and Meridian, County Cochise. Ownership USA
7. State all other sources of water supply not described in Question 6 of this form.
- A. Type of Source: does not apply
- B. Location of Source (indicate on map): NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section _____ Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____. Ownership _____
- C. If other source is well, list following:
- (1) Date well construction began: _____; Date well place in use: _____
 (Month/Day/Year) (Month/Day/Year)
 - (2) Location (10 acre subdivision) (indicate on map): NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section _____, Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base Meridian, County of _____.
 - (3) State Land Department Intent to Drill, File No. _____, or Application for Permit No. _____.
 - (4) State whether free flowing or pump: _____. If pump, list type of pump and capacity: _____.
 - (5) Casing depth _____ ft. Total well depth _____ ft. Diameter of casing _____ inches.
 - (6) Depth to water: _____ ft. (Static Level)
 - (7) Annual amount pumped, or otherwise extracted: _____ Ac.Ft./Gallons
 - (8) State purpose of use: _____.
 - (9) Indicate annual period of use: _____ to _____
 (Month/Day) (Month/Day)
8. Water storage reservoir and/or diverting works: does not apply
- A. Location (indicate on map): NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section _____, Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____. Ownership _____
- B. Name of storage reservoir and/or diverting works (if known): _____
- C. Maximum capacity: _____ Ac.Ft.
- D. Maximum depth of water: _____ ft.

8. E.(1) Year construction began: _____.
- (2) Year construction completed: _____.
- (3) Date water first stored: _____ (Month/Year).
- F. If dam, list following:
- (1) Construction material: _____.
- (2) Maximum Length: Top _____ ft.; Bottom _____ ft.
- (3) Maximum Width: Top _____ ft.; Bottom _____ ft.
- (4) Maximum Height: _____ ft.
- G. If diverting works, describe: _____
9. Distribution works: does not apply
- A. If ditch or canal:
- (1) Date construction began: _____
(Month/Day/Year)
- Date construction completed: _____
(Month/Day/Year)
- (2) Length of ditch or canal to first place of use: _____ ft., total
length of ditch or canal: _____ ft.
- (3) Top width: _____ ft.; Bottom width: _____ ft.
- (4) Grade (slope) of ditch: _____
- (5) If ditch or canal owned and/or operated by an association or company or
such other entity, list name of association or company or such other
entity: _____
- B. If pipeline:
- (1) Type: _____ (i.e., aluminum, steel, etc.)
- (2) Diameter: _____ inches
- (3) Length of pipeline to first place of use: _____ ft. and total length
of pipeline: _____ ft.
- (4) Grade (slope) of pipeline: _____
- C. If other, describe: _____
10. Enlargement(s) of storage reservoir and/or diverting and/or distributing works
- A. Date begun: does not apply
(Month/Day/Year)
- Date completed: _____
(Month/Day/Year)
- B. Describe details of enlargement(s): _____
- C. Dimensions of works as originally constructed and as enlarged: _____

Explanatory

This is a well called Mine Shift Well, Water is pumped by a windmill.

(continued on the next page)

STATE OF ARIZONA)
County of Pima) SS

K. R. Weissenborn, Forest Supervisor
(Claimant-Affiant representative's name)

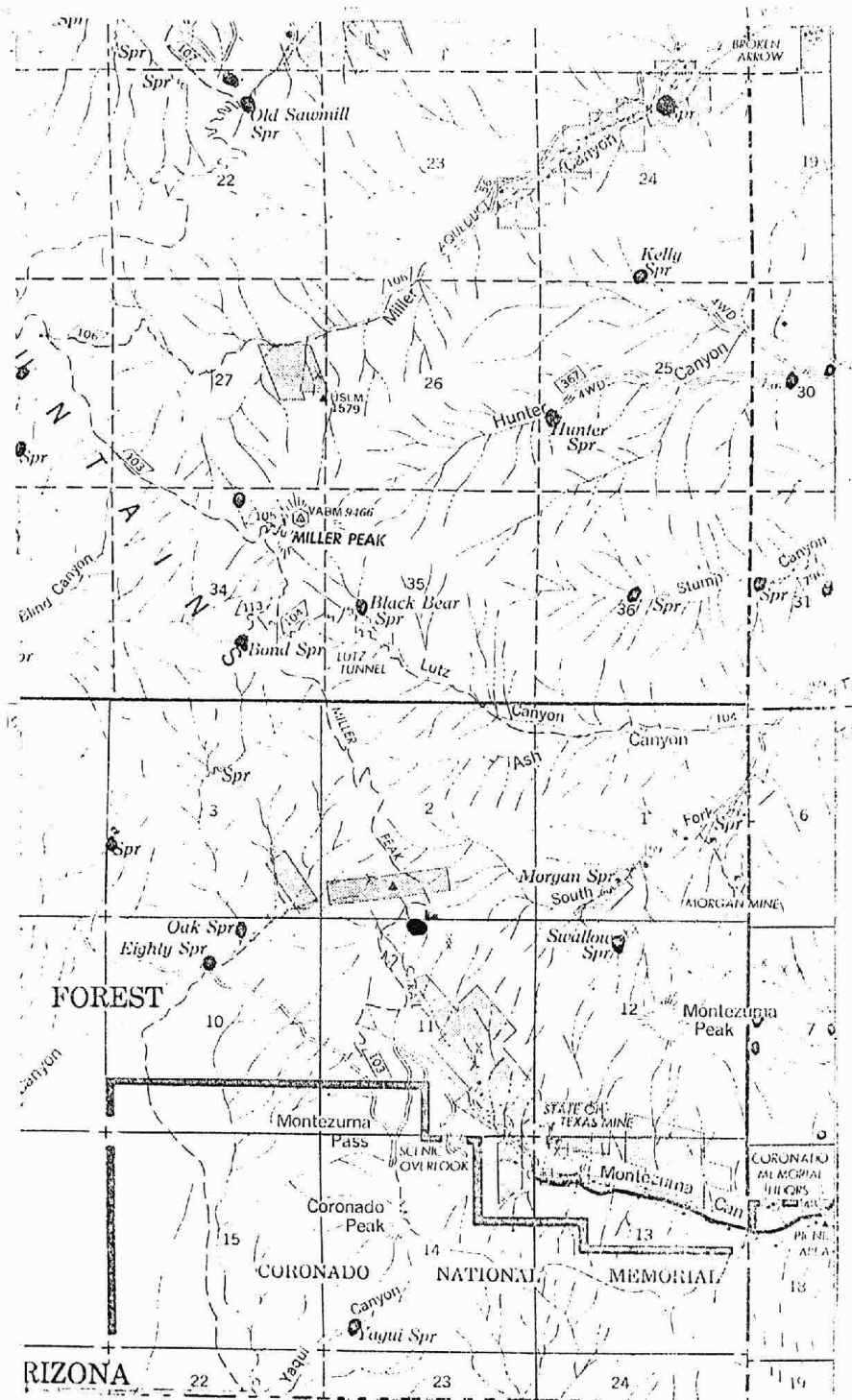
Claimant-affiant signature

Claimant-affiant signature

Subscribed and sworn to before me this
6 day of December, 1979.

Linda C. Hall
Notary Public or authorized Officer of the
State Land Department

My Commission expires My Commission Expires May 28, 1983



ARIZONA WATER COMMISSION
CENTRAL SECURITY BUILDING
222 N. Central Ave.
Suite 550
Phoenix, Arizona 85004
602-255-1581

STATEMENT OF CLAIMANT

(Leave Blank)

IN THE MATTER OF DETERMINATION OF)
RELATIVE RIGHTS TO THE USE OF)
WATERS OF THE SAN PEDRO RIVER AND ITS)
TRIBUTARY WATERSHED, INC. ARAVAIPA CK.)

File No. 39-003748
Filed: 6-6-80 at 3:00 P.M.
(date) (time)

The State Land Department has enclosed with the accompanying Notice this form on which claimant shall present as required, the particulars of his claim of right to the subject waters. All applicable portions must be completed. A separate Statement of Claimant must be submitted for each source or point of diversion of public water unless those waters are commingled prior to use. A map published by the United States Geological Survey or a map of equal standard shall be submitted with this Statement showing on the face of the map the particulars of point of diversion, place of use and other pertinent information.

(Print or type. If more space is required, use explanatory at end of form, or attachment.)

1. Name of Claimant: Lone Mountain Ranch, Inc.
(Last) (First) (M.I.)

Patagonia, Arizona 85624 455-5274
(Address, City, State, Zip) (Telephone No.)

2. State the nature of the right or use on which claim is based: (indicate, and attach supporting documentation)

A. Right to surface water initiated by beneficial use prior to June 12, 1919.
Indicate registry number if previously submitted under Water Rights
Registration Act _____

B. Court Decreed Water Right. Cite Title and Date of Case _____
Cause No. _____ County _____

C. Application for Permit to Appropriate Water filed. State Land Department
Application No. _____, Permit No. _____, Certificate of
Water Right No. _____

D. Claim of Water Right for a Stockpond. State Land Department Application
No. _____
aka Mine Shaft Well (aka Mine Shaft Well)

E. X Other. Describe: Hazel Well 0 (24-20) 118AD

3. A. Date of initiation of right: May 7, 1920
(Month/Day/Year)

B. Date water first used for beneficial purposes: May 10, 1920
(Month/Day/Year)

4. Purpose, annual amount and annual period of use:

Purpose	Amount	Month/Day	Month/Day
Irrigation	_____ ac.ft./gallons	From _____	to _____
Domestic	_____ ac.ft./gallons	From _____	to _____
Stockwater	<u>22</u> ac.ft./gallons	From <u>January 1</u>	to <u>December 31</u>
Municipal	_____ ac.ft./gallons	From _____	to _____
Power	_____ ac.ft./gallons	From _____	to _____
Mining	_____ ac.ft./gallons	From _____	to _____
Recreation	_____ ac.ft./gallons	From _____	to _____
Wildlife	_____ ac.ft./gallons	From _____	to _____
Other Uses	_____ ac.ft./gallons	From _____	to _____

5. A.(1) If for irrigation purposes, describe place of use: (also indicate on map)
Township (N/S) Range (E/W) Section Legal Subdivision No. of Acres.

(2) If land reclaimed over period of years, indicate schedule and amount of
land reclaimed first and each subsequent year(s): _____

5. A. (2) Indicate kind of crops cultivated: _____
 Character of soil: _____
- B. If for domestic purposes, number of persons: _____, or families: _____
- C. If for stockwater purposes, number and kind of stock watered: _____
Approximately 20 cattle yearlong (SEE EXPLANATORY)
- D. If for municipal purposes, population to be served, and estimate of future requirements: _____
- E. If for power purposes, describe type of plant and capacity: _____
- F. If for mining purposes, describe purpose of use, location and character of the mine(s) to be served: _____
- G. If for recreational purposes, describe: _____
- H. If for wildlife purposes, including fish, describe: _____
- I. If for other purposes, describe: _____
6. A. Direct source of public water diverted: Well tributary to N/A on the N/A watershed.
- B. Point of Diversion (indicate on map): SEE NO. 7 $\frac{1}{4}$ $\frac{1}{4}$, Section _____ Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____ Ownership _____
- C. Place of use (indicate on map): $\frac{1}{4}$ $\frac{1}{4}$, Section _____ Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____ Ownership _____
7. State all other sources of water supply not described in Question 6 of this form.
- A. Type of Source: Source is a well on leased land.
- B. Location of Source (indicate on map): $\frac{1}{4}$ $\frac{1}{4}$, Section _____ Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____ Ownership _____
- C. If other source is well, list following:
- (1) Date well construction began: May 1, 1920; Date well place in use: May 10, 1920.
 (Month/Day/Year) (Month/Day/Year)
- (2) Location (10 acre subdivision) (indicate on map): SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11, Township 24S (N/S), Range 20E (E/W), Gila and Salt River Base Meridian, County of Cochise.
- (3) State Land Department Intent to Drill, File No. 9(24-20)11 040, or Application for Permit No. _____.
- (4) State whether free flowing or pump: Pump. If pump, list type of pump and capacity: Windmill
- (5) Casing depth _____ ft. Total well depth 20 ft. Diameter of casing 48 inches.
- (6) Depth to water: 10 ft. (Static Level)
- (7) Annual amount pumped, or otherwise extracted: .22 Ac.Ft./~~GALLONS~~
- (8) State purpose of use: Stockwater
- (9) Indicate annual period of use January 1 to December 31
 (Month/Day) (Month/Day)
8. Water storage reservoir and/or diverting works:
- A. Location (indicate on map): $\frac{1}{4}$ $\frac{1}{4}$, Section _____ Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and Meridian, County _____ Ownership _____
- B. Name of storage reservoir and/or diverting works (if known): _____
- C. Maximum capacity: _____ Ac.Ft.
- D. Maximum depth of water: _____ ft.

8. E. (1) Year construction began: _____.
- (2) Year construction completed: _____.
- (3) Date water first stored: _____ (Month/Year).
- F. If dam, list following:
- (1) Construction material: _____
- (2) Maximum Length: Top _____ ft.; Bottom _____ ft.
- (3) Maximum Width: Top _____ ft.; Bottom _____ ft.
- (4) Maximum Height: _____ ft.
- G. If diverting works, describe: _____
9. Distribution works:
- A. If ditch or canal:
- (1) Date construction began: _____
- (Month/Day/Year)
- Date construction completed: _____
- (Month/Day/Year)
- (2) Length of ditch or canal to first place of use: _____ ft., total length of ditch or canal: _____ ft.
- (3) Top width: _____ ft.; Bottom width: _____ ft.
- (4) Grade (slope) of ditch: _____
- (5) If ditch or canal owned and/or operated by an association or company or such other entity, list name of association or company or such other entity: _____
- B. If pipeline:
- (1) Type: _____ (i.e., aluminum, steel, etc.)
- (2) Diameter: _____ inches
- (3) Length of pipeline to first place of use: _____ ft. and total length of pipeline: _____ ft.
- (4) Grade (slope) of pipeline: _____
- C. If other, describe: _____
10. Enlargement(s) of storage reservoir and/or diverting and/or distributing works
- A. Date begun: _____
- (Month/Day/Year)
- Date completed: _____
- (Month/Day/Year)
- B. Describe details of enlargement(s): _____
- C. Dimensions of works as originally constructed and as enlarged: _____

Explanatory

Exhibits: (attached hereto and incorporated herein)

A - Map

B - Evidence of ownership of land and interest in grazing permits.

C - Verified statement of George Bercich regarding early beneficial use of water.

D - Qualifying remarks.

E - Filing

(continued on the next page)

VERIFICATION

C.R. BARBIER
(Claimant-Affiant representative's name)

For Corporations, Partnerships,
Associations, etc.

Claimant-affiant signature

Claimant-affiant representative's
signature

Claimant-affiant signature

Subscribed and sworn to before me this
2nd day of June, 1980.

Kenny Thatcher
Notary Public or authorized Employee of
the Arizona Water Commission

My Commission expires November 13, 1982



EXHIBIT A

Attached hereto is a copy of a United States Department of
the Interior Geological Survey Map showing the location of the water
body or source claimed.

EXHIBIT "B"

The Lone Mountain Ranch, Inc. is the owner of patented land and the holder of grazing permits issued by the United States Forest Service for contiguous land consisting of the Sunnyside, Lone Mountain, and Grubstake allotments. Attached to this exhibit are the pertinent documents establishing the Lone Mountain Ranch, Inc.'s interest in the patented land or allotment where the water subject to this Statement of Claim form is located.

UNITED STATES DEPARTMENT OF AGRICULTURE
Forest Service

PERMITS DIVISION

PERMITS DIVISION

PAGE 1 OF PAGE 2

TERM GRAZING PERMIT - PARTS 1 AND 2
(Reference FSM 2230) 05-05-3044

PERMIT NUMBER
05-00730

NOTE: The information requested for this form is voluntary; however, all of the data is necessary if you wish to be considered as a qualified applicant for a grazing permit. The data is requested under authority of 5 U.S.C. 331, 36 CFR 222.3.

PART I

1. Name of Permittee: Deane Hite Ranch Inc. of 1 Boston Place Boston Mass 02108
(Name of Permittee) (Post Office address including Zip Code)

2. I, the undersigned, hereby authorize to graze livestock owned by the permittee upon lands administered by the Forest Service within the: Coronado (X appropriate box below)

☒ National Forest ☐ National Grassland, under the following provisions and requirements:

3. Description of range. The animals shall be grazed upon the area described as follows: described on attached page; and/or delineated on the attached map dated _____ which is part of this permit (Strike out item or items not applicable).

Allotment #317 Sierra Vista Ranger District Grubstake

4. The number, kind, class of livestock, period of use, and grazing allotment on which the livestock are permitted to graze are as follows, unless modified by the Forest Service in the Bill for Collection:

NUMBER	LIVESTOCK		PERIOD OF USE		GRAZING ALLOTMENT
	KIND	CLASS	FROM	TO	
133	Cattle	Cow-Calf	3/1	2/28	Grubstake

(Note: 728 lb. Deane Hite Ranch Permit # 05-00730) 6/1/79

5. It is fully understood and agreed that this grazing permit may be cancelled or suspended, in whole or in part, for failure to comply with any of the provisions and requirements specified in Parts 1, 2, and 3 hereof, or any of the regulations of the Secretary of Agriculture on which this permit is based, or the instructions of Forest officers issued thereunder; or for knowingly and willfully making a false statement or representation in the permittee's grazing application, and amendments thereto, or conviction of, or failure to comply with Federal laws or regulations or State laws relating to protection of air, water, soil and vegetation, fish and wildlife, and other environmental values when exercising the grazing use authorized by the permit.

6. This permit may be modified at any time during the term to conform with needed changes brought about by law, regulations, executive orders, treatment management plans, land management planning, numbers permitted or season of use necessary because of resource condition or other management needs.

7. This permit supersedes permit issued 1/1/76 to D'Albini Ranch

By Charles R. Ames Acting Forest Supervisor

I HAVE REVIEWED AND ACCEPT THE TERMS OF THIS PERMIT

GRATER OF PERMITTEE OR HIS AUTHORIZED AGENT

Deane Hite Ranch Inc.

DATE 1/2/76

CHARACTER OF APPROVING OFFICER NAME (Print) TITLE Acting DATE

STATE OF ARIZONA, County of _____	I hereby certify that the within instrument was filed and recorded In BOOKLET _____ and indexed in deeds _____	Fee No. _____
At the request of When recorded, mail to: LONE MOUNTAIN RANCH, INC., c/o Faneuil Hall Associates, Inc., 1 Boston Place Boston, Mass. 02109 ESCROW NO. L2005230	Witness my hand and official seal. County Recorder, By _____ Deputy Recorder	Compared Photostated Fee: _____

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations,

See attached Exhibit "A"
hereafter called the Grantor, whether one or more than one, hereby conveys to

LONE MOUNTAIN RANCH, INC.

the following real property situated in COCHISE County, Arizona, together with all rights and privileges appurtenant thereto, to wit:

See attached Exhibit "B"

Subject to current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, the Grantor warrants the title against all persons whomsoever.

Dated this 25th day of November 1979.

Frederick William D'Albini _____ Tansy Lynn Granger _____
Tishell Nays _____

Rufus Henry D'Albini _____ Iva Jane Hoxon _____

STATE OF CALIFORNIA, County of _____, this _____ day of _____, 1979, before me, _____, a Notary Public, appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My commission will expire _____

STATE OF _____, County of _____, this _____ day of _____, 1979, before me, _____, a Notary Public, appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My commission will expire _____

FURNISHED THROUGH THE COURTESY OF TRANSAMERICA TITLE INSURANCE COMPANY

FAT 1675 TAIL 588

EXHIBIT "A"

FREDRICK WILLIAM D'ALBINI

RUFUS HENRY D'ALBINI

HARLEY ALEXANDER D'ALBINI

PANSY ROWENA CREAGER

ISABELL HAYS

IVA JANE MOSON

VINCENT BYRNE

10-00-1979
EXHIBIT 'A'
OCTOBER, 1979

1375 PAGE 589

EXHIBIT "B"

Small Holding Claim #37, being a portion of Sections 5 and 6, Township 24 South, Range 20 East, of the Gila and Salt River River and Meridian.

Beginning South 75 degrees 50 minutes East 10.20 chains from the Northwest corner of the Northeast quarter of Section 5, Township 24 South, Range 20 East to Corner #3, Small Holding Claim #37, thence South 50 degrees, 0 minutes West 60 chains to corner #5, thence North 60 degrees, 0 minutes West 10 chains to corner #5, thence South 50 degrees, 0 minutes West 60 chains to corner #6, thence South 50 degrees, 0 minutes East 20 chains to corner #7, thence North 50 degrees, 0 minutes East 50 chains to corner #8, thence South 50 degrees, 0 minutes East 10 chains to corner #1, thence North 50 degrees, 0 minutes East 50 chains to corner #9, thence North 50 degrees, 0 minutes West 20 chains to corner #3, to the True Point of Beginning.

Also, my interest that we may have in the improvements situate thereon and;

State of Arizona Water District of the County of Cochise, Certificate of Water Right #956, page 957, Gave Canyon of Bear Canyon Wash, application "A" 1937, Permit "A" 1937, recorded Vol. 3, Page 958, January 2, 1937, in the Office of the State of Water Commissioner, Phoenix, Arizona, Cochise County Records Office Book 1 of Water Rights, page 21; Gallons 365, 00 for Domestic use, 547,500 gallons per annum stock use, and 4 acre feet per acre per annum for irrigation of one-half acre and the lands under such right, and to which the water hereby confirmed is appurtenant or if for other purposes, the place where such water is put to beneficial use as is follows:

For domestic, stock watering and irrigation uses, within the Northwest corner of the Northeast quarter (NW 1/4 NE 1/4) of Section Five (5), Township Twenty Four (24) South, Range Twenty (20) East, Gila and Salt River Meridian, Cochise County, Arizona, and for stock watering use within the Southeast quarter of the Southwest quarter (SE 1/4 SW 1/4) of Section Thirty Three (33), Township Twenty Three (23) South, Range Twenty (20) East, Gila and Salt River Meridian, Cochise County, Arizona; and the point of diversion under this appropriation and right to the use of water is located at Grubbs Spring, which is North 52 degrees 00 seconds West 110 feet from the North quarter corner of Section Four (4), Township Twenty Four (24) South, Range Twenty (20) East, Gila and Salt River River and Meridian, within the Southeast quarter of the Southeast quarter of said Section Twenty Three (23).

It is hereby declared that the water hereby confirmed is subject to any and all laws and regulations that may be enacted by the Federal Government, allotments and other laws.

GRUBBS SPRING MERIDIAN, CORONADO NATIONAL FOREST, COCHISE COUNTY, ARIZONA.

GRUBBS SPRING MERIDIAN, RANGE 20 East, Allotment Coronado National Forest, Cochise County, Arizona.

DEI 1375 DEC 591

EXHIBIT "C"

Attached hereto are the notarized statements of Mr. George Bercich verifying the long and continuous beneficial use for which water has been appropriated on the patented land owned by the Lone Mountain Ranch, Inc. and on the Sunnyside, Lone Mountain, and Grubstake allotments for which the Lone Mountain Ranch, Inc. is the permittee.

STATEMENT ON LAND AND WATER USE ON THE WEST SIDE
OF THE HUACHUCA MOUNTAINS, COCHISE COUNTY, ARIZONA:

I, GEORGE Bercich., do hereby make the following statement to the best of my knowledge and belief:

My parents arrived in the lower San Rafael Valley in 1885. I was born in 1899 on the Bercich ranch on the west side of the Huachuca Mountains, San Rafael valley, and have lived my entire life in the immediate vicinity.

During the 1880's and early 1900's, in the area of southwestern Cochise County, most of the range was open range, except for the patented land. There were many springs and watering holes, especially in the canyons of the Huachuca Mountains, such as Bear Canyon, Cave Canyon, Ida Canyon, Copper Canyon. The early day cattlemen utilized these springs and public waters for watering livestock. The following are some of the early day ranchers and the approximate date of the earliest Beneficial use of such waters:

AREA	RANCHER	BRAND	Approx date of beneficial use
Copper Canyon	Henry Pyeatt	80	1880
Bear Canyon	John Hand	JP	1885
Lone Mountain	Fred Horn	N?	1885
Cave Canyon	Jim Sutherland	JD	1885
Kellogg Ranch	Fred Kellogg	K	1907
Lone Mtn Ranch	John Chapman	MAV	1907

I believe that the beneficial use of the surface waters was established as early as 1880 and there has been a continual usage,

George Bercich

George Bercich

STATE OF ARIZONA)
)ss.
COUNTY OF PIMA)

This instrument was acknowledged before me this 18th day of June, 1979,

by George Bercich

My commission expires: November 30, 1979 C. Dan Burk Notary Public

STATEMENT ON LAND AND WATER USE IN THE
VICINITY OF THE LONE MOUNTAIN RANCH
COCHISE COUNTY, ARIZONA

by
GEORGE BERCICH 6/8/79

Lone Mountain Ranch
Cochise County, Arizona

The following information regarding past ranching activity in the area of the present day Lone Mountain Ranch, Cochise County, Arizona is true to the best of my recollection.

During much of the time discussed below, the land was open range and there were few if any man made tanks; cattle watered from any available surface water, spring, or natural catchment. Many of these watering spots are located on the present day Lone Mountain Ranch and continue to be utilized.

The accompanying Map and Table present information regarding the approximate location and associated data pertaining to the headquarters of the older ranches in the vicinity of the present day Lone Mountain Ranch.

TABLE I

AREA	RANCHER	BRAND	APPROX. DATE OF BENEFICIAL USE
(1). San Raphael Valley	Colin Cameron	6T	1884
(2). Lone Mountain Rch.	Fred Horn	N2	1885
(3). Bear Canyon	John Hand	J-P	1885
(4). D'Albini	Jim Sutherland	SP	1885
(5). Kellogg Homestead	Fred Kellogg	F K	1907
(6). Lone Mtn. Rch.	John Chapman	MAY	1907
(7). San Raphael Valley	William C. Green	ORO	1909
(8). Sunnyside Homestead	Ben Brooks	X-	1915
(9). Lone Mtn. Canyon	Walter Morris	4X	1915
(10). Campini Homestead	True & Kance	M-D	1915

G B
9A

Page 2

In my opinion, cattle from the above listed ranches watered from surface waters on the present day Lone Mountain Ranch. A partial list of these watering places is presented below as Table II. For the foregoing reasons, I believe that beneficial use of the surface waters listed in Table II were established for the Lone Mountain Ranch as early as 1884.

TABLE II

Rattlesnake Spring
 Lucey Spring
 Bear Canyon-Cave Canyon
 Bear Creek
 Cave Canyon
 Joaquin Creek
 Van Horn Mine
 Horizontal Well Spring
 Lone Mountain Canyon Spring
 Charlene Spring
 Bear Springs
 Mud Springs
 Sycamore Spring
 Yavui Springs
 Eighty Springs
 Rattlesnake Spring
 Mud Spring
 Sycamore Canyon
 Bodie Canyon
 Sunnyside Canyon
 Lone Mountain Canyon
 Wakefield Canyon
 Copper Canyon
 Eureka Canyon
 Scotia Canyon

9 8

50

George Bercich

George Bercich
GEORGE BERICH 6/8/79

Mr. Bercich's parents arrived in the Lower San
Michael Valley in 1885, George was born in 1893 on
the Bercich Ranch near the Lone Mountain Ranch (in
southern Pima County, Ariz.). He has lived
all of his life in the immediate area. He was fore-
man of the Lone Mountain Ranch for Mr. Harry D. Lee
for approximately 30 years. A biographical sketch
of Mr. Bercich is published in Pioneer Edition
published by the Arizona Cowbelles in 1977.

Bess Bercich

STATE OF ARIZONA)
)ss.
COUNTY OF PIMA .)

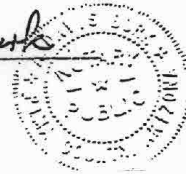
This instrument was acknowledged before me this 8th day of June, 1979,

by George Bercich and Bess Bercich, his wife.

A. Davis Bush

Notary Public

My commission expires: NOV. 30, 1979



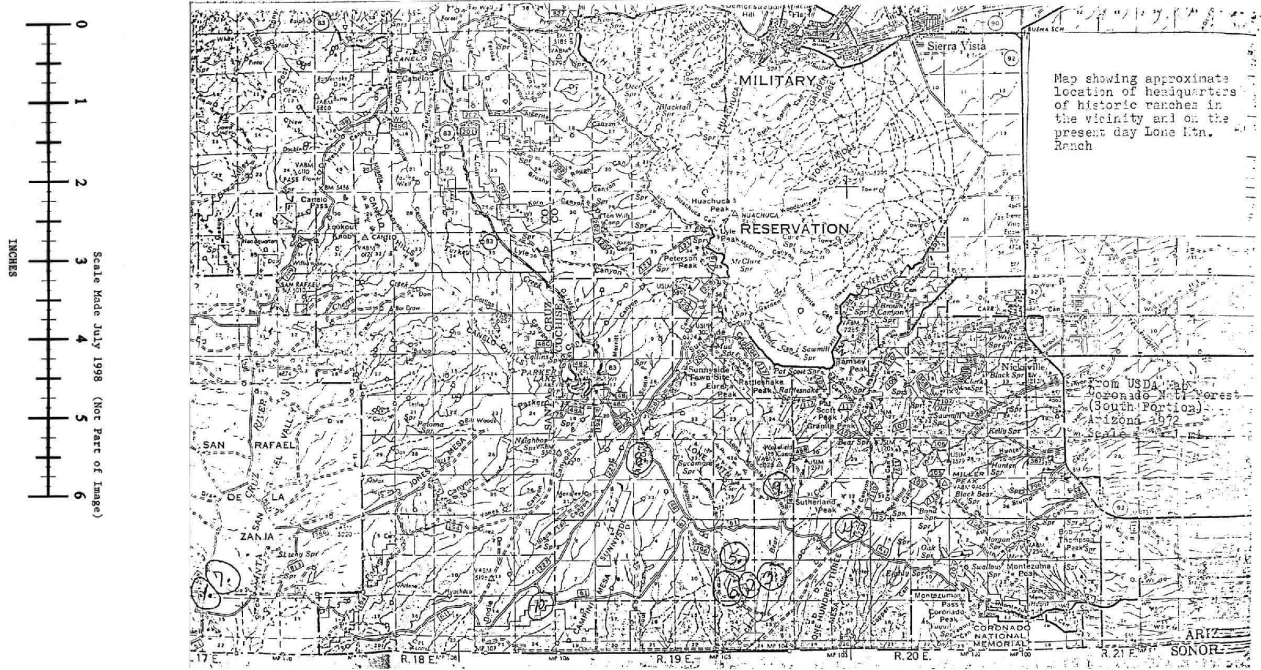


EXHIBIT D

Qualifying Remarks

The Lone Mountain Ranch, Inc. (Ranch) operates on patented and United States Forest Service land near Patagonia, Arizona. Although the Ranch territory includes the Sunnyside, Lone Mountain, and Grubstake allotments, the first two allotments have been combined in the records of the Forest Service and are now referred to as the Lone Mountain allotment.

The water sources and bodies claimed by the Ranch have, as verified by the statements of George Bercich, been continuously and beneficially appropriated by the Ranch's predecessors since as early as 1880. The frequency of water use and the quantities consumed at each source vary greatly depending upon weather conditions. Generally, the quantities of water claimed herein consider prior beneficial use, future need considering stockwater, irrigation and domestic purposes, and the likelihood of drought causing greater resort to more reliable water sources.

The dates given for the initiation of Claimant's water rights are believed to be very accurate and are based on substantial research. Estimation, however, has been necessary in the case of numerous wells and stockponds.

Some of the water sources on the Ranch have not recently been used yearlong due to pasture rotation, but claim has been made for yearlong use because of the uncertainty of climatic factors, mainly

the frequency and strength of rains. It is difficult to forecast whether a particular pasture and water source will be used nine or twelve months out of the year. It is equally difficult to forecast the number of cattle that may graze near a particular source. Nevertheless, the annual water quantities claimed are believed to be accurate, though they are, by necessity, estimates.

Except as otherwise indicated on the applicable maps or in the pertinent claimant forms, the points of use and diversion are identical for both stockponds and wells. The points of use and diversion for springs, on the other hand, follow the spring flow and cattle will drink wherever the water is accessible.

Claimant has filed for the numerous wells on the Sunnyside, Lone Mountain, and Grubstake allotments with full knowledge that groundwater is neither considered public water nor water subject to appropriation. Nevertheless, the changing law with respect to groundwater necessitates that claimant protect its rights by filing for all wells. However, Claimant considers there to be no present limit upon the quantities of water pumped from well sources and does not represent that the amounts claimed herein from well sources constitute Claimant's total groundwater requirements.

The well sources on the Ranch are crucial to Claimant's operation, and estimates of use consider their necessity when surface flow is weak or non-existent. The wells on patented land are especially important because of their use for domestic and irrigation, as well as stockwater purposes. The wells on the patented land within the

Sunnyside allotment, for example, complement one another and each remains available in case one becomes inoperable or dry. Similarly, the Lone Mountain Headquarters well on patented land within the Lone Mountain allotment is vital because it serves five (5) dwellings, and up to thirty (30) horses and, for short periods, five hundred (500) cattle.

Finally, Claimant believes that certain water sources (stockponds and wells mainly) for which a claim has been made are actually on the Santa Cruz Watershed, but Claimant has filed a Statement of Claimant form for these sources, designating them as being on the San Pedro Watershed, in light of uncertainty among officials at the Arizona Water Commission concerning proper watershed designation. In addition, the petition area for the adjudicatory process is apparently not coincident with the precise boundaries of the San Pedro Watershed.

EXHIBIT E

Attached hereto is the pertinent Arizona Water Commission Notice of Intent to Drill Well form corresponding to the water claimed herein by Claimant. The form supplied reflects amendments made to said form by Claimant, and these amendments are presently on file with the Arizona Water Commission. Not all attachments accompanying said form as filed with the Commission have been provided.

NOTICE OF INTENTION TO DRILL WELL (Hazel Well)

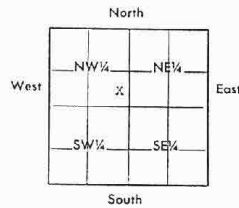
By Law, no person shall drill, or cause to be drilled, any well for the development and use of Ground Water in Arizona without first filing Notice of Intention to Drill with the State Land Department. The only exceptions are for those irrigation wells within critical Ground Water areas for which Drilling Permits are required. No well shall be drilled by other than the owner without the driller being licensed with the Registrar of Contractors. The driller's license number must be included before the State Land Department will process the filing.

LAND DEPARTMENT
WATER DIVISION
STATE OF ARIZONA

SEE REVERSE SIDE

FILING FEE \$3.00

LOCATION OF WELL



Indicate Well Location by X
(Above diagram represents one
640 acre section)

1. Twp. 24S
2. Rge. 20E
3. Section 11
4. SE 1/4 NE 1/4 NW 1/4
10-acre subdivision

5. Owner of Well Site LONE MOUNTAIN RANCH, INC. PER USFS-GRAZING LEASE

INSTRUCTIONS
Fill out both copies and mail to Water Division, State Land Department, 1624 W. Adams, Phoenix, Arizona, 85007.
Duplicate will be returned to Filer, together with Drilling Card.

DESCRIPTION OF WELL

6. Diameter in. depth 20 ft.
7. Type of casing
8. Estimated depth to water 10 ft.
9. Proposed use Stockwater
10. Drilling will start about (Hand Dug)
Month _____ Year _____

11. Driller
Name _____
Address _____
Driller's License No.

12. Water will be applied to use about May 1920
Month _____ Year _____

20. This notice filed by:

Check one } Owner ☒
 } Lessee ☐
 } Driller ☐

Name LONE MOUNTAIN RANCH, INC.
Address PATAGONIA, ARIZONA 85624

PLACE OF USE

13. Twp. 24S
14. Rge. 20E
15. Section 11
16. SE 1/4 NE 1/4 NW 1/4
Legal Description of Land to be Irrigated or place of other use.
17. Acres (if irrigation)
18. Owner LONE MOUNTAIN RANCH, INC. PER USFS-GRAZING LEASE
19. PATAGONIA, ARIZONA 85624
Address _____

DO NOT WRITE IN THIS SPACE
OFFICE RECORD

Received _____ By _____
Filed _____ By _____
Duplicate _____
Mailed _____ By _____
File Number _____

I, _____ state that the driller
designated on the reverse side of this form is currently licensed
under the provisions of Chapter 141, Laws of 1979, Section 32-1168
Arizona Revised Statutes, as amended and that his license number
is _____

6-2-80

(DATE)

CR Barber

(SIGNATURE OF APPLICANT)

Lone Mountain Ranch
Patagonia, AZ 85624

STATE OF ARIZONA
ARIZONA WATER COMMISSION
WATER RIGHTS ADMINISTRATION
222 N. CENTRAL AVE - SUITE 550
PHOENIX, ARIZONA 85004

RECEIPT - ORIGINAL

KIND ENTRY	FILE REFERENCE NO.
39	003701
	THRU
39	003795 <i>encl</i>

No 3249

ACCOUNT NO.				INT. ACCT.	ITEM DESCRIPTION	RATE	\$ AMOUNT
FUND SOURCE	AGENCY	CHAPTER	DIV.				
14	432	36		95	Adjudication Filing Fee (SNPD)	20.00	1,900.00
PAID							
					WRITER PAYMENT QUESTS 95 CHK NO 4676 958 20.00 39 SN PD 1900.00 TAX 0.00 TOTL 1900.00 ADJ. CHEK 1900.00		
DATE 6/6/80 WJH Check #4676							
TOTAL						\$	19,200.00 15:35-

6/6/80

Docket Information

Number of Documents in Docket 41

Documents Dated from 1/1/1976 to 3/9/2004

Docket Compiled: 3/14/2012