



# WATER-RIGHT DOCKET

## Coronado National Memorial

Docket No: 15

### MONTEZUMA RANCH STOCKPOND

#### Preliminary Docket Information

05-07-2003: Coronado National Memorial 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Modified by Alberti April 5, 2002; Modified by Hansen Dec. 20, 2002 and May 7, 2003 (Yellow indicates claims to be withdrawn)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.

| Doc No. | WaterSource/Name                    | San Pedro SOC No. | Date SOC 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 12 (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                | NW/4SW/4 17 (24S21E)                        | State         | 1943       | 3/20/80      | 86         | 6        | 56   | 35       | P, WL, F     |
| 05      | Baumkirchner Well #3                | 39-11130F         | 1/4/82         | 55-629137      | BCB                | NW/4SW/4 17 (24S21E)                        | State         | 1932       | 3/20/80      | 124        | 6        | 52   | 35       | P, WL, F     |
| 06      | Brown Allot. Well (aka Coronado #4) | 39-11130B         | 1/4/82         | 55-642742      | CDB                | NW/4SW/4 8 (24S21E)                         | Federal       | 1946       | 11/10/78     | 115        | 6        | 85   | 4        | P, S, WL, F  |
| 07      | Forest Service Well                 | 39-11130C         | 1/4/82         | 55-63159       | CDD                | SENESE 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      | ACB                | Chg to NW/4SENE                             | Federal       | ?          | 9/2/60       | 140.6      | 5        | 43.4 | --       | P, WL, F     |
| 09      | Headquarters Well                   | 39-008265         | 12/29/81       | 55-642701      | BAD                | SENESE 11 (24S20E)                          | State         | ?          | 11/10/78     | 0          | 0        | 0    | 0        | W/draw       |
| 10      | Sparks Well #1                      | 39-11130G         | 1/4/82         | 55-63156       | BCC                | SW/4SW/4 18 (24S21E)                        | Federal       | 5/6/59     | 9/2/60       | 98         | 8        | 44   | 35       | P, WL, F     |
| 11      | Sparks Well #2                      | 39-1113636        | 4/3/89         | 55-629658      | BBC                | SW/4SW/4 13 (24S20E)                        | State         | 11/1941    | 1941         | 28         | 5 ft     | 14   | 15       | P, WL, F     |
| 12      | Zaleski Well                        | 39-1113637        | 4/3/89         | 55-629659      | BBC                | SW/4SW/4 13 (24S20E)                        | State         | 1890       | 1890         | 365        | 6 ft     | 80   | 0        | W/draw       |
| 13      | Federal Reserved                    | 39-11130D         | 1/4/82         | No 55 Form     | BCB                | NW/4SW/4 17 (24S21E)                        | State         | ?          | 3/20/80      | ?          | ?        | ?    | ?        | W/draw       |
| 14      | Water Rights                        | 39-11130          | 1/4/82         | Summary        |                    | Park Wide                                   | Federal       | --         | Many         | --         | --       | --   | --       | 10 AF        |
| 15      | Montez. Ranch Well SX5              | 39-004344         | 6/13/80        | 38-0064702     | ACB                | NW/4SW/4 17 (24S21E)                        | State         | 2/28/77    | 2/29/8**     | --         | --       | --   | --       | WL, F        |
| 16      | Montez. Ranch Well ACB1             | 39-004343A        | 6/13/80        | 55-649476      | ACB                | NW/4SW/4 17 (24S21E)                        | State         | 10/20/75   | 2/29/8**     | 320        | 6        | 147  | 25       | P, WL, F     |
| 17      | Montez. Ranch Well SX6              | 39-004343B        | 6/13/80        | 55-084460      | ACB                | NW/4SW/4 17 (24S21E)                        | State         | 6/16/80    | 2/29/8**     | 300        | 6        | 150  | 7        | P, WL, F     |
| 18      | Montez. Ranch Well ADC1             | 39-004343C        | 6/13/80        | 55-649477      | ACB                | NW/4SW/4 17 (24S21E)                        | State         | 6/30/80    | 2/29/8**     | 300        | 3        | 150  | 6        | P, WL, F     |
| 19      | Montez. Ranch Well X1               | 39-004343         | 6/13/80        | 55-649479      | ADC                | SW/4SENE 17 (24S21E)                        | State         | 6/30/80    | 2/29/8**     | 320        | 6        | 160  | 25       | Dry - W/draw |
| 20      | Montez. Ranch Well SX3              | 39-004343D        | 6/13/80        | 55-649478      | ACB                | NW/4SW/4 17 (24S21E)                        | State         | 6/30/80    | 2/29/8**     | 300        | 6        | 150  | 6        | Dry - W/draw |
| 21      | Montez. Ranch Well SX1              | 39-004343E        | 6/13/80        | 55-507449      | ACB                | NW/4SW/4 17 (24S21E)                        | State         | 10/16/84   | 2/29/8**     | 320        | 6        | 235  | 15       | P, WL, F     |
| 22      | Montez. Ranch Well ACB2             | 39-004343F        | 6/13/80        | 55-507448      | ACB                | NW/4SW/4 17 (24S21E)                        | State         | 10/18/84   | 2/29/8**     | 300        | 6        | 216  | 8        | P, WL, F     |
| 23      | Montez. Ranch Well X2               | 39-004343G        | 6/13/80        | 55-507450      | ACB                | NW/4SW/4 17 (24S21E)                        | State         | 10/23/84   | 2/29/8**     | 340        | 6        | 235  | 12       | P, WL, F     |
| 24      | Montez. Ranch Well ACB1             | 39-004343H        | 6/13/80        | 55-509097      | ACB                | NW/4SW/4 17 (24S21E)                        | State         | 11/6/84    | 2/29/8**     | 340        | 6        | 235  | 35       | P, WL, F     |
| 25      | Montez. Ranch Well ACA2             | 39-004343I        | 6/13/80        | 55-509096      | ACB                | SW/4SW/4 17 (24S21E)                        | State         | 2/29/85    | 2/29/8**     | 310        | 6        | 235  | 25       | P, WL, F     |
| 26      | Montez. Ranch Well ACA3             | 39-004343J        | 6/13/80        | 55-509095      | ACB                | SW/4SW/4 17 (24S21E)                        | State         | 3/27/85    | 2/29/8**     | 340        | 6        | 250  | 30       | P, WL, F     |
| 27      | Montez. Ranch Well ACA1             | 39-004343K        | 6/13/80        | 55-510144      | ACA                | SW/4SW/4 17 (24S21E)                        | State         | 3/27/85    | 2/29/8**     | 340        | 6        | 246  | --       | P, WL, F     |
| 28      | Montez. Ranch Well ACA4             | 39-004343L        | 6/13/80        | 55-510143      | ACA                | SW/4SW/4 17 (24S21E)                        | State         | 3/28/85    | 2/29/8**     | 340        | 6        | 250  | --       | P, WL, F     |
| 30      | Montez. Ranch Well ACA4             | 39-004343M        | 6/13/80        | 55-510145      | ACA                | SW/4SW/4 17 (24S21E)                        | State         | 4/3/85     | 2/29/8**     | 340        | 8        | 250  | --       | P, WL, F     |

\*\* - Assumes wells on Tract 101-41; SOC - Statement of Claimant; State Registration No. - 33, 36, and 38 forms for surface waters, 35 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.

#### Notes to File and Action Items

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 - SW/4SW/4 to DBD - SENESE per Alberti email dated Feb 26, 2003.

Dockets 4 and 5 - Well registrations 55-633157 and 55-633158 were withdrawn 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 withdrawn 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 withdrawn 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 withdrawn 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 withdraw 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  
and W1-11-1132**

13 ORDER AND PARTIAL DECREE OF  
STIPULATED WATER RIGHTS IN THE  
14 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 - 0015



## 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 Pettee  
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.

| STATEMENT OF CLAIMANT FORM<br>FOR<br><b>OTHER USES<sup>1</sup></b><br>SAN PEDRO RIVER WATERSHED<br>SUPERIOR COURT OF MARICOPA COUNTY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  | For Departmental Use Only                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------|
| <b>1. Claimant Name:</b> <u>USA - National Park Service - Coronado National Memorial</u><br><b>Claimant Address:</b> <u>1201 Oakridge Drive, Suite 250</u> City <u>Fort Collins</u><br>State: <u>CO</u> Zip Code <u>80525</u> Telephone <u>(970) 225-3505</u>                                                                                                                                                                                                                                                                                                                                                                                   |  | File No. 39- _____<br>Date Filed: _____<br>WFN _____ |
| <b>2. Basis of Claim:</b><br>A. <input type="checkbox"/> Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____<br>B. <input type="checkbox"/> Appropriation Right acquired after June 12, 1919. Application No. _____, Permit No. _____, or Certificate of Water Right No. _____<br>C. <input type="checkbox"/> Decreed water right. Principal litigants, court, date and case no. _____<br>D. <input type="checkbox"/> Right to withdraw groundwater. Grandfathered Right No. _____<br>E. <input checked="" type="checkbox"/> Other, describe: <u>Stockpond - 38-64702; SOC 39-004344</u> |  |                                                      |
| <b>3. Claimed Priority Date:</b> ____/____/____ (month/day/year)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                      |
| <b>4. Use:</b><br>A. <input type="checkbox"/> Municipal<br>B. <input type="checkbox"/> Commercial or Industrial<br>C. <input type="checkbox"/> Mining<br>D. <input type="checkbox"/> Stockwatering other than from a stockpond<br>E. <input type="checkbox"/> Recreation, Fish & Wildlife<br>F. <input checked="" type="checkbox"/> Other, describe: <u>See Comments Section 15</u>                                                                                                                                                                                                                                                             |  |                                                      |
| <b>5. Source of Water:</b><br>A. <input type="checkbox"/> Stream: name _____, tributary to _____<br>B. <input type="checkbox"/> Spring: name _____, tributary to _____<br>C. <input type="checkbox"/> Lake or Reservoir: name _____, tributary to _____<br>D. <input type="checkbox"/> Groundwater.                                                                                                                                                                                                                                                                                                                                             |  |                                                      |
| <b>6. Legal description of the Point of Diversion:</b> (attach additional sheet if required)<br>____ 1/4, ____ 1/4, ____ 1/4, Section _____, Township _____ N/S, Range _____ E/W                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                      |
| <b>7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe:</b> _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |                                                      |
| <b>8. Means of Diversion:</b><br>A. <input type="checkbox"/> Instream pump.<br>B. <input type="checkbox"/> Gravity flow into a ditch, canal or pipeline.<br>C. <input type="checkbox"/> Well: Arizona Department of Water Resources Well Registration No. 55-_____<br>D. <input type="checkbox"/> Other, describe: _____                                                                                                                                                                                                                                                                                                                        |  |                                                      |
| <sup>1</sup> See Instructions for explanation of uses in this category                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                                                      |

**9. Means of Conveyance:**

- A. ☐ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: \_\_\_\_\_
- B. ☐ Other, describe: \_\_\_\_\_

**10. Place of Use, If other than point of diversion: (attach additional sheet if required)**

County \_\_\_\_\_

|                   |         |           |           |
|-------------------|---------|-----------|-----------|
| Legal Subdivision | Section | Township  | Range     |
| _____             | _____   | _____ N/S | _____ E/W |
| _____             | _____   | _____ N/S | _____ E/W |

**11. Claimed Right:**

- A. Maximum Flow Rate: \_\_\_\_\_ ☐ cubic-feet per second  
☐ gallons per minute  
☐ Arizona miner's inches
- B. Annual Volume of Water Use: 1.0 acre-feet
- C. Storage Right: 1.0 acre-feet See Comments Section 15

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s) place(s) of use and means of conveyance.

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

14. 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? \_\_\_\_\_

15. Additional comments: Amend use from stockwater to wildlife and fire suppression.  
Amend maximum storage capacity from 15 acre-feet to 1.0 acre-feet and annual  
volume of use from 30-40 acre-feet to 1.0 acre-foot.

(attach additional sheet if required)

16. Attach Filing Fee to Form. Mail form(s) and filing fee(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

**17. Notarized Statement:**

I (We), Charles W. Pettee  
the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made hereon are true to the best of my (our) knowledge and belief true, correct and complete.

(seal)



My Commission Expires  
**Flora B. Romero, Notary Public**  
State of Colorado  
My Commission Expires 7/31/2006

State of \_\_\_\_\_ County of \_\_\_\_\_  
Signed before me on this 15th day  
of May 2003 by \_\_\_\_\_

Notary Public  
Flora B. Romero  
Notary Public

or, \_\_\_\_\_  
Authorized Personnel of the Department of Water Resources

THOMAS L. SANSONETTI  
Assistant Attorney General  
Environment and Natural Resources Division

R. LEE LEININGER  
Trial Attorney  
United States Department of Justice  
Environment & Natural Resources Division  
General Litigation Section  
999 18th St. Suite 945  
Denver, CO 80202  
Phone: (303) 312-7322  
Fax: (303) 312-7379

Attorney for the United States of America

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

|                                  |   |                        |
|----------------------------------|---|------------------------|
| IN RE: THE GENERAL ADJUDICATION  | ) | CONTESTED CASES        |
| OF ALL RIGHTS TO USE WATER IN    | ) | W1-11-556 & W1-11-1132 |
| THE GILA RIVER SYSTEM AND SOURCE | ) | STIPULATION            |

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CONTESTED CASE NAMES: *In re Coronado National Memorial*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: Stipulation to Entry of A Decree for Wells  
and a Stockpond Located in the Coronado National Memorial.

STATEMENT OF CLAIMANT NUMBERS: United States - 39-11130(B), 39-11130(C), 39-11130(E), 39-11130(F), 39-11130(G), and 39-13636,; Richard B. Richards (assigned to United States and subsequently amended) - 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-4344.

NUMBER OF PAGES: 34

DATE OF FILING: Original mailed to the Clerk of Court on May 1, 2003

Claimant United States of America and the Objectors

Gila River Indian Community, Salt River Valley Water Users'  
Association and Salt River Project Agricultural Improvement and  
Power District, San Carlos Apache Tribe, Tonto Apache Tribe,

Stipulation  
Civil Nos. W1-11-556 & W1-11-1132

Yavapai Apache Tribe, City of Phoenix, ASARCO Incorporated, Phelps Dodge Corporation, and BHP Copper Co., by and through their undersigned attorneys stipulate and agree as follows:

1. Claim Nos. 39-11130(B), 39-11130(C), 39-11130(E), 39-11130(F), 39-11130(G), 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), and 39-4343(M) are claims to wells located within Coronado National Memorial. Abstracts setting forth the elements of each of these claims are set forth in Appendices 1 through 21 attached hereto and incorporated herein by reference. The parties hereto stipulate and agree to entry of a decree for these claims on the terms set forth in the attached abstracts. The National Park Service reserves the right to challenge and/or appeal the imposition by ADWR or a court of competent jurisdiction of attributes less favorable to the National Park Service than those set forth in the attached abstracts. The other signatories reserve the right to challenge and/or appeal the imposition by ADWR or a court of competent jurisdiction of attributes more favorable to the National Park Service than those set forth in the attached abstracts.

2. Claim No. 39-4344 is a claim to a stockpond located within Coronado National Memorial. An abstract setting forth the elements of this claim is set forth in Appendix 21 attached hereto and incorporated herein by reference. The parties hereto stipulate and agree to entry of a decree for this claim on the

terms set forth in the attached abstract. The National Park Service reserves the right to challenge and/or appeal the imposition by ADWR or a court of competent jurisdiction of attributes less favorable to the National Park Service than those set forth in the attached abstract. The other signatories reserve the right to challenge and/or appeal the imposition by ADWR or a court of competent jurisdiction of attributes more favorable to the National Park Service than those set forth in the attached abstract.

3. The National Park Service filed Claim Nos. 39-11130(H) (Forest Service Well), 39-08265 (Hazel Well), 39-13637 (Sparks #2 Well), and 39-11130(D) (Zaleski Well) for Coronado National Memorial. These wells are no longer in use. The United States agrees to submit a letter to the Arizona Department of Water Resources withdrawing these claims 60 days after the approval of this Stipulation by the Decree Court.

4. This Stipulation is the result of negotiation. None of the legal issues regarding the bases or attributes of the water rights involved in this matter have been briefed or tried. The parties agree that this stipulation shall have no precedential effect in this or any other pending or future general stream adjudication or case.

5. The parties agree to bear their own costs and attorneys' fees in connection with this matter.

In witness whereof, the parties have executed this  
Stipulation as of the dates written below.

Date: May 1, 2003

UNITED STATES OF AMERICA

BY:

  
Dee Leininger  
Attorney  
U.S. Department of Justice  
Environment and Natural  
Resources Division  
999 18th Street, Suite 945  
Denver, CO 80202  
(303) 312-7322  
ATTORNEY FOR THE UNITED STATES  
OF AMERICA

Date: \_\_\_\_\_

SALT RIVER VALLEY WATER USERS'  
ASSOCIATION AND SALT RIVER PROJECT  
AGRICULTURAL IMPROVEMENT AND POWER  
DISTRICT

BY:

  
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ATTORNEYS FOR SALT RIVER  
VALLEY WATER USERS'  
ASSOCIATION AND SALT RIVER  
PROJECT AGRICULTURAL  
IMPROVEMENT AND POWER DISTRICT

Date: \_\_\_\_\_

SAN CARLOS APACHE TRIBE, TONTO  
APACHE TRIBE, AND YAVAPAI APACHE  
TRIBE

BY: Joe Sparks by John Ryley  
JOE SPARKS  
Sparks, Tehan & Ryley, P.C.  
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TRIBE, AND YAVAPAI APACHE  
TRIBE

Date: 2-3-03

PHELPS DODGE CORPORATION

BY:

  
CYNTHIA M. CHANDLEY  
Ryley, Carlock & Applewhite  
One North Central Avenue  
Suite 1200  
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ATTORNEYS FOR PHELPS DODGE  
CORPORATION

Date: 4/15/03

BHP COPPER CO.

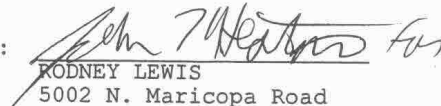
BY: Carla Consoli

CARLA CONSOLI  
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2 North Central Avenue  
Suite 2200  
Phoenix, AZ 85004  
ATTORNEYS FOR BHP COPPER CO.

Date: 12/31/02

GILA RIVER INDIAN COMMUNITY

BY:

  
RODNEY LEWIS  
5002 N. Maricopa Road  
Box 5090  
Chandler, AZ 85226  
ATTORNEY FOR GILA RIVER INDIAN  
COMMUNITY

Date: January 7, 2003

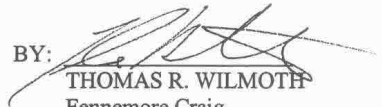
CITY OF PHOENIX

BY: M. James Callahan

M. JAMES CALLAHAN  
200 West Washington  
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Phoenix, AZ 85003-1611  
ATTORNEY FOR CITY OF PHOENIX

Date: 02/10/03

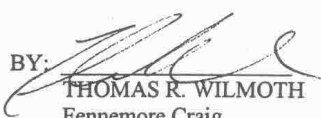
ASARCO INCORPORATED

BY: 

THOMAS R. WILMOTH  
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3003 N. Central Avenue  
Suite 2600  
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ATTORNEYS FOR ASARCO  
INCORPORATED

Date: 02/10/03

ASARCO INCORPORATED

BY: 

THOMAS R. WILMOTH  
Fennemore Craig  
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Suite 2600  
Phoenix, AZ 85012  
ATTORNEYS FOR ASARCO  
INCORPORATED

Certificate of Service

The original and one copy of the foregoing sent via Federal Express this 14 day of May, 2003, to:

Clerk of the Arizona Superior Court  
Attn: Water Case  
3345 W. Durango Street  
Phoenix, AZ 85009

A copy of the foregoing sent via Federal Express this 14 day of May, 2003, to:

Special Master  
Arizona General Stream Adjudication  
George A. Schade, Jr.  
1501 W. Washington, Suite 228  
Phoenix, AZ 85007

A copy of the foregoing mailed this 14 day of May, 2003, to all parties on the Court-approved W1-11-556 mailing list dated December 10, 2002

  
R. Lee Weininger

# **Appendices**

## **1 - 21**

## National Park Service

|                     |                                                                                                                                                                                                                                                                                                                                            |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLAIM NUMBER:       | 39-11130(B)                                                                                                                                                                                                                                                                                                                                |
| OWNER:              | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:  | Brown Allotment Well (well registration no. 55-629140)                                                                                                                                                                                                                                                                                     |
| DATE LAND RESERVED: | November 10, 1978 (see attached map)                                                                                                                                                                                                                                                                                                       |
| SOURCE:             | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION: | NWSESW Sec. 8, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                       |
| PLACE OF USE:       | NWSESW Sec. 8, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                       |
| FLOW RATE/VOLUME:   | 4 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                    |
| USE:                | Park administration, wildlife, and fire suppression                                                                                                                                                                                                                                                                                        |
| BASIS OF CLAIM:     | Federal reserved water right                                                                                                                                                                                                                                                                                                               |
| REMARKS             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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| CLAIM NUMBER:       | 39-11130(B)                                                                                                                                                                                                                                                                                                                                |
| OWNER:              | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:  | Brown Allotment Well (well registration no. 55-629140)                                                                                                                                                                                                                                                                                     |
| DATE LAND RESERVED: | November 10, 1978 (see attached map)                                                                                                                                                                                                                                                                                                       |
| SOURCE:             | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION: | NWSESW Sec. 8, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                       |
| PLACE OF USE:       | NWSESW Sec. 8, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                       |
| FLOW RATE/VOLUME:   | 4 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                    |
| USE:                | Stock watering                                                                                                                                                                                                                                                                                                                             |
| BASIS OF CLAIM:     | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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| CLAIM NUMBER:       | 39-11130(C)                                                                                                                                                                                                                                                                                                                                |
| OWNER:              | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:  | Border Well a/k/a Coronado Well #4 (well registration no. 55-629142)                                                                                                                                                                                                                                                                       |
| DATE LAND RESERVED: | November 5, 1952 (see attached map)                                                                                                                                                                                                                                                                                                        |
| SOURCE:             | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION: | SESESW Sec. 17, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                      |
| PLACE OF USE:       | SESESW Sec. 17, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                      |
| FLOW RATE/VOLUME:   | 30 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                | Park administration, wildlife, and fire suppression                                                                                                                                                                                                                                                                                        |
| BASIS OF CLAIM:     | Federal reserved water right                                                                                                                                                                                                                                                                                                               |
| REMARKS             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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| CLAIM NUMBER:        | 39-11130(E)                                                                                                                                                                                                                                                                                                                                |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Baumkirchner #2 Well (well registration no. 55-629138)                                                                                                                                                                                                                                                                                     |
| DATE WELL COMPLETED: | 1943                                                                                                                                                                                                                                                                                                                                       |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NWSWNW Sec. 17, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                      |
| PLACE OF USE:        | NWSWNW Sec. 17, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                      |
| FLOW RATE/VOLUME:    | 35 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, stock, wildlife, and fire suppression                                                                                                                                                                                                                                                                                 |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS              | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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| CLAIM NUMBER:        | 39-11130(F)                                                                                                                                                                                                                                                                                                                                |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Baumkirchner #3 Well (well registration no. 55-629137)                                                                                                                                                                                                                                                                                     |
| DATE WELL COMPLETED: | 1932                                                                                                                                                                                                                                                                                                                                       |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NWSWNW Sec. 17, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                      |
| PLACE OF USE:        | NWSWNW Sec. 17, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                      |
| FLOW RATE/VOLUME:    | 35 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, stock, wildlife, and fire suppression                                                                                                                                                                                                                                                                                 |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS              | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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| CLAIM NUMBER:       | 39-11130(G)                                                                                                                                                                                                                                                                                                                                |
| OWNER:              | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:  | Headquarters Well (well registration no. 55-629139)                                                                                                                                                                                                                                                                                        |
| DATE LAND RESERVED: | September 2, 1960 (see attached map)                                                                                                                                                                                                                                                                                                       |
| SOURCE:             | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION: | SWSWNW Sec. 18, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                      |
| PLACE OF USE:       | SWSWNW Sec. 18, T24S, R21E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                      |
| FLOW RATE/VOLUME:   | 35 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                | Park administration, wildlife, and fire suppression                                                                                                                                                                                                                                                                                        |
| BASIS OF CLAIM:     | Federal reserved water right                                                                                                                                                                                                                                                                                                               |
| REMARKS             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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| CLAIM NUMBER:        | 39-13636                                                                                                                                                                                                                                                                                                                                   |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Sparks Well #1 (well registration no. 55-629658)                                                                                                                                                                                                                                                                                           |
| DATE WELL COMPLETED: | November, 1941                                                                                                                                                                                                                                                                                                                             |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | SWNWNW Sec. 13, T24S, R20E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                      |
| PLACE OF USE:        | SWNWNW Sec. 13, T24S, R20E and within exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                      |
| FLOW RATE/VOLUME:    | 15 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, wildlife, and fire suppression                                                                                                                                                                                                                                                                                        |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS              | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

## National Park Service

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| CLAIM NUMBER:        | 39-4343(A)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well SX5 (well registration no. 55-649476)                                                                                                                                                                                                                                                                                 |
| DATE WELL COMPLETED: | October 20, 1975                                                                                                                                                                                                                                                                                                                           |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 25 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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| CLAIM NUMBER:        | 39-4343(B)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well ACB1 (well registration no. 55-084460)                                                                                                                                                                                                                                                                                |
| DATE WELL COMPLETED: | June 16, 1980                                                                                                                                                                                                                                                                                                                              |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 7 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                    |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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| CLAIM NUMBER:        | 39-4343(C)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well SX6 (well registration no. 55-649477)                                                                                                                                                                                                                                                                                 |
| DATE WELL COMPLETED: | June 30, 1980                                                                                                                                                                                                                                                                                                                              |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 6 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                    |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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| CLAIM NUMBER:        | 39-4343(D)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well SX3 (well registration no. 55-507449)                                                                                                                                                                                                                                                                                 |
| DATE WELL COMPLETED: | October 16, 1984                                                                                                                                                                                                                                                                                                                           |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 15 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

|                      |                                                                                                                                                                                                                                                                                                                                            |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLAIM NUMBER:        | 39-4343(E)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well SX1 (well registration no. 55-507448)                                                                                                                                                                                                                                                                                 |
| DATE WELL COMPLETED: | October 18, 1984                                                                                                                                                                                                                                                                                                                           |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NESWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 8 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                    |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

|                      |                                                                                                                                                                                                                                                                                                                                            |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLAIM NUMBER:        | 39-4343(F)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well ACB2 (well registration no. 55-507450)                                                                                                                                                                                                                                                                                |
| DATE WELL COMPLETED: | October 23, 1984                                                                                                                                                                                                                                                                                                                           |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 12 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

|                      |                                                                                                                                                                                                                                                                                                                                            |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLAIM NUMBER:        | 39-4343(G)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well X2 (well registration no. 55-509098)                                                                                                                                                                                                                                                                                  |
| DATE WELL COMPLETED: | October 31, 1984                                                                                                                                                                                                                                                                                                                           |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 35 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

|                      |                                                                                                                                                                                                                                                                                                                                            |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLAIM NUMBER:        | 39-4343(H)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well X3 (well registration no. 55-509097)                                                                                                                                                                                                                                                                                  |
| DATE WELL COMPLETED: | November 6, 1984                                                                                                                                                                                                                                                                                                                           |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NWSWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 35 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLAIM NUMBER:        | 39-4343(I)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well ABC1 (well registration no. 55-509096)                                                                                                                                                                                                                                                                                |
| DATE WELL COMPLETED: | November 9, 1984                                                                                                                                                                                                                                                                                                                           |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | SWNWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | SWNWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 25 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLAIM NUMBER:        | 39-4343(J)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well ACA2 (well registration no. 55-509095)                                                                                                                                                                                                                                                                                |
| DATE WELL COMPLETED: | February 28, 1985                                                                                                                                                                                                                                                                                                                          |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NESWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NESWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 30 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

|                      |                                                                                                                                                                                                                                                                                                                                            |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLAIM NUMBER:        | 39-4343(K)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well ACA3 (well registration no. 55-510144)                                                                                                                                                                                                                                                                                |
| DATE WELL COMPLETED: | March 27, 1985                                                                                                                                                                                                                                                                                                                             |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NESWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NESWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 35 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

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|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLAIM NUMBER:        | 39-4343(L)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well ACA1 (well registration no. 55-510143)                                                                                                                                                                                                                                                                                |
| DATE WELL COMPLETED: | March 28, 1985                                                                                                                                                                                                                                                                                                                             |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NESWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NESWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 35 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

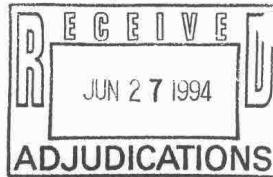
|                      |                                                                                                                                                                                                                                                                                                                                            |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLAIM NUMBER:        | 39-4343(M)                                                                                                                                                                                                                                                                                                                                 |
| OWNER:               | United States of America                                                                                                                                                                                                                                                                                                                   |
| NAME OF STRUCTURE:   | Montezuma Ranch Well ACA4 (well registration no. 55-510145)                                                                                                                                                                                                                                                                                |
| DATE WELL COMPLETED: | April 3, 1985                                                                                                                                                                                                                                                                                                                              |
| SOURCE:              | Underground water                                                                                                                                                                                                                                                                                                                          |
| POINT OF DIVERSION:  | NESWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| PLACE OF USE:        | NESWNE Sec. 17, T24S, R21E and within the exterior boundary of Coronado National Memorial                                                                                                                                                                                                                                                  |
| FLOW RATE/VOLUME:    | 35 gpm/Diversion of up to 10 acre-feet per year for present and future consumptive uses*                                                                                                                                                                                                                                                   |
| USE:                 | Domestic, municipal, wildlife and fire suppression                                                                                                                                                                                                                                                                                         |
| BASIS OF CLAIM:      | Right to withdraw ground water under state law                                                                                                                                                                                                                                                                                             |
| REMARKS:             | * - The sum of diversions for present and future consumptive uses under claim numbers 39-13636, 39-4343(A), 39-4343(B), 39-4343(C), 39-4343(D), 39-4343(E), 39-4343(F), 39-4343(G), 39-4343(H), 39-4343(I), 39-4343(J), 39-4343(K), 39-4343(L), 39-4343(M), and 39-11130(B), (C), (E), (F), and (G) will not exceed 10 acre-feet per year. |

**National Park Service**

|                     |                               |
|---------------------|-------------------------------|
| CLAIM NUMBER:       | 39-4344                       |
| OWNER:              | United States of America      |
| NAME OF STRUCTURE:  | Montezuma Pond                |
| PRIORITY DATE:      | February 28, 1977             |
| SOURCE:             | Surface water                 |
| POINT OF DIVERSION: | NWSWNE Sec. 17, T24S, R21E    |
| PLACE OF USE:       | NWSWNE Sec. 17, T24S, R21E    |
| FLOW RATE/VOLUME:   | 1 af capacity                 |
| USE:                | Wildlife and fire suppression |
| BASIS OF CLAIM:     | State surface water right     |



**Western Farm Credit Bank**



3636 American River Drive 95864  
P.O. Box 13189  
Sacramento, California 95813-3189  
916-485-6000

June 27, 1994

Ms. Lisa M. Jannusch, Adm. Asst. III  
Arizona Department of Water Resources  
15 South 15th Avenue,  
Phoenix, Arizona 85007

RE: Statement of Claimant No.'s 39-11-04343 and 39-11-04344

Dear Ms. Jannusch:

In reference to the above subject matter, please find enclosed, an executed form to notify the Superior Court of Maricopa County of the change in ownership of the land upon which a claim for a water right was made. Also enclosed, is a copy of the Trustee's Deed which evidences ownership in the Western Farm Credit Bank (WFCB).

WFCB obtained ownership via an involuntary means, i.e.; foreclosing on Deed of Trust. Therefore, obtaining the signature of assignor would be next to impossible. This letter will also serve as notice to the Superior Court of Maricopa County, that Western Farm Credit Bank, by way of legal action, foreclosed on Deed of Trust to obtain legal ownership of the land upon which a claim for a water right was made..

If you have questions, please contact Garmar Enterprises, Inc., Gary L. Buntrock, Property Manager for WFCB properties, (602) 460-0963.

Sincerely,

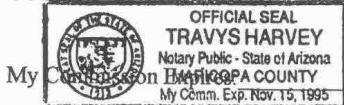
Michael P. Morris, VP  
Farm Credit Services Southwest  
Attorney in Fact for Western Farm Credit Bank

enclosure

STATE OF ARIZONA )

) SS.

COUNTY OF MARICOPA)



My Comm. Exp. Nov. 15, 1995

The foregoing letter (instrument) was acknowledged before me this June 27, 1994, by Michael P. Morris, VP, Attorney-in-Fact for Western Farm Credit Bank.

Notary Public

The Farm Credit System

STATEMENT OF CLAIMANT  
"39"

ASSIGNMENT

Gila River Adjudication  
SUPERIOR COURT OF MARICOPA COUNTY

By court order, a statement of claimant must be assigned whenever there is a change in ownership of land for which the claim for a water right was made, or there is a change in ownership of the water right that is either not appurtenant to land or that has been transferred from one parcel of land to another. This form is to be used to assign statements of claimant ("39s") filed in the general adjudication of the Gila River System and Source, which includes the Salt River, San Pedro River, Upper Gila River, Verde River, Agua Fria River, Lower Gila River and Upper Santa Cruz River watersheds. After the assignment is completed, the new owner will be substituted as a party in the Gila River adjudication.

General Instructions

Each side of this form must be completed, signed by each buyer and seller, and notarized. The name, address and phone number for each buyer and seller must also be provided. If necessary, additional copies of this form may be attached.

A copy of a legal document that establishes that a change of ownership has occurred must be submitted with this form. This requirement may be satisfied by providing either a copy of a duly recorded deed, a copy of the county assessor's tax parcel notice, or other similar document.

More than one statement of claimant may be assigned on a single form if the assignors (sellers) and assignees (buyers) are identical. Otherwise, a separate form must be submitted. For example, if the ownership of the land or the water right is subdivided and conveyed to different buyers, then a separate form must be completed for each of the different buyers.

After this form is completed, please submit it to the **Arizona Department of Water Resources, Attention: Adjudications, 500 North 3<sup>rd</sup> Street, Phoenix, AZ 85004**. The Department will record the assignment and forward this form to the Superior Court of Maricopa County. If you have any questions regarding this form, please contact the Arizona Department of Water Resources at (602) 417-2442 or (800) 352-8488.

ASSIGNMENT

The undersigned parties hereby notify the Superior Court of Maricopa County of the assignment of the following statements of claimant:

39- 11-04343 filed in the San Pedro watershed.

39- 11-04344 filed in the San Pedro watershed.

39- \_\_\_\_\_ filed in the \_\_\_\_\_ watershed.

*Rec'd by ADWR on 4/12/02 per Anna Marquez (4/23/02 @ 1:00)*

*LSEH*  
Rev. 7/00

39- \_\_\_\_\_ filed in the \_\_\_\_\_ watershed.

39- \_\_\_\_\_ filed in the \_\_\_\_\_ watershed.

Type of legal document enclosed to establish a change of ownership:

☒ Recorded Deed (date, file number, county) June 18, 1996/# 960615971/Cochise☐ Tax Parcel Notice (date, county) \_\_\_\_\_☐ Other (date, description) \_\_\_\_\_

## ASSIGNOR (seller):

Western Farm Credit Bank  
Name (printed or typed)3636 American River Drive  
AddressSacramento, CA 95864(916) 485-6225  
TelephoneMichael P. Morris  
SignatureSTATE OF ~~CALIFORNIA~~ ARIZONA )County of SACRAMENTO )

The foregoing instrument was

acknowledged and signed before

me this 11TH day of MARCH, 2002,by Sharon L. VestalVestal  
Notary PublicMy commission expires: 9/28/05

## ASSIGNEE (buyer):

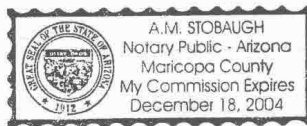
National Park Service  
Name (printed or typed)4101 East Montezuma Cyn Rd  
AddressHereford, AZ 85615(520) 366-5515  
TelephoneBarbara Albrecht  
Signature

STATE OF ARIZONA )

County of COCHISE )

The foregoing instrument was

acknowledged and signed before

me this 10th day of APRIL, 2002,by A.M. StobaughA.M. Stobaugh  
Notary PublicMy commission expires: 12/18/04

FEB-01-2002 FRI 03:04 PM NPS WATER RESOURCES

FAX NO. 9702259985

P. 08/15



FEE # 960615971  
OFFICIAL RECORDS  
COCHISE COUNTY  
DATE 6/18/96 HOUR 3

REQUEST OF  
PIONEER TITLE AGENCY  
CHRISTINE RHODES-RECORDER  
FEE : 10.00 PAGES : 4

AREA: Coronado NM

After recording return to:  
National Park Service, Pacific Great  
Basin System Office, Land Resources  
600 Harrison Street, Suite 600  
San Francisco, California 94107-1372

TRACT NO: 101-39

**GRANT DEED**

WESTERN FARM CREDIT BANK, GRANTOR, In consideration of TWENTY FOUR THOUSAND AND NO/100 (\$24,000.00) DOLLARS, receipt of which is hereby acknowledged, does hereby grant to the UNITED STATES OF AMERICA and its assigns, the following described property located in the County of Cochise, State of Arizona, containing 56.91 acres, more or less to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER WITH all improvements thereon and all water rights appurtenant thereto and all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

**FOR THE NATIONAL PARK SERVICE**

Grantor covenants and conveys fee simple title to the above-described land subject to existing easements for public roads and highways, public utilities, railroads and pipelines, and subject to other outstanding rights, if any, of record in third parties.

TO HAVE AND TO HOLD the same unto said UNITED STATES OF AMERICA and its assigns, forever.

The Grantor further remises, releases and forever quitclaims to the UNITED STATES OF AMERICA and its assigns, all right, title and interest which the Grantor may have in the banks, beds and waters of any streams bordering or any appropriative water rights

CORONADO NM DEED NO. 20

960615971

FEB-01-2002 FRI 03:04 PM NPS WATER RESOURCES

FAX NO. 9702259965

P. 09/15

appurtenant to the said land to be conveyed and also all interest in any alleys, roads, streets, ways, strips, gores, or railroad rights-of-way abutting, adjoining, or appurtenant to said land and in any means of ingress or egress appurtenant thereto.

EXECUTED this 3<sup>rd</sup> day of June, 1996.

OWNER:

Michael P. Morris

WESTERN FARM CREDIT BANK

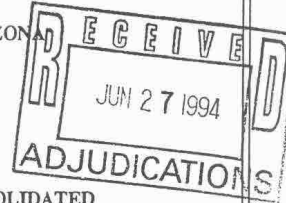
BY: MICHAEL P. MORRIS AS VICE PRESIDENT FOR  
FARM CREDIT SERVICES SOUTHWEST AS ATTORNEY IN FACT FOR  
WESTERN FARM CREDIT BANK

960615971

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

W-1 (SALT)  
W-2 (VERDE)  
W-3 (UPPER GILA)  
W-4 (SAN PEDRO) CONSOLIDATED  
ASSIGNMENT OF STATEMENT OF CLAIMANT



This form is used to notify the Superior Court of Maricopa County of any change in ownership of land upon which a claim for a water right was made on a statement of claimant form filed in the General Adjudication of the Gila River System and Source. This form may also be used to notify the Court of any change in ownership of a water right which is not appurtenant to land or which has been transferred from one parcel of land to another.

Please submit a copy of a duly recorded deed, a copy of the County Assessor's tax parcel notice or other documentation which evidences change of ownership of the land or of a water right to which a Statement(s) of Claimant applies.

Two or more Statements of Claimant may be assigned on this form only if the assignor(s)/seller(s) are identical on all Statements of Claimant and the assignee(s)/buyer(s) are identical on all Statements of Claimant. If a Statement of Claimant is subdivided to two or more separate assignees/buyers, an assignment form must be completed for each of the assignees/buyer. If more space is needed, attach a separate sheet.

This assignment must be signed by all assignee(s)/buyer(s) and all assignor(s)/seller(s), and the current address and telephone number of each party must be furnished. If there are more than two assignors, the name, address, telephone number and signature of each additional assignee or assignor should be attached on a separate sheet. All signatures must be verified by a Notary Public.

Mail the completed form to: Arizona Department of Water Resources  
Adjudications Division  
15 South 15th Avenue  
Phoenix, Arizona 85007

The undersigned parties hereby notify the Superior Court of Maricopa County of the assignment of the following Statement(s) of Claimant:

|              |              |                  |                 |
|--------------|--------------|------------------|-----------------|
| 39- 11-04343 | filed in the | <u>SAN PEDRO</u> | River Watershed |
| 39- 11-04344 | filed in the | <u>SAN PEDRO</u> | River Watershed |
| 39- _____    | filed in the | _____            | River Watershed |
| 39- _____    | filed in the | _____            | River Watershed |
| 39- _____    | filed in the | _____            | River Watershed |
| 39- _____    | filed in the | _____            | River Watershed |

| SELLER(S)/ASSIGNOR(S)                                                                                              | BUYER(S)/ASSIGNEE(S)                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NAME(S) _____<br>(Print or Type)                                                                                   | NAME(S) <u>Western Farm Credit Bank</u><br>(Print or Type)                                                                                                 |
| ADDRESS _____                                                                                                      | ADDRESS <u>3636 American River Dr.</u>                                                                                                                     |
|                                                                                                                    | <u>Sacramento, CA 95864</u>                                                                                                                                |
| TELEPHONE (____) _____                                                                                             | TELEPHONE (916) <u>485-6000</u>                                                                                                                            |
| Signature _____                                                                                                    | Signature <u>Michael P. Morris</u>                                                                                                                         |
| Signature _____                                                                                                    | Signature _____                                                                                                                                            |
| STATE OF ARIZONA )<br>County of _____ )ss.                                                                         | STATE OF ARIZONA )<br>County of <u>Maricopa</u> )ss.                                                                                                       |
| The foregoing instrument was acknowledged<br>and signed before me this _____ day<br>of _____, 19____,<br>by _____. | The foregoing instrument was acknowledged<br>and signed before me this <u>27th</u> day<br>of <u>June</u> , 19 <u>94</u> ,<br>by <u>Michael P. Morris</u> . |
| Notary Public _____                                                                                                | <u>Travys Harvey</u><br>Notary Public                                                                                                                      |
|                                                                                                                    |                                                                        |
| My Commission Expires: _____                                                                                       | My Commission Expires: _____                                                                                                                               |

Arizona Department of Water Resources  
15 South 15th Avenue  
Phoenix, Arizona 85007

## APPLICATION FOR ASSIGNMENT

Filed: 2/28/77 Priority Date \_\_\_\_\_  
(Date)

(Note: General and special instructions are on the reverse of this form.)

In accordance with Arizona Revised Statutes § 45-164.B, the undersigned parties hereby request the assignment of the following water rights or claims, in whole, or in part:

| <u>Fee</u>                                                               | <u>Registry Number</u> |
|--------------------------------------------------------------------------|------------------------|
| \$5.00 Application For Permit to Appropriate Public Water No. 33(A & R)- | _____                  |
| \$5.00 Permit to Appropriate Public Water No. 33(A & R)-                 | _____                  |
| \$5.00 Certificate of Water Right No. 33(A, R & BB)-                     | _____                  |
| \$5.00 Statement of Claim of Right-Registration No. 36-                  | _____                  |
| \$5.00 Claim for Stockpond Water Rights Application No. 38-              | _____                  |
| \$5.00 Stockpond Water Right Certificate No. 38-0064702                  | _____                  |

(Note: Use attachment for listing of additional water rights or claims)

**SELLER(S)/ASSIGNOR(S):**

Name Richard Richards  
(Print or Type)  
Address St Rt Box 124  
Hereford, AZ 85615  
Phone No. ( ) \_\_\_\_\_

N/A  
SIGNATURE

N/A  
(date signed)

**BUYER(S)/ASSIGNEE(S):** RECEIVED THROUGH FORECLOSURE

Name Western Farm Credit Bank  
(Print or Type)  
Address P.O. Box 24138  
Tempe, AZ 85285  
Phone No. (602) 438-9501

  
SIGNATURE

Gale A. York, Acquired Property Manager  
(Please Print or Type Name)

\_\_\_\_\_  
(date signed)

**GENERAL INSTRUCTIONS:**

An assignment of surface water rights or claims is the conveying of the holdership of the right or claim from one entity to another. In Arizona, surface water rights and claims are normally appurtenant, or attached, to the land. Therefore, the assignment action reflects a change in ownership of the land or lease, and thus requires evidence of land-ownership, or lease, change. This evidence may include a properly recorded deed, title, or such other official documentation of the transaction. A change of lessee or lease can be evidenced by official documentation from the appropriate State or Federal Agency holding title to the land. This documentation must accompany the assignment form.

A description of the land involved in the transaction must accompany or be included in the evidence of change of ownership or lease. This land description must be by Subdivision ( $\frac{1}{4}$ ,  $\frac{1}{4}$ ,  $\frac{1}{4}$ ,  $\frac{1}{4}$ ), by Section #, Township and Range.

The Department of Water Resources will process for assignment only those water rights or claims listed on or attached as a listing to the assignment application form. Any other active water rights or claims of record not listed on the form, but which are appurtenant to the lands or lease involved in the transaction, will not be processed.

If a water right or claim is to be divided among several assignees, an assignment form must be completed for each part. The total quantity of water for all portions combined cannot exceed the original right or claim total of water appropriated.

The assignment must be signed by all assignee(s)/buyer(s) and assignor(s)/seller(s), or their authorized representatives, (representatives must submit proof of authority to act on behalf of the assignee or assignor). The current mailing address and telephone number for each party must be included.

Each separate right or claim assigned requires a processing fee, which must be included with the assignment request. The fee schedule is shown on the front of this form for each type of right or claim.

**SPECIAL INSTRUCTIONS:**

A water right or claim for an irrigation use is appurtenant or attached to specific land. Indicate below the number of irrigated acres being assigned, whether this is a full or partial assignment of the original right or claim, and the location of the irrigated land:

Number of acres: \_\_\_\_\_  
Full/Partial

Location: \_\_\_\_\_  
(Use attachment to list additional locations)

ARIZONA STATE LAND DEPARTMENT  
1624 West Adams  
Phoenix, Arizona 85007

## STATEMENT OF CLAIMANT

(Leave Blank)

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. 39-004344 (Stockpond Claim)Filed: 6-13-80 at 1/00 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: Richards Richard  
(Last) (First) (M.I.)

Star Route Box 124 Hereford, AZ 85615 366-5756  
(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. 36-64702.

E. ☐ Other. Describe: \_\_\_\_\_.

3. A. Date of initiation of right: Feb. 28, 1977.  
(Month/Day/Year)

B. Date water first used for beneficial purposes: Feb. 28, 1977.  
(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>3</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   | _____ 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) 3 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: horses,  
chickens, goats
- 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: \_\_\_\_\_ tributary to \_\_\_\_\_  
 on the \_\_\_\_\_ watershed.
- B. Point of Diversion (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. 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: \_\_\_\_\_
- 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: \_\_\_\_\_; Date well place in  
 use: \_\_\_\_\_ (Month/Day/Year)  
 \_\_\_\_\_ (Month/Day/Year)
- (2) Location (10 acre subdivision) (indicate on map): \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$   
 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: \_\_\_\_\_ (Month/Day) to \_\_\_\_\_ (Month/Day)
8. Water storage reservoir and/or diverting works:
- A. Location (indicate on map): SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Section 17,  
 Township 24S (N/S), Range 21E (E/W), Gila and Salt River Base and  
 Meridian, County Cochise. Ownership Richard Richards
- B. Name of storage reservoir and/or diverting works (if known): Montezuma Pond
- C. Maximum capacity: 15 Ac.Ft.
- D. Maximum depth of water: 15 ft.

8. E.(1) Year construction began: 1977.
- (2) Year construction completed 1977.
- (3) Date water first stored: Feb. 1977 (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

-----

(continued on the next page)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(if more space is required, attach separate sheet(s))

STATE OF ARIZONA )  
County of Graham } SS

VERIFICATION

Richard Richards  
(please print Claimant-Affiant's name)

Wilford R. Richardson  
(Claimant-Affiant representative's name)

being first duly sworn, deposes and says; That the affiant, or its duly authorized representative, possesses the knowledge and the authorization to execute this verification as to the correctness and truthfulness of the matters set forth in the "Statement of Claimant", except as to those matters alleged upon information and belief, and as to those matters believes them to be true and correct.

For Corporations, Partnerships,  
Associations, etc.

Wilford R. Richardson  
Claimant-affiant signature  
Att. for Claimant

\_\_\_\_\_  
Claimant-affiant representative's  
signature

\_\_\_\_\_  
Claimant-affiant signature

Attest:  
\_\_\_\_\_  
Claimant-affiant representative's  
signature

Subscribed and sworn to before me this  
4 day of June, 1980

SEAL



Janet S. Angle  
Notary Public or authorized Officer of the  
State Land Department

My Commission expires 10/23/82



ARIZONA STATE LAND DEPARTMENT  
1624 West Adams  
Phoenix, Arizona 85007

NOTICE OF CLAIM OF WATER RIGHT  
FOR A STOCKPOND

Notice is hereby given that on the 19 day of May, 1978,

Richard Richards, Hereford, AZ. filed

Claim of Water Right for a Stockpond No. 38-64702 with the ARIZONA STATE  
LAND DEPARTMENT pursuant to the provisions of Article 8, Chapter 1, Title 45 of  
Arizona Revised Statutes.

The name of the stockpond is Montezuma Pond and it is  
described as being located in the NE 1/4 SE 1/4 Section 17, Township 24 S,  
Range 21 E, G&SRB&M, Cochise County, Arizona.

MATERIAL FACTS OF CLAIM  
(as certified by Claimant)

1. Date of construction of the stockpond Feb. 28, 1977.
2. Capacity of stockpond on August 29, 1977 was 15.0 acre feet.
3. The stockpond was constructed and is used for the sole purpose of watering livestock or wildlife, including fish.
4. The pond is not used primarily for fishing or culturing of fish.
5. The stockpond was not the subject of water rights litigation or protest to the Department prior to August 29, 1977.

PROTEST

Any person affected may, within sixty (60) days of the issuance of this Notice, file a written protest to the claim with the State Land Department 1624 West Adams, Phoenix, Arizona 85007. The protesting person shall send a copy of the protest to the Claimant.

By law, the grounds for protest are that the claim contains a misstatement of one or more of the MATERIAL FACTS set out above.

The protest shall be in writing and shall state:

1. The name and address of the protesting party;
2. The location of the protesting party's point of diversion of water with respect to the claimant's stockpond;
3. The grounds for protest;
4. That a copy of the protest has been mailed or delivered to the claimant.

ANDREW L. BETTWY  
State Land Commissioner

Issued at Phoenix, Arizona

NOV 8 1978 19

ARIZONA STATE LAND DEPARTMENT  
624 West Adams  
Phoenix, Arizona 85007

CLAIM OF WATER RIGHT FOR A STOCKPOND;  
APPLICATION FOR CERTIFICATION  
(Chapter 69 Laws 1977)

FILING FEE \$10.00

INSTRUCTIONS:

1. File a separate claim for each stockpond.
2. Submit in duplicate; typewrite or print in ink.
3. Complete each blank with required information.

NOTE: The law provides that a claim which does not contain the required information or which is not accompanied by the required filing fee shall not be accepted by the Department but shall be returned to the sender.

|               |                     |
|---------------|---------------------|
| Amended       |                     |
| (LEAVE BLANK) |                     |
| No.           | 38-64702            |
| Filed         | 5-14-78 at 8:00 A M |
| (Date)        | (Time)              |

I, Richard Richards of Star Rt box 124  
(Name) (Street, P.O. Box, Rural Route)  
Newland ND 58615 366-5756  
(City) (State) (Zip Code) (Phone No.)  
do hereby claim a water right for the stockpond herein described and do hereby make application for certification of such right.

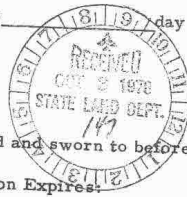
1. State the date of completion of construction of the stockpond Feb 28-77  
(a) Name of stockpond Monteaua Pond (Mo., Day, Yr.)
2. State the capacity of the stockpond at spillway level on August 29, 1977:  
15-Acre Ft (Acre Feet).
3. What was sole purpose for which pond was constructed? Water livestock
4. What is current primary use? Water livestock & Wildlife
5. What other uses are made of pond? None

(Give percentage of each "other" use to total use.)

6. Was stockpond subject to litigation or to a protest of record to the Land Department prior to August 29, 1977? Yes None No.
- (a) If the answer is 'yes', attach explanation.
7. Has previous filing, claim or registration of this stockpond been made?  
Yes X No; if 'yes', attach explanation giving date and file number.
8. State the date water was first used beneficially June 20-77  
(Month, Day, Year)
9. State the quantities of water used annually 31-40 Acre Ft  
(Acre Feet)  
(a) What is average number of head using this water? 2 maximum no. 4  
(b) Over what part of year? all
10. State the name of water course or water source Monteaua Creek  
Tributary to Star Pedro River on the Left (Leave Blank) watershed.
11. The point of diversion is within S. 40 1/4, N. 25 1/4, Section 17, of  
Township 24, Range 21 in the County of Richmond.
12. The location of impounding dam is within N. 25 1/4, Section 17, of  
Township 24, Range 21 in the County of Richmond.  
(If site of number 11 differs from number 12 attach explanatory plat or map)
13. The dimensions of the impounding dam and reservoir are:  
(a) Height of dam to spillway 14 ft ft. (Measured inside dam)  
(b) Length of dam 100 ft ft.  
(c) Surface area of water at spillway level 1 1/2 acres. Shape? (Circle One)  
square; rectangle; circle; half-circle; egg-shaped; triangle.
14. State the name of owner of land on which dam is located:  
James H. Hughes
15. State the name of owner (s) of any land inundated when stockpond is filled to capacity:  
None

ereby certify under the penalty of perjury, that the information contained and state-  
ments herein made are, to the best of my knowledge and belief, true, correct and comp-  
lete.

Dated this 8 day of Oct, A.D., 1978.



Richard R. Riedel  
(Claimant)

Subscribed and sworn to before me this 2<sup>nd</sup> day of OCT, 1978

My Commission Expires:

My commission expires on 10/1, 1978.  
(Seal)

David J. Kennedy  
(Notary Public)

STATE OF ARIZONA

CERTIFICATE OF WATER RIGHT

to a

STOCKPOND

Number

THIS IS TO CERTIFY, that

of \_\_\_\_\_ State of \_\_\_\_\_ pursuant to the provisions of Title  
45, Chapter 1, Article 8, ARS, has registered a claim of water right for a stockpond and  
has made application for certification of that right and that it appears to the STATE LAND  
COMMISSIONER that the material facts stated in the claim are true and entitle the claim-  
ant to a water right for a stockpond with capacity not to exceed \_\_\_\_\_ acre  
feet; that date of priority based on date of construction is \_\_\_\_\_;  
that location is in  $\frac{1}{4}$ ,  $\frac{1}{4}$ , Section \_\_\_\_\_, Township \_\_\_\_\_,  
Range \_\_\_\_\_, Gila and Salt River Base and Meridian,  
County, Arizona; that source of water is \_\_\_\_\_.

The water right for the stockpond herein certified is subject to all prior existing  
rights as provided by Section 45-402, B, Arizona Revised Statutes.

WITNESS, the seal and signature of  
the STATE LAND COMMISSIONER  
affixed this

\_\_\_\_\_  
State Land Commissioner



|              |        |                                |          |        |
|--------------|--------|--------------------------------|----------|--------|
| TRA D-1      | 101-01 | U.S. FOREST SERVICE            | 1498.33  | FEE    |
| WIT D-2      | 101-   | B.L.M.                         | 78.97    | FEE    |
| PUR D-4      | 101-03 | SOUTHWESTERN MON. ASSOC.       | 49.86    | FEE    |
|              | 101-04 | DELETED                        |          |        |
| PUR D-5      | 101-06 | THE VICTORIO COMPANY           | 154.54   | FEE    |
| PUR D-21     | 101-06 | SPARKES, WILLIAMS J., ET. UX.  | 41.25    | FEE    |
|              | 101-07 | DELETED                        |          |        |
| PUR D-21     | 101-08 | SPARKES, WILLIAMS J., ET. UX.  | 10.00    | FEE    |
|              | 101-09 | DELETED                        |          |        |
| PUR D-7      | 101-10 | BAUMKIRCHNER, E.M. ET AL       | 94.23    | FEE    |
| PUR D-11     | 101-11 | TYRA, JAMES M ET UX            | 4.00     | FEE    |
| PUR D-10     | 101-12 | GREEN, DEWITT ET UX            | 1.00     | FEE    |
|              | 101-13 | CERKOWNIAK, ALLAN              | 1.00     | FEE    |
| PUR D-10     | 101-14 | GREEN, DEWITT ET UX            | 1.00     | FEE    |
|              | 101-15 | CASHMAN, WILLIAM L. ET UX      | 1.00     | FEE    |
| PUR D-8      | 101-16 | BAUMKIRCHNER, EVERETT M.J.     | 6.00     | FEE    |
|              | 101-17 | B.L.M.                         | 1.03     | FEE    |
|              | 101-18 | DELETED                        |          |        |
| TRA D-12     | 101-19 | U.S. FOREST SERVICE            | 137.31   | FEE    |
| TRA D-1      | 101-20 | U.S. FOREST SERVICE            | 1247.00  | FEE-O  |
| PUR D-5      | 101-21 | THE VICTORIO COMPANY           | 42.19    | FEE    |
|              | 101-22 | DELETED                        |          |        |
|              | 101-23 | DELETED                        |          |        |
|              | 101-24 | DELETED                        |          |        |
|              | 101-25 | DELETED                        |          |        |
| PUR D-6      | 101-26 | AUSLENDER                      | 65.00    | FEE    |
| PUR D-9      | 101-27 | RICHARDS ET UX                 | 5.00     | FEE    |
| PUR D-9      | 101-28 | RICHARDS ET UX                 | 5.00     | FEE    |
| PUR D-14     | 101-29 | RICHARDS ET UX                 | (82.50)  | SCENIC |
| PUR D-13     | 101-30 | RICHARDS ET UX                 | 2.50     | FEE    |
| DIS/TRA D-12 | 101-31 | TO U.S. FOREST SERVICE         | -1247.00 | FEE-O  |
| TRA D-12     | 101-32 | U.S. FOREST SERVICE            | 2466.64  | FEE    |
| PUR D-16     | 101-33 | R. COMPTON ET UX               | 13.05    | FEE    |
| PUR D-18     | 101-34 | J. WARDLE ET UX (R.O.)         |          |        |
|              |        | R. COMPTON ET UX (C.P.)        | 4.02     | FEE    |
| PUR D-19     | 101-35 | FROELICH ET UX                 | 4.03     | FEE    |
| PUR D-17     | 101-36 | J. WARDLE ET UX (R.O.)         |          |        |
|              |        | V. CASTRO (C.P.)               | 4.03     | FEE    |
| PUR D-15     | 101-37 | J. WARDLE ET UX                | 16.75    | FEE    |
| DIS/TRA D-3  | 101-38 | TO: U.S. FOREST SERVICE        | 40.00    | FEE    |
| PUR D-20     | 101-39 | WESTERN FARM CREDIT BANK       | 56.91    | FEE    |
|              | 101-40 | WEICK, ELSIE                   | 5.12     | FEE    |
| PUR D-22     | 101-41 | UNITED STATES MARSHALS SERVICE | 20.47    | FEE    |

SEGMENT 101

See Vertical Files in Docket Room

Sum of  
Scenic  
Credits

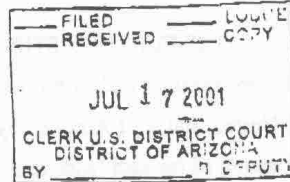
82.50

NOV- 1-01 THU 10:25 AM INTMTN LAND RES-SANTA FE FAX NO. 5059886709

P. 2

1 PAUL K. CHARLTON  
United States Attorney  
District of Arizona

2 SUE A. KLEIN  
3 Assistant U.S. Attorney  
4 Arizona State Bar No. 11253  
4000 U.S. Courthouse  
230 North First Avenue  
Phoenix, Arizona 85025  
5 Telephone: (602) 514-7500



6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF ARIZONA

8 United States of America,

9 Plaintiff,

10 v.

11 5.12 Acres of Land, more or less, in the  
County of Cochise, State of Arizona;

12 Elsie Weick, et al; and

13 Unknown Owners,

14 Defendants.

CIV-00-143-TUC-JMR

Tract No. 101-40

STIPULATION AS TO JUST  
COMPENSATION

15 COMES NOW the United States of America and the defendant, Elsie Weick, owner of the  
16 tract more particularly described in the Complaint in Condemnation filed herein; Richard  
17 Richards, an interested party; and the Cochise County Treasurer, through their respective  
18 counsel; and,

19 IT IS STIPULATED AND AGREED by and between the parties hereto that the full just  
20 compensation payable by plaintiff, the United States of America, for the taking of the estate in  
21 said tract which is described in Exhibit A attached, is the sum of \$106,000, inclusive of interest  
22 and costs; and,

23 IT IS FURTHER STIPULATED AND AGREED that the said sum of \$106,000 shall be  
24 subject to all liens, encumbrances and charges of whatsoever nature existing against the said  
25 lands at the time of the commencement of this action and that all such liens, encumbrances and  
26 charges of whatsoever nature shall be payable and deductible from said sum including \$2,196.65  
27 due and payable to the Cochise County Treasurer; and,  
28

505-988-6767

From Julian R. Trujillo - IMRC Lands

NOV- 1-01 THU 10:26 AM INTMTN LAND RES-SANTA FE FAX NO. 5059886709

P. 3

1 IT IS FURTHER STIPULATED AND AGREED that the said sum shall be full and just  
2 compensation and in full satisfaction of any and all claims of whatsoever nature against the  
3 United States of America by reason of the institution and prosecution of this action and the  
4 taking of the said lands and all appurtenances thereunto belonging; and,

5 The said parties hereby consent to the entry of any and all orders and judgments necessary  
6 to effectuate this stipulation and agreement.

7 DATED this 17<sup>th</sup> day of July, 2001.

8 PAUL K. CHARLTON  
9 United States Attorney  
District of Arizona

10  
11 Sue A. Klein  
12 SUE A. KLEIN  
13 Assistant U.S. Attorney 7/12/01

14 Sunrise, A Trust

15  
16 By: Richard Richards 7/12/01  
Richard Richards, individually and as co-trustee

17  
18 By: Elsie Weick  
Elsie Weick, individually and as co-trustee

19  
20 52-690 3493  
Tax I.D. Number - Sunrise, A Trust

21  
22 John A. Mackinnon  
23 JOHN A. MACKINNON  
24 Chief Civil Deputy County Attorney  
25 Attorney for the Cochise County Treasurer  
26  
27  
28

NOV- 1-01 THU 10:26 AM INTMTN LAND RES-SANTA FE FAX NO. 5059886709

P. 4

1 IT IS FURTHER STIPULATED AND AGREED that the said sum shall be full and just  
2 compensation and in full satisfaction of any and all claims of whatsoever nature against the  
3 United States of America by reason of the institution and prosecution of this action and the  
4 taking of the said lands and all appurtenances thereunto belonging; and,

5 The said parties hereby consent to the entry of any and all orders and judgments necessary  
6 to effectuate this stipulation and agreement.

7 DATED this 17<sup>th</sup> day of July, 2001.

8 PAUL R. CHARLTON  
9 United States Attorney  
District of Arizona

10 Sue A. Klein  
11 SUE A. KLEIN  
12 Assistant U.S. Attorney 7/12/01

13 Sunrise, A Trust

14 By: Richard Richards 7/12/01  
15 Richard Richards, individually and as co-trustee

16 By: Elsie Weick, individually and as co-trustee

17 Tax I.D. Number - Sunrise, A Trust

18 JOHN A. MacKINNON  
19 Chief Civil Deputy County Attorney  
20 Attorney for the Cochise County Treasurer

21 I hereby attest and certify on 8/30/01  
22 that the foregoing document is a full, true and correct  
23 copy of the original on file in my office and in my  
24 legal custody.

25 CLERK U.S. DISTRICT COURT  
26 DISTRICT OF ARIZONA  
27 DEPUTY  
28

NOV- 1-01 THU 10:27 AM INTMTN LAND RES-SANTA FE FAX NO. 5059886709

P. 5

SCHEDULE "B"

CORONADO NATIONAL MEMORIAL

COCHISE COUNTY, ARIZONA

TRACT 101-40

DESCRIPTION:

Situated in the State of Arizona, County of Cochise, in a portion of the South half of the Northeast Quarter of Section 17 of Township 24 South, Range 21 East of the Gila and Salt River Base and Meridian, being more particularly described as follows:

Commencing at the Northwest corner of the South half of the Northeast Quarter of Section 17;

Thence, South, 100.00 feet;  
Thence, East, 100.00 feet;  
Thence, North, 60.00 feet;  
Thence, East, 200.00 feet;  
Thence, South, 260.00 feet;  
Thence, East, 150.00 feet;  
Thence, North, 200.00 feet to the Point of Beginning, the Northwest corner of the parcel described herein;

Thence, East, 70.00 feet;  
Thence, South, 35.00 feet;  
Thence, East, 630.00 feet;  
Thence, South, 315.00 feet;  
Thence, West, 700.00 feet;  
Thence, North, 350.00 feet, to the Point of Beginning and containing 5.12 acres of land, more or less.

The above-described parcel, known as Tract 101-40 of Coronado National Memorial, is intended to be that parcel of land conveyed in a Quitclaim Deed from Richard Richards to Elsie Weick, Dated April 4, 1997, Document #970408448, recorded in the Cochise County deed records.

ESTATE TO BE ACQUIRED:

Fee simple title, subject to any oil, gas, or mineral rights outstanding in third parties and to existing easements for public roads and highways, public utilities, railroads, and pipelines.

Exhibit A

NOV- 1-01 THU 10:27 AM INTMTN LAND RES-SANTA FE FAX NO. 5059886709

P. 6

FILED  
RECEIVED  
JUL 17 2001  
CLERK U.S. DISTRICT COURT  
DISTRICT OF ARIZONA  
BY \_\_\_\_\_ DEPUTY

FILED  
RECEIVED  
JUL 25 2001  
CLERK U.S. DISTRICT COURT  
DISTRICT OF ARIZONA  
DEPUTY

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

United States of America,  
Plaintiff,

v.

5.12 Acres of Land, more or less, in the  
County of Cochise, State of Arizona;

Elsie Weick, et al; and

Unknown Owners,

Defendants.

CIV-00-143-TUC-JMR

Tract No. 101-40

JUDGMENT

Plaintiff, United States of America; defendant, Elsie Weick; interested party, Richard Richards, and the Cochise County Treasurer, through their respective counsel, having stipulated and agreed that the following judgment may be entered, and the Court being fully advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED:

1. That on March 3, 2000, plaintiff, United States of America, filed herein its Complaint in Condemnation, which included the real property described therein and in this proceeding designated and described as Tract No. 101-40 in Exhibit A attached.
2. That on March 16, 2000, a Lis Pendens was recorded by plaintiff in Cochise County at Docket No. 000307257, which included the aforesaid property.
3. That on April 17, 2000, an Amended Lis Pendens was recorded by plaintiff in Cochise County at Docket 000410769, which included the aforesaid property.

NOV- 1-01 THU 10:28 AM INTMTN LAND RES-SANTA FE FAX NO. 5059886709

P. 7

1 4. That the plaintiff had and has the right to condemn the property, estates, and interests  
 2 described in its Complaint in Condemnation on file herein for the public uses described and set  
 3 forth therein, and that upon payment by the United States into the Registry of the Court the sum  
 4 of \$106,000, which amount is full compensation for the taking of said lands, the fee simple  
 5 absolute title to the lands identified as Tract No. 101-40 as described in the Complaint and in  
 6 Exhibit A attached, be vested in the United States of America free and discharged of all claims  
 7 and liens.

8 5. That the sum of \$106,000, inclusive of interest and costs, is the fair, just and adequate  
 9 compensation for the taking of the property as described in paragraph 7 hereof, due the owners,  
 10 Sunrise, A Trust, Elsie Weick and Richard Richards, co-trustees; and that Cochise County shall  
 11 satisfy its existing lien in the amount of \$2,196.65 from the proceeds.

12 6. That upon receipt of a check in the amount of \$106,000, the Clerk of the Court shall  
 13 disburse to the defendant, Elsie Weick; interested parties, Richard Richards and Sunrise, A  
 14 Trust; and the Cochise County Treasurer, the sum of \$106,000 by making registry checks  
 15 payable as follows:

|    |                                      |             |
|----|--------------------------------------|-------------|
| 16 | Sunrise, A Trust, Elsie Weick and    | \$83,803.35 |
| 17 | Richard Richards, individually and   |             |
| 18 | as co-trustees                       |             |
|    | P.O. Box 675                         |             |
|    | St. David, Arizona 85630             |             |
| 19 | Cochise County Treasurer             | \$2,196.65  |
| 20 | c/o John A. MacKinnon                |             |
| 21 | Chief Deputy Cochise County Attorney |             |
| 22 | Cochise County Attorney's Office     |             |
|    | P.O. Drawer CA                       |             |
|    | Bisbee, Arizona 85603                |             |

23 and depositing the checks in the United States mail. There may be an outstanding lien due the  
 24 Columbia & Okanogan Nursery Company, Inc. in the amount of approximately \$20,000. The  
 25 Clerk of the Court will hold \$20,000 in the Registry of the Court pending resolution of this lien  
 26 and further order of the Court.

NOV-1-01 THU 10:28 AM INTMTN LAND RES-SANTA FE FAX NO. 5059886709

P. 8

1 7. That the property affected by this Judgment is described as Tract No. 101-40 in Exhibit  
2 A attached, and the estate taken therein is set forth in plaintiff's Complaint in Condemnation on  
3 file herein.

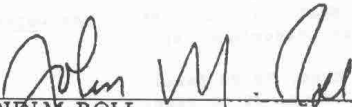
4 8. That all parties interested in the property have been personally served with notice of this  
5 condemnation action. That the property, together with all claimants and parties interested  
6 therein, is within the jurisdiction of this Court, which has the authority to enter this judgment.

7 9. That immediately prior to the filing of the Complaint in Condemnation, Elsie Weick  
8 was the owner of record of Tract No. 101-40, and Richard Richards, Sunrise, A Trust and  
9 Cochise County were interested parties in this action.

10 10. That all other interested parties have disclaimed any right, title, claim or interest in the  
11 compensation paid or to be paid for the subject property.

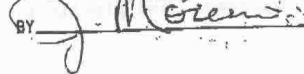
12 The Court retains jurisdiction to make and enter such further orders and judgments as may  
13 be necessary and proper in the premises.

14 DATED this 24<sup>th</sup> day of July, 2001.

15  
16  
17   
18 JOHN M. ROLL  
19 United States District Judge  
20  
21

22  
23 I hereby attest and certify on 8/30/01  
24 that the foregoing document is a full, true and correct  
25 copy of the original on file in my office and in my  
26 legal custody.

27 CLERK U.S. DISTRICT COURT  
28 DISTRICT OF ARIZONA

BY  DEPUTY

NOV-1-01 THU 10:29 AM INTMTN LAND RES-SANTA FE FAX NO. 5059886709

P. 9

SCHEDULE "B"

CORONADO NATIONAL MEMORIAL

COCHISE COUNTY, ARIZONA

TRACT 101-40

DESCRIPTION:

Situated in the State of Arizona, County of Cochise, in a portion of the South half of the Northeast Quarter of Section 17 of Township 24 South, Range 21 East of the Gila and Salt River Base and Meridian, being more particularly described as follows:

Commencing at the Northwest corner of the South half of the Northeast Quarter of Section 17;

Thence, South, 100.00 feet;  
Thence, East, 100.00 feet;  
Thence, North, 60.00 feet;  
Thence, East, 200.00 feet;  
Thence, South, 260.00 feet;  
Thence, East, 150.00 feet;  
Thence, North, 200.00 feet to the Point of Beginning, the Northwest corner of the parcel described herein;

Thence, East, 70.00 feet;  
Thence, South, 35.00 feet;  
Thence, East, 630.00 feet;  
Thence, South, 315.00 feet;  
Thence, West, 700.00 feet;  
Thence, North, 130.00 feet, to the Point of Beginning and containing 5.12 acres of land, more or less.

The above-described parcel, known as Tract 101-40 of Coronado National Memorial, is intended to be that parcel of land conveyed in a Quitclaim Deed from Richard Richards to Elsie Weick, Dated April 4, 1997, Document #970408448, recorded in the Cochise County deed records.

ESTATE TO BE ACQUIRED:

Fee simple title, subject to any oil, gas, or mineral rights outstanding in third parties and to existing easements for public roads and highways, public utilities, railroads, and pipelines.

Exhibit A

NOV- 1-01 THU 10:29 AM INTMTN LAND RES-SANTA FE FAX NO. 5059886709

P. 10

1 PAUL K. CHARLTON  
United States Attorney  
District of Arizona

2 SUE A. KLEIN  
3 Assistant U.S. Attorney  
4 Arizona State Bar No. 11253  
Two Renaissance Square  
40 North Central Ave., Ste. 1200  
5 Phoenix, Arizona 85004-4408  
Telephone: (602) 514-7500

|                           |          |
|---------------------------|----------|
| FILED                     | LODGE    |
| RECEIVED                  | COPY     |
| AUG 09 2001               |          |
| CLERK U.S. DISTRICT COURT |          |
| DISTRICT OF ARIZONA       |          |
| BY                        | C DEPUTY |

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

8 United States of America,  
9 Plaintiff,  
10 v.

11 5.12 Acres of Land, more or less, in the  
County of Cochise, State of Arizona;  
12 Elsie Weick, et al; and  
13 Unknown Owners,  
14 Defendants.

CIV-00-143-TUC-JMR

## CLERK'S RECEIPT

15 I, RICHARD H. WEARE, Clerk of the United States District Court for the District of  
16 Arizona, do hereby certify that on the 6<sup>th</sup> day of August, 2001, I received from the United States  
17 of America, plaintiff herein, for deposit in the Registry of the Court, Check No. 2049 10115300,  
18 dated July 30, 2001, in the sum of \$106,000.00, in satisfaction of the deficiency Judgment  
19 entered herein.

20 DATED this 9<sup>th</sup> day of August, 2001.

21  
22 RICHARD H. WEARE, Clerk  
United States District Court  
23 District of Arizona

24  
25 *[Signature]*  
Deputy Clerk  
26  
27  
28



FEE # 980202811  
OFFICIAL RECORDS  
COCHISE COUNTY  
DATE 2/02/98 HOUR 12

When recorded mail to:  
United States Dept of Interior-Park  
P.O. Box 728  
Santa Fe, NM 87504-072

REQUEST OF  
PIONEER TITLE AGENCY  
CHRISTINE RHODES-RECORDER  
FEE : 12.00 PAGES : 4

717481 UNITED STATES MARSHAL'S SPECIAL WARRANTY DEED

THIS DEED, made and entered into this 23<sup>rd</sup> day of January, 1998, between  
ALFRED E. MADRID, United States Marshal for the District of Arizona, whose address is 111  
West Monroe, Suite 1020, Phoenix, Arizona 85003-1721, of the first part, and THE UNITED  
STATES OF AMERICA FOR THE UNITED STATES DEPARTMENT OF THE INTERIOR,  
NATIONAL PARK SERVICE, whose legal address is P.O. Box 728, Santa Fe, New Mexico  
87504-0728, of the second part;

WITNESSETH, That whereas, at a regular term in the District Court of the United  
States, held in and for said District in a case entitled United States of America v. 82.5 Acres  
of Real Property Located in Cochise County, etc., Civil Number CIV-91-454-TUC-JPF, on the  
21st day of December 1992, an Amended Judgment for Forfeiture as to titled owner, Richard  
Richards, was entered pursuant to motion by the United States of America, declaring the interest  
of Richard Richards in the above described real estate was forfeited to the United States of  
America; and whereas on January 8, 1996, a Forfeiture Judgment was entered pursuant to  
written stipulation by the parties as to claimant Elsie Weick, declaring the interest of Elsie  
Weick, in the above described real estate, was forfeited to the United States of America.

AND, WHEREAS, According to law, the United States Marshal is charged with the duty  
to dispose of said property;

NOW, THEREFORE, I, Alfred E. Madrid, United States Marshal for said District, by  
virtue of my office, and by force of the statute in such cases made and provided for, and in

pah\deed\richards.ded  
FATCO 270-228-174164  
National Park Service

980202811

CORONADO NM DEED NO. 22

82.5 acres from Tract's  
No. 101-39, 101-40, and 101-41

consideration of \$56,500.00 in hand paid to me by the UNITED STATES OF AMERICA FOR THE UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, do grant, bargain, sell, set over and forever quitclaim unto the UNITED STATES OF AMERICA FOR THE UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, all the rights, title, interest, and claim(s) which the United States of America, on this date, has in the following described tract or parcel of land, to wit:

**Parcel I**

That portion of the South half of the Northeast quarter of Section 17 Township 24 South, Range 21 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, described as follows:

BEGINNING at the Northwest corner of the South half of the Northeast quarter of said Section 17; thence south 100 feet; thence east 100 feet; thence north 60 feet, thence east 200 feet; thence south 260 feet; thence east 150 feet; thence north 200 feet; thence east 70 feet; then south 35 feet; thence east 800 feet to a point on the west line of the northwest quarter of the northwest quarter of the southeast quarter of the northeast quarter thence north along said West line 135 feet to a point on the North line of the South half of the Northeast quarter; thence West along said North line of the South half of the Northeast quarter, 1320 feet, more or less, to the Point of Beginning.

**Parcel II**

That portion of the West half of the Southwest quarter of the northeast quarter of Section 17, Township 24 South, Range 21 East, Gila and Salt River Base and Meridian Cochise County, Arizona, lying Southerly, of the following described lines:  
and westerly

Commencing at the Northwest corner of the South half of the Northeast quarter of said Section 17; thence South 100 feet to the Point of Beginning; thence East 100 feet; thence North 60 feet; thence East 200 feet; thence South 260 feet; thence East 150 feet; thence South 150 feet; thence East to a point in the East line of the West half of the Southwest quarter of the Northeast quarter of said Section 17, being the point of terminus.

pah\deed\richards.ded  
FATCO 270-228-174164  
National Park Service

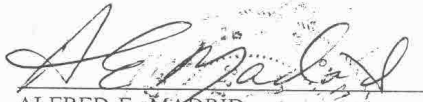
980202811

TO HAVE AND TO HOLD, The said tract or parcel of land, together with the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, unto its, executors, administrators, successors, and assigns forever.

AND FURTHERMORE, The United States of America does for itself, its heirs, executors, administrators, successors and assigns, covenant with the said UNITED STATES OF AMERICA FOR THE UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, its heirs, executors, administrators, successors and assigns that from and after the ensembling of these presents the said United States of America, its heirs, executors, administrators, successors or assigns will have and claim no right in, or to said quitclaimed premises.

AND FURTHERMORE, the United States of America covenants, for itself and its heirs, to specially warrant and forever defend the process used to forfeit the property hereby conveyed, to the grantee and its heirs, etc., against all persons claiming by, through or under the grantor or its heirs.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 23<sup>rd</sup> day of January, 1998.

  
ALFRED E. MADRID  
United States Marshal  
District of Arizona



pah\deed\richards.ded  
FATCO 270-228-174164  
National Park Service

980202811

United States of America

District of Arizona

I, Richard H. Weare, Clerk of the District Court of the United States for the District of Arizona, do hereby certify that Alfred E. Madrid, United States Marshal for the District of Arizona, who is to me known to be the same person named in and who executed the foregoing United States Marshal's Special Warranty Deed, this day personally appeared before me and acknowledged that he voluntarily executed the same as said United States Marshal, and for the consideration expressed therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said District Court, at the City of Phoenix in said District, this 23<sup>rd</sup> day of January, 1998.

RICHARD H. WEARE, Clerk

By:

Kathy M. Gerchar  
Deputy Clerk of the Court

Grantee: UNITED STATES OF AMERICA FOR THE UNITED STATES  
DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE

pah\deed\richards.ded  
FATCO 270-228-174164  
National Park Service

980202811

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Name Farm Credit Services Southwest

Street P.O. Box 24138  
Address

City & Tempe, Arizona 85285  
State



OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
HELEN PURCELL

94-0001368 01/03/94 11:15

PAGE 23 OF 25

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### SPECIAL POWER OF ATTORNEY

THE undersigned, as Senior Vice President of the Western Farm Credit Bank ("WFCB"), and on its behalf, pursuant to authority granted to the undersigned by its Corporate Bylaws, has irrevocably made, constituted and appointed the Farm Credit Services Southwest, ACA ("Association") acting by and through its President or any Vice President, as the true and lawful agent and attorney-in-fact for WFCB, and in its name, place and stead, with the authority herein provided: to enter into, execute and deliver on behalf of WFCB the following instruments and documents, including but not limited to any contracts, agreements, deeds, conveyances, trust deeds, leases, mortgages, notices, assignments, subordinations, waivers, drafts, notes, full or partial reconveyances, satisfaction of mortgages, UCC financing statements, easements, and any and all other documents necessary to fulfill Association's authority as delegated to Association in the Loan and Acquired Property Servicing Agreement originally dated January 1, 1994 as may be amended, or renewed by execution of a new agreement, from time to time ("Agreement"), executed by WFCB and Association.

THAT, neither the Seal of Association nor the attestation by its Secretary or Assistant Secretary shall be required on any of the foregoing documents executed by the officers of the Association. Each and every act, matter and thing which shall be given, made and done by or in connection with the exercise of any or all of the aforesaid powers shall be as good, valid and effectual as if done by WFCB through its duly authorized officers, and persons relying upon any document executed by Association under the aforesaid powers need not require proof that WFCB had authorized such action, and otherwise may rely upon same as fully as if duly authorized by the board of directors of WFCB.

Association is hereby granted full powers of substitution to other officers within the Association.

This power of attorney to be effective as of January 1, 1994.

The foregoing power of attorney shall remain in full force and effect until notice of revocation in writing is given by the undersigned.

IN WITNESS WHEREOF, the Western Farm Credit Bank has caused its name to be subscribed this 31 day of December, 1993.

ATTEST:

WESTERN FARM CREDIT BANK

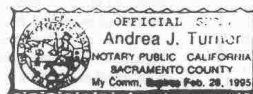
By: Stephen W. Hale

Stephen W. Hale  
Senior Vice President

[ACKNOWLEDGEMENT]

STATE OF CALIFORNIA )  
COUNTY OF Sacramento ) ss.

On December 1, 1993 before me, Andrea J. Turner, a notary public,  
personally appeared Stephen W. Hale.



Notary Seal

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Andrea J. Turner  
Notary Public

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Name Farm Credit Services Southwest

Street P.O. Box 24138  
Address

City & Tempe, Arizona 85285  
State



FEE # 940100004  
OFFICIAL RECORDS  
COCHISE COUNTY  
DATE HOUR  
01/03/94 9

REQUEST OF  
FARM CREDIT SERVICES  
CHRISTINE RHODES-RECORDER  
FEE : 9.00 PAGES : 1

JAN 03 1994 9A

55E-2

### SPECIAL POWER OF ATTORNEY

THE undersigned, as Senior Vice President of the Western Farm Credit Bank ("WFCB"), and on its behalf, pursuant to authority granted to the undersigned by its Corporate Bylaws, has irrevocably made, constituted and appointed the Farm Credit Services Southwest, ACA ("Association") acting by and through its President or any Vice President, as the true and lawful agent and attorney-in-fact for WFCB, and in its name, place and stead, with the authority herein provided: to enter into, execute and deliver on behalf of WFCB the following instruments and documents, including but not limited to any contracts, agreements, deeds, conveyances, trust deeds, leases, mortgages, notices, assignments, subordinations, waivers, drafts, notes, full or partial reconveyances, satisfaction of mortgages, UCC financing statements, easements, and any and all other documents necessary to fulfill Association's authority as delegated to Association in the Loan and Acquired Property Servicing Agreement originally dated January 1, 1994 as may be amended, or renewed by execution of a new agreement, from time to time ("Agreement"), executed by WFCB and Association.

THAT, neither the Seal of Association nor the attestation by its Secretary or Assistant Secretary shall be required on any of the foregoing documents executed by the officers of the Association. Each and every act, matter and thing which shall be given, made and done by or in connection with the exercise of any or all of the aforesaid powers shall be as good, valid and effectual as if done by WFCB through its duly authorized officers, and persons relying upon any document executed by Association under the aforesaid powers need not require proof that WFCB had authorized such action, and otherwise may rely upon same as fully as if duly authorized by the board of directors of WFCB.

Association is hereby granted full powers of substitution to other officers within the Association.

This power of attorney to be effective as of January 1, 1994.

The foregoing power of attorney shall remain in full force and effect until notice of revocation in writing is given by the undersigned.

IN WITNESS WHEREOF, the Western Farm Credit Bank has caused its name to be subscribed this 1<sup>st</sup> day of December, 1993.

ATTEST:

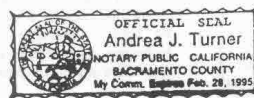
WESTERN FARM CREDIT BANK

By: Stephen W. Hale  
Stephen W. Hale  
Senior Vice President

[ACKNOWLEDGEMENT]

STATE OF CALIFORNIA )  
COUNTY OF Sacramento ) ss.

On December 1, 1993 before me, Andrea J. Turner, a notary public,  
personally appeared Stephen W. Hale



Notary Seal

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Andrea J. Turner  
Notary Public

SEP 07 1993  
12pm 508  
E-2

When recorded, mail to:

Melinda S. Barnett  
JAMES M. MARLAR, P.C.  
302 North First Avenue, Suite 450  
Phoenix, Arizona 85003  
(602) 254-4147



FEE # 930923671  
OFFICIAL RECORDS  
COCHISE COUNTY  
DATE 09/07/93 HOUR 12

REQUEST OF  
HAWKINS & CAMPBELL INC  
CHRISTINE RHODES-RECORDER  
FEE : 9.00 PAGES : 3

**TRUSTEE'S DEED**

MELINDA S. BARNETT (herein called "Trustee"), as the duly appointed Successor Trustee of the Deed of Trust hereinafter described, does hereby grant and convey, but without covenant or warranty, express or implied, to Western Farm Credit Bank, Successor-in-Interest to Arizona Production Credit Association (herein called "Grantee"), the real property situated in the County of Cochise, State of Arizona, described as follows:

See Exhibit "A" attached hereto and made a part hereof.

Trustee states that:

This conveyance is made pursuant to the powers, including the power of sale, conferred upon Trustee by the Deed of Trust dated November 18, 1988, made by Richard Richards husband of Cheryl Richards as Trustor, to Arizona Production Credit Association as Trustee, in which Arizona Production Credit Association is named as beneficiary, and recorded December 9, 1988, as Recorder's No. 88-1225364, beneficial interest assigned to Western Farm Credit Bank, recorded March 11, 1992, in Docket No. 9203-05352, in the office of the County Recorder of said County and State, and after fulfillment by the Trustee of the conditions specified in said Deed of Trust, and in compliance with the law regarding the recording of the Notice of Trustee's Sale and the mailing, posting and publication of copies thereof regarding the Trustee's sale and all proceedings leading thereto.

Exempt to Affidavit and  
Fee Requirement Pursuant to  
Ariz. Rev. Stat. Sec. 42-1614 B(1)

930923671

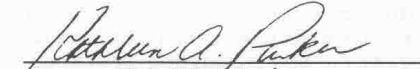
Said property was sold by Trustee at public auction on August 26, 1993, at 10:30 a.m. at the place named in the Notice of Trustee's Sale in the County of Cochise, Arizona in which county the property is situated. Grantee, being the highest bidder at such sale, became the purchaser of said property and made payment therefor to said Trustee of the amount bid, namely \$100,000.00, which payment was made by the reduction of the obligations then secured by said Deed of Trust, together with the fees, costs and expenses relative thereto.

Dated: August 31, 1993

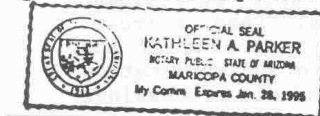
  
MELINDA S. BARNETT, Trustee

STATE OF ARIZONA        )  
                                  ) ss.  
County of Maricopa     )

This instrument was acknowledge before me this 31st day of August, 1993, by Melinda S. Barnett, who acknowledged herself to be an attorney at law, licensed to practice in the State of Arizona, as Successor Trustee of the above-referenced Deed of Trust.

  
Notary Public

My Commission Expires:



Schedule A

EXHIBIT "A"

The Northeast quarter of the Southwest quarter of the Northeast quarter; and the Southeast quarter of the Southwest quarter of the Northeast quarter; and the South half of the Southeast quarter of the Northeast quarter; and the South half of the North half of the Southeast quarter of the Northeast quarter; and the Northwest quarter of the Northwest quarter of the Southeast quarter of the Northeast quarter; and the North half of the North half of the Northeast quarter of the Southeast quarter of Section 17, Township 24 South, Range 21 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona;

EXCEPT the following described PARCELS (A) and (B):

PARCEL (A):

BEGINNING at the Northwest corner of the South half of the Northeast quarter of said Section 17;  
thence South 100 feet;  
thence East 100 feet;  
thence North 60 feet;  
thence East 200 feet;  
thence South 260 feet;  
thence East 150 feet;  
thence North 200 feet;  
thence East 70 feet;  
thence South 35 feet;  
thence East 800 feet to a point on the West line of the Northwest quarter of the Northwest quarter of the Southeast quarter of the Northeast quarter;  
thence North along said West line, 135 feet to a point on the North line of the South half of the Northeast quarter;  
thence West along said North line of the South half of the Northeast quarter, 1320 feet, more or less, to the Point of Beginning.

PARCEL (B):

BEGINNING at the Northwest corner of the South half of the Northeast quarter of said Section 17;  
thence South 100.00 feet;  
thence East 100.00 feet;  
thence North 60.00 feet;  
thence East 200.00 feet;  
thence South 260.00 feet;  
thence East 150.00 feet;  
thence North 200.00 feet to the TRUE POINT OF BEGINNING;  
thence East 70.00 feet;  
thence South 35.00 feet;  
thence East 630.00 feet;  
thence South 315.00 feet;  
thence West 700.00 feet;  
thence North 350.00 feet to the TRUE POINT OF BEGINNING.

After recording return to:

National Park Service, Western Region  
 Division of Land Acquisition  
 450 Golden Gate Ave., Box 36063  
 San Francisco, California 94102

CORONADO NATIONAL MEMORIAL

TRACT NO: 101-30

Escrow 57009374

## GRANT DEED

\*RICHARD B. RICHARDS and CHERYL RICHARDS also known as CHERYL A. RICHARDS, as Joint Tenants, husband and wife  
 GRANTOR(S), in consideration of Twelve Thousand Five Hundred and No/100ths (\$12,500.00-----) DOLLARS, receipt of which is hereby acknowledged, do(es) hereby grant to the UNITED STATES OF AMERICA and its assigns, the following described property located in the County of COCHISE, State of ARIZONA, containing 2.50 acres, more or less; to wit:

Gila and Salt River Base and Meridian  
 T.24S., R.21E.  
 Section 17, E $\frac{1}{2}$ N $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

EXEMPT UNDER A.R.S. 42-1614-A-3

TOGETHER WITH all buildings and improvements thereon and all water rights appurtenant thereto and all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

## FOR THE NATIONAL PARK SERVICE

The grantor covenants and agrees to convey to the United States of America the fee simple title to the above-described land subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to the following outstanding rights in third parties:

NONE

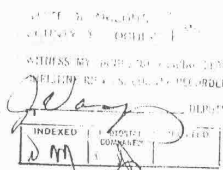
TO HAVE AND TO HOLD the same unto said UNITED STATES OF AMERICA and its assigns, forever.

The Grantor(s) further remise(s), release(s), and forever quitclaim(s) to the UNITED STATES OF AMERICA and its assigns, all right, title, and interest which the Grantor may have in the banks, beds, and waters of any streams bordering or any appropriative water rights appurtenant to the said lands to be conveyed and also all interest in any alleys, roads, streets, ways, strips, gores, or railroad rights-of-way abutting, adjoining, or appurtenant to said land and in any means of ingress or egress appurtenant thereto.

EXECUTED this 3rd day of August, 19 82

*Richard B. Richards*  
 Signature  
 Richard B. Richards

*Cheryl A. Richards*  
 Signature  
 Cheryl A. Richards



TRANSAMERICA TITLE INSURANCE CO.  
 P. O. BOX 1900  
 SIERRA VISTA, ARIZONA 85635  
 ENTRY CHG. \$3.00

1609 AUG 4 '82 - 11 15 AM  
 437 14755  
 438

DAT 1609 PAGE 437

DEED #13

County of COCHISE  
State of ARIZONA

On this 3rd day of August, 19 82, before me,  
Hester McClelland, A Notary Public in and for said County  
and State, residing therein, duly commissioned and sworn, personally appeared

RICHARD B. RICHARDS AND CHERYL A. RICHARDS  
known to me to be the person s whose name s subscribed to the within  
instrument, and acknowledged to me that t he y executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official  
Seal the day and year in this certificate first above written.

  
Hester McClelland  
Notary Public in and for said County  
of Cochise, State of Arizona  
My commission expires 12/14/83

After recording return to:

National Park Service, Western Region  
 Division of Land Acquisition  
 450 Golden Gate Ave., Box 36063  
 San Francisco, California 94102

Coronado National Memorial

TRACT NO: 101-27 &amp; 101-28

## GRANT DEED

/B. also known as Cheryl A. Richards  
 Richard D. Richards & Cheryl Richards, husband & wife, as joint tenants,  
 GRANTOR(S), in consideration of Fifty Thousand and No/100-----  
 (\$ 50,000.00 ) DOLLARS, receipt of which is hereby acknowledged, do(es) hereby grant  
 to the UNITED STATES OF AMERICA and its assigns, the following described property located  
 in the County of Cochise, State of Arizona, containing 10.00 acres,  
 more or less; to wit:

Gila and Salt River Base and Meridian

T.24S., R.21E.

 Section 17, N1/2NE1/4SE1/4NE1/4, &  
 S1/2NE1/4NE1/4SE1/4

THIS DEED IS BEING RE-RECORDED TO CORRECT SCRIVENERS ERROR IN GRANTORS  
 NAME.

EXEMPT UNDER A.R.S. 42-1614-A-3

TOGETHER WITH all buildings and improvements thereon and all water rights appurtenant  
 thereto and all and singular the tenements, hereditaments and appurtenances thereunto  
 belonging, or in any wise appertaining and the reversion and reversions, remainder and  
 remainders, rents, issues and profits thereof.

FOR THE NATIONAL PARK SERVICE

The grantor covenants and agrees to convey to the United States of America the fee  
 simple title to the above-described land subject to existing easements for public roads  
 and highways, public utilities, railroads, and pipelines; and subject to the following  
 outstanding rights in third parties:

NONE

TO HAVE AND TO HOLD the same unto said UNITED STATES OF AMERICA and its assigns, forever.

The Grantor(s) further remise(s), release(s), and forever quitclaim(s) to the UNITED  
 STATES OF AMERICA and its assigns, all right, title, and interest which the Grantor may  
 have in the banks, beds, and waters of any streams bordering or any appropriative water  
 rights appurtenant to the said lands to be conveyed and also all interest in any alleys,  
 roads, streets, ways, strips, gores, or railroad rights-of-way abutting, adjoining, or  
 appurtenant to said land and in any means of ingress or egress appurtenant thereto.

EXECUTED this 11 day of June, 1981.

*Richard D. Richards*  
 Signature

*Cheryl A. Richards*  
 Signature



STATE OF ARIZONA

COUNTY OF COCHISE

WITNESS MY HAND AND SEAL

CHRISTINE B. BROWN, CLERK

JUN 16 1981

RECORDED

INDEXED

DOCKET

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 TRANSAMERICAN TITLE INSURANCE CO.  
 P. O. BOX 1964  
 SIERRA VISTA, ARIZONA 85635

DEC 16 '81 - 1 15 PM

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DEED #9

1556

PAGE 338

County of ARIZONA  
State of COCHISE

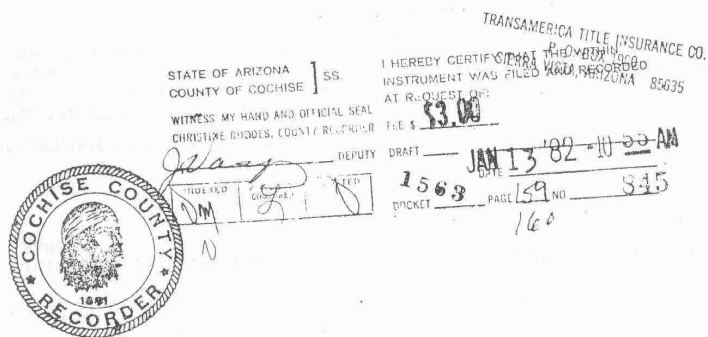
On this 15th day of December, 19 81, before me,

HESTER MCCLELLAND, A Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared

RICHARD B. RICHARDS and CHERYL A. RICHARDS  
known to me to be the person s whose names s subscribed to the within instrument, and acknowledged to me that t he y executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate first above written.

*Hester McClelland*  
Notary Public in and for said County  
of COCHISE, State of ARIZONA  
My commission expires 12/14/83



OKT 1556 PAGE 339

OKT 1553 PAGE 160

Docket Information

Number of Documents in Docket 84

Documents Dated from 2/28/1977 to 3/9/2004

Docket Compiled: 3/16/2012