WATER-RIGHT DOCKET

Saguaro National Park

Docket No: 7

GENEMATA WELL

State Water Rights Documentation

10-28-1987: statement of claimant form for domestic use: upper santa cruz river watershed

RECEIVED NOV 2 1987 DEPT. OF WATER RESOURCES

For Departmental Use Only

File No. 39- 78813

Date Filed: 11-2-87

WFN

STATEMENT OF CLAIMANT FORM

FOR

DOMESTIC USE

UPPER SANTA CRUZ RIVER WATERSHED

SUPERIOR COURT OF MARICOPA COUNTY

1. **Claimant Name:** United States of America, National Park Service (Saguaro NM)
   Claimant Address: Western Regional Office, P.O. Box 36063 City ~~San Francisco~~ 450 Golden Gate Avenue
   State: California Zip Code 94102 Telephone (415) 556-8660

2. **Basis of Claim:**
   A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No.____
   B. ☐ Appropriation Right acquired after June 12, 1919. Application No.____, Permit No.____, or Certificate of Water Right No.____
   C. ☐ Decreed water right. Principal litigants, court, date and case no.:____
   D. ☒ Right to withdraw groundwater.
   E. ☐ Other, describe:____

3. **Claimed Priority Date:** 10/16/1968 (month/day/year)

4. **Source of Water:**
   A. ☐ Stream: name____, tributary to____
   B. ☐ Spring: name____, tributary to____
   C. ☐ Lake or Reservoir: name____, tributary to____
   D. ☒ Groundwater

5. A. **Legal description of the Point of Diversion:**
   County Pima, Section 15, Township 14 S, Range 16 E
   Legal Subdivision:
   NW ¼, SW ¼, NE ¼ of the Section

   B. **Legal Description of Place of Use:** (one of the following)
   County Pima, Section ____, Township ____ N/S, Range ____ E/W
   ____ ¼, ____ ¼, ____ ¼ of the Section, or
   Parcel I.D. ____, or
   Subdivision Name ____ Block No. ____ Lot No. ____

6. If there are Irrigation, Stockpond or Other Uses supplied from the point of diversion, describe:____

7. Means of Diversion:
   A. ☐ Instream pump.
   B. ☐ Gravity flow into ditch, canal or pipeline.
   C. ☒ Well: Arizona Department of Water Resources Well Registration No. 55- 629103 Genemata Well
   D. ☐ Other, describe____

8. **Number** of persons see below or dwellings _____ served by this use.

9. **Annual Volume Claimed:** n/a acre-feet

10. **It may** be necessary for a representative from the Department of Water Resources to inspect the place of use and diversion. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant _____

11. **Should** it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? Work days (415) 556-1036

12. **Additional comments:** Serves as a backup well.

(attach additional sheet if required)

13. **Attach Filing Fee to Form.** Mail form(s) and fee(s) to: Department of Water Resources, P.O. Box 2920, Phoenix, AZ 85062.

14. **Notarized Statement:**
I (We), John D. Cherry, on behalf of the United States of America, the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my(our) knowledge and belief true, correct and complete.

OFFICIAL SEAL
MARY E MEREDITH
NOTARY PUBLIC - CALIFORNIA
SAN FRANCISCO COUNTY
My comm. expires MAR 26, 1989

(seal)

10/28/87

Subscribed and sworn to before me this 28th day of October, 1987.
Witness my hand and official seal.

Mary E. Meredith
Mary E. Meredith Notary Public

My Commission Expires:
March 26, 1989

or,
Authorized Personnel of the Department of Water Resources

filed 11/2/87

SUPERIOR COURT OF MARICOPA COUNTY, ARIZONA

IN THE MATTER OF THE APPLICATION OF THE UNITED STATES OF AMERICA FOR RESERVED AND APPROPRIATED WATER RIGHTS IN THE UPPER SANTA CRUZ RIVER GENERAL ADJUDICATION.

I. Name and address of Applicant:

United States of America
c/o National Park Service
Western Regional Office
P.O. Box 36063
450 Golden Gate Avenue
San Francisco, CA 94102

II. The United States of America hereby claims water rights in those portions of the National Monuments described below which are encompassed by this adjudication. The United States claims reserved rights under the legislation which designates or enlarges the areas known as Saguaro National Monument and Tumacacori National Monument. The United States further claims additional water rights under state law for whatever purposes might have been added by the designation of portions of Saguaro National Monument as wilderness areas.

A. Saguaro National Monument.

1. Reserved Water Rights. (See Exhibits SAGU #1a and #1b.)

a. Purpose. To secure favorable conditions of water flow; to preserve objects of scientific interest; to secure the benefits of wilderness; and to provide for the administration of and visitation to the monument. (Exhibits SAGU #2, #3, #4, #5, and #6.)

b. Sources. All surface and ground water sources including rivers, perennial and intermittent streams, springs, seeps, lakes, pools, tinajas, confined and unconfined aquifers and other natural sources of water on and under lands reserved from the public domain.

c. Locations of Current Diversions and Uses on Reserved Land.

1) Legal description of the current points of diversion

a) Kenner Well -- NW 1/4 SW 1/4 SW 1/4, Section 4, T 15S, R 16E, G&SRB&M.

b) Manning Camp Spring -- NE 1/4 SE 1/4 SE 1/4, Section 30, T 14S, R 17E, G&SRB&M.

c) Madrona Pack Base Well -- NW 1/4 SW 1/4 SE 1/4, Section 4, T 15S, R 17E, G&SRB&M (Registration No. 55-629099).

d) Tucson Mountain Park Well -- SW 1/4 SW 1/4 SW 1/4, Section 34, T 13S, R 11E, G&SRB&M (Registration No. 55-629094).

e) North Slope-Section 25 Well -- NE 1/4 SE 1/4 NW 1/4, Section 25, T 13S, R 11E, G&SRB&M (Registration No. 55-629097).

f) Pictured Rocks Road-Section 7 Well -- NE 1/4 SE 1/4 NW 1/4, Section 7, T 13S, R 12E, G&SRB&M (Registration No. 55-629096).

2) Legal description of the current places of use. The legal descriptions listed in II.A.1.c.1) represent the places of use for the listed points of diversion.

3) Current purposes of use. The current purposes of use are those identified in II.A.1.a. above.

4) Water requirements. See II.A.1.e. below.

d. Dates of Priority. (See Exhibits SAGU #1a and #1b.) July 19, 1907, for lands reserved by Presidential Proclamation No. 27 (Exhibit SAGU #2); April 29, 1929, for lands reserved by Recreational Withdrawal No. 21 (Exhibits SAGU #7 and #8); March 1, 1933, for lands reserved by Presidential Proclamation No. 2032 (Exhibit SAGU #3); November 15, 1961, for lands reserved by Presidential Proclamation No. 3439 (Exhibit SAGU #9); October 20, 1976, for lands reserved by the Act of that date (Exhibit SAGU #6); and October 21, 1976, for lands reserved by the Act of that date (Exhibit SAGU #10).

e. Amount of Water Claimed:

1) Surface and ground water (non-consumptive). The United States of America claims, except as provided in subparagraphs 2) and 3) below, the right to that minimum amount of surface and ground water occurring on and under those portions of Saguaro National Monument reserved from the public domain which is necessary to fulfill the purposes described in II.A.1.a. above as follows. The government will (a) at the time of proof present evidence relating to the minimum amount of water necessary to fulfill such purposes, or (b) in the event recognized under state law, seek a decree of an unquantified reserved right, permitting a general right to enjoin users of a junior priority that may adversely affect or injure the purposes of the reservation, or to enjoin users as otherwise permitted under state law.

2) Quantifiable present and future administrative uses (consumptive). The United States of America claims the right to divert and use 19 AF/annum from surface and ground water sources for picnic areas, visitor centers, concessions and other visitor-use areas; park administration facilities, shop, maintenance and storage facilities, ranger stations, entrance stations, visitor contact stations, employee residences, and attendant facilities; lawns surrounding park buildings and structures and other public-use areas to offset heavy human impact; construction of roads and trails; revegetation activities; and waste water treatment facilities.

3) Non-quantifiable present and future administrative uses (consumptive). The United States of America claims the right to use non-quantifiable amounts of water for controlling and suppressing wildfire and structural fires.

2. Appropriative Water Rights. The United States of America claims water rights under Arizona state law for beneficial purposes in Saguaro National Monument as follows (see certificates attached).

a. Red Hills Section 36 Well -- Registration No. 55-629095.

b. Lockyer Well -- Registration No. 55-629098.

c. CCC Well -- Registration No. 55-629100.

d. Freeman Drilled Well -- Registration No. 55-629101.

e. Freeman Dug Well -- Registration No. 55-629102.

f. Genemata Well -- Registration No. 55-629103.

g. Old Superintendent's Well -- Registration No. 55-629104.

h. Baker Well #2 (Headquarters Supply Well) -- Registration No. 55-629105.

i. Headquarters Well No. 2 -- Registration No. 55-629106.

j. Greene Well -- Registration No. 55-629107.

B. Tumacacori National Monument.

1. Appropriative Water Rights. The United States of America claims water rights under Arizona state law for beneficial purposes in Tumacacori National Monument as follows (see certificates attached).

a. Well No. 1 -- Registration No. 55-629109.

b. Well No. 2 (Headquarters Well) -- Registration No. 55-629110.

c. Well No. 3 -- Registration No. 55-629111.

III. Notarized Statement.

I, Patrick Barry, on behalf of the United States of America, National Park Service, the claimant named in this claim, do hereby certify under penalty of perjury, that I have read the information contained and statements made herein and to the best of my knowledge and belief they are true, correct and complete.

Patrick Barry
PATRICK BARRY
Attorney, Department of Justice

Subscribed and sworn to before me this 2nd day of November, 1987.

Janet M. Jones
Notary Public

My Commission Expires:

11-12-87

06-03-1982: registration of existing wells

Declaration: The United States gives this notification to the State in the interest of comity, and does not concede that the State has power to regulate the rights of the United States to the use of water.

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

REGISTRATION OF EXISTING WELLS

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

RECEIVED JUN 9 1982 DEPT. OF WATER RESOURCES

09

FOR OFFICE USE ONLY
REGISTRATION NO. 55- 629103
FILE NO. D(14-16)15 ab
FILED 6-9-82 (DATE) AT 1:30 (TIME)
INA —
AMA TSN

REGISTRATION FEE (CHECK ONE)
EXEMPT WELL (NO CHARGE) [X]
NON-EXEMPT WELL — $10.00 [ ]

1. Name of Registrant:
National Park Service, Western Region, Water Resources Division
450 Golden Gate Avenue, Box 36063 (Address) San Francisco, (City) CA (State) 94102 (Zip)

2. File and/or Control Number under previous groundwater law:
_____ (File Number) 35- _____ (Control Number)

3. a. The well is located within the NW ¼ SW ¼ NE ¼, Section 15, of Township 14 S N/S, Range 16 E E/W, G & SRB & M, in the County of Pima.
b. If in a subdivision: Name of subdivision _____, Lot No. _____, Address _____.

4. The principal use(s) of water (Examples: irrigation - stockwater - domestic - municipal - industrial)
Unused.

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 [XX]
_____ (Address) (City) (State) (Zip)

7. Well data (If data not available, write N/A)
a. Depth of Well 19.5 * feet
b. Diameter of casing none inches
c. Depth of casing none feet
d. Type of casing none.
e. Maximum pump capacity N/A gallons per minute.
f. Depth to water 17.5 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 [ ].
____¼ ____¼ ____¼, Section ____ Township ____ Range ____
____¼ ____¼ ____¼, Section ____ Township ____ Range ____
Saguaro National Monument (Rincon Mountain Unit) - Genemata Well
Attach additional sheet if necessary.

9. DATE JUN 3 1982 SIGNATURE OF REGISTRANT (Sgd) Gerard S. Witucki
~~GERARD S. WITUCKI~~
CHIEF, DIVISION OF WATER RESOURCES

acquired 10/16/1968

* Timbers at bottom of well may have prevented a true sounding -- original depth of well not known.

CHANGE OF WELL INFORMATION

Registration Number 55 629103

I request the following information be changed in Well File Number D(14-16)15ccb

_____

_____

_____

_____

_____

_____

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 _____, _____¼ _____¼ _____¼

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.

Other Supporting Information

06-04-1982: letter to director; department of water resources from regional director regarding completed well registration forms for

RMR

United States Department of the Interior

NATIONAL PARK SERVICE
WESTERN REGION
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:

JUN 9 '82

Rocky Mountain Regional Office	Initial & Date
Regional Director	6/10
Deputy Regional Director	
Administration	
Park Operations	ML
Plan & Resource Pres.	
Coop Prog	
Communications & P.A.	
EEO	
Oper Eval	
Action Taken	

L54 (WR-RNW)

June 4, 1982

Mr. Wesley E. Steiner, Director
Department of Water Resources
99 E. Virginia Avenue
Phoenix, Arizona 85004

Reference: Arizona Groundwater Management Act (1980), A.R.S. 45-593

Dear Mr. Steiner:

Enclosed are the completed well registration forms for existing wells within the State of Arizona owned by the United States Government, Department of the Interior, National Park Service, Western Region. These forms have been completed for the following areas: Casa Grande National Monument (1 well), Chiricahua National Monument (8 wells), Coronado National Memorial (6 wells), Fort Bowie National Historic Site (1 well), Grand Canyon National Park (no wells), Lake Mead National Recreation Area (14 wells), Montezuma Castle National Monument (3 wells), Organ Pipe Cactus National Monument (21 wells), Petrified Forest National Park (3 wells), Saguaro National Monument (14 wells), Tonto National Monument (1 well), Tumacacori National Monument (3 wells), Tuzigoot National Monument (1 well), and Walnut Canyon National Monument (1 well). The location of these National Park Service areas are shown on the enclosed map (in red).

Of the total 77 wells being registered, 12 wells have a pump capacity exceeding 35 gallons per minute and therefore payment in the amount of $120.00 ($10.00 X 12) will be forwarded to your office by the U.S. Treasury Department under separate cover as the registration fee for these non-exempt wells.

If there are any questions with regards to this matter, or if we can be of further assistance, please contact Gerard S. Witucki, Chief, Division of Water Resources, (415) 556-8660, of this Office.

Sincerely yours,

FOR (Sgd) John B. Cherry

Howard H. Chapman
Regional Director, Western Region

Enclosures

See attached sheet for bcc's

06-04-1982: letter to director; department of water resources from regional director regarding completed well registration forms for

bcc's sent to:

Superintendent, Casa Grande, w/respective encls., w/blank form & w/o map
Superintendent, Chiricahua/Fort Bowie, w/respective encls., w/blank form & w/o map
Superintendent, Coronado, w/respective encls., w/blank form & w/o map
Superintendent, Grand Canyon, w/o encls.
Superintendent, Lake Mead, w/respective encls., w/blank form & w/o map
Superintendent, Montezuma Castle/Tuzigoot, w/respective encls., w/blank form & w/o map
Superintendent, Organ Pipe Cactus, w/respective encls., w/blank form & w/o map
Superintendent, Petrified Forest, w/respective encls., w/blank form & w/o map
Superintendent, Saguaro, w/respective encls., w/blank form & w/o map
Superintendent, Tonto, w/respective encls., w/blank form & w/o map
Superintendent, Tumacacori, w/respective encls., w/blank form & w/o map
Superintendent, Walnut Canyon, w/respective encls., w/blank form & w/o map
General Superintendent, Southern Arizona Group, w/respective encls., w/blank form & w/o map
Field Solicitor, San Francisco Office - Attn: J. Burke, w/encls. & w/blank form
Field Solicitor, Phoenix Office - Attn: W. Swan, w/map, w/blank form & w/example of completed form
Regional Director, Rocky Mountain Region - Attn: W. McKeel, w/map, w/blank form & w/example of completed form
Regional Director, Southwest Region - Attn: G. Moore, w/map, w/blank form & w/example of completed form
(WR)AF, w/SF 1034, w/o encls.

United States Department of the Interior

NATIONAL PARK SERVICE

WESTERN REGION

450 GOLDEN GATE AVENUE, BOX 36063

SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:

L54 (RNW)

April 20, 1982

Memorandum

To: All Superintendents, Arizona Areas, Western Region

From: ACTING Regional Director, Western Region

Subject: Arizona Groundwater Management Act, required filings

In compliance with the Arizona Groundwater Management Act of 1980, we are required to register all existing wells within the State on or before June 12, 1982, see enclosure.

The Field Solicitor's Office has advised us that registration of existing wells on National Park Service lands should be made either as a matter of comity, in the case of Federal reserved water rights, or as a matter of compliance with Arizona State law, in the case of Federal non-reserved water rights.

The Division of Water Resources has begun to compile the necessary information for the filings, and in the process may be contacting your offices for further information. They will submit this material to the State.

Information which you feel the Division of Water Resources may not have, concerning recently changed well conditions, pump capacities, etc., should be relayed as soon as possible to the Division of Water Resources at 556-8660.

If you have any questions concerning the well registration requirements, please do not hesitate to contact Mr. Witucki and his staff.

W. Lowell White

Enclosure

cc:
General Superintendent, SOAR

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
SAN FRANCISCO FIELD OFFICE
450 GOLDEN GATE AVENUE, BOX 36064
SAN FRANCISCO, CALIFORNIA 94102

April 9, 1982

Memorandum

To: Regional Director, Western Region, National Park Service

From: Field Solicitor, San Francisco

Subject: Arizona Groundwater Management Act; Required Filings

This memorandum is a follow-up to several conversations which our office has had with members of your Water Resources Division on compliance with Arizona's Groundwater Management Act (1980). This act requires, inter alia, that all existing wells be registered with the State on or before June 12, 1982. ARS 45-593. While there is a legitimate question as to whether or not this provision applies to wells on Federal lands, the Department has taken the position that as a matter of comity, it will file notices of Federal reserved water rights with appropriate state agencies. See memorandum dated February 29, 1980, from Deputy Solicitor to Assistant Secretaries, Fish and Wildlife and Parks, and Land and Water Resources, "Guidance from the Department of Justice on Water Rights Filings." For Federal non-reserved water rights, the Department has taken the position that there is insufficient legal basis for the assertion of these rights and that State water law, both substantive and procedural, must be followed for claiming or asserting this type of water right. See memorandum dated September 11, 1981, from Solicitor to Secretary, "Non-Reserved Water Rights -- United States Compliance with State Law."

The consequence of the foregoing memoranda is that registration of existing wells on NPS lands should be made with the State before the June 1982 deadline either as a matter of comity or as a matter of procedural and substantive compliance with Arizona State law.

If our office can be of assistance in this matter, please do not hesitate to contact us.

Ralph G. Mihan
Field Solicitor

John W. Burke, III
For the Field Solicitor

01-04-1982: letter to well owner from department of water resources regarding new groundwater management act requires that all

State of Arizona

DEPARTMENT OF WATER RESOURCES

99 E. Virginia Avenue, Phoenix, Arizona 85004

RECEIVED
BLM SOUTHWEST REGIONAL OFFICE
JAN 25 1982

BRUCE BABBITT, Governor
WESLEY E. STEINER, Director

January 4, 1982

Dear Well Owner:

Arizona's new Groundwater Management Act requires that all existing wells, regardless of size, be registered with the Department of Water Resources by June 14, 1982. An existing well is one that was drilled prior to June 12, 1980, and which has not been abandoned or sealed. Included are wells which were not completed by June 12, 1980, even though a Notice of Intent to Drill was filed with the Department.

For your convenience, enclosed are the registration forms and the information from your well file. If the information is still correct, simply transfer it to the new form. If the information needs to be updated, please do so on these forms. Be sure to file all forms in duplicate so we can return one copy to you.

There is no fee to register "exempt" wells with a pump capacity not exceeding 35 gallons per minute. "Non-exempt" wells, those with a pump capacity greater than 35 gallons per minute, cost $10 each to register.

If you own additional wells for which we did not provide data, we probably do not have those wells in our records, or they are filed under another name. In the event you no longer own the well, please forward this information to the new owner.

If you have any questions about well registration, feel free to call us at 255-1546. The toll free number in Arizona is 1-800-352-5464.

Thank you for your cooperation.

Sincerely,

W. Don Maughan
Deputy Director

WDM/CLL/
Enclosure

Think Conservation!

Office of Director 255-1554
Administration 255-1550, Water Resources and Flood Control Planning 255-1566, Dam Safety 255-1541, Flood Warning Office 255-1548, Water Rights Administration 255-1581, Hydrology 255-1586.

D5039 SWL

Docket Information

Number of Documents in Docket 13

Documents Dated from 1/4/1982 to 11/2/1987

Docket Compiled: 6/16/2011