



WATER-RIGHT DOCKET

Saguaro National Park

Docket No: 12

DEER HEAD SPRING

State Water Rights Documentation

11-30-1981: statement of claim for file no. 39-011134

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

STATEMENT OF CLAIMANT

(Leave Blank)

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

File No. 39-011134
Filed: 1/4/82 at PM M
(date) (time)

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

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

1. Name of Claimant: National Park Service, U.S. Government, Department of Interior
(Last) (First) (M.I.)

450 Golden Gate Avenue, Box 36063, San Francisco, CA 94102 (415) 556-8660
(Address, City, State, Zip) (Telephone No.)

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

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

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

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

D. Claim of Water Right for a Stockpond. State Land Department Application
No. _____.

E. X Other. Describe: Federal Reserve Water Right - Deer Head Spring (Saguaro N.M.)

3. A. Date of initiation of right: July 19, 1907. (see explanatory)
(Month/Day/Year)

B. Date water first used for beneficial purposes: July 19, 1907.
(Month/Day/Year)

4. Purpose, annual amount and annual period of use: (see explanatory)

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

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

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

5. A. (3) Indicate kind of crops cultivated: _____
 Character of soil: _____
- B. If for domestic purposes, number of persons: _____, or families: _____
- C. If for stockwater purposes, number and kind of stock watered: _____
- 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: Natural water supply
for indigenous flora and fauna.
- I. If for other purposes, describe: Fire suppression
6. A. Direct source of public water diverted: _____ tributary to _____
 on the _____ watershed. (see explanatory)
- B. Point of Diversion (indicate on map): _____ $\frac{1}{4}$, Section 20
 Township 14 (N/S), Range 18 (E/W), Gila and Salt River Base and
 Meridian, County Pima. Ownership National Park Service
- C. Place of use (indicate on map): NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20
 Township 14 (N/S), Range 18 (E/W), Gila and Salt River Base and
 Meridian, County Pima. Ownership National Park Service
7. State all other sources of water supply not described in Question 6 of this form.
- A. Type of Source: (see explanatory)
- B. Location of Source (indicate on map): _____ $\frac{1}{4}$, 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)
- (2) Location (10 acre subdivision) (indicate on map): _____ $\frac{1}{4}$ _____ $\frac{1}{4}$
 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: _____ to _____
 (Month/Day) (Month/Day)
8. Water storage reservoir and/or diverting works:
- A. Location (indicate on map): _____ $\frac{1}{4}$, Section _____
 Township _____ (N/S), Range _____ (E/W), Gila and Salt River Base and
 Meridian, County _____ Ownership _____
- B. Name of storage reservoir and/or diverting works (if known): _____
- C. Maximum capacity: _____ Ac.Ft.
- D. Maximum depth of water: _____ ft.

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

Explanatory

Item 3. This portion of Saguaro National Monument was first reserved as a part
of the Catalina Forest Preserve on the date shown. Saguaro Nat'l Mon.
was established by Presidential Proclamation on March 1, 1933.

Item 4. The National Park Service claims the entire flow from this source for
the indicated purposes. The volumetric flow from this source was
measured at 8.0 gpm on 5/20/81. The estimated annual flow is 2.2 x
10⁶ gallons. All water from this source originates and terminates
(continued on the next page)

Explanatory (cont.)

within the boundaries of Saguaro National Monument. All uses occur within the Monument boundary.

Item 6. Water from this source is allowed to flow in its natural stream course and is not diverted in any manner.

Item 7. There are numerous seeps, tinajas and areas of resurfaced underflow within the drainage channels located throughout this portion of Saguaro National Monument. Although these sources are small in comparison to the source for which this form is being completed, they are important components of the Monument's ecosystem. Therefore, the water discharged from these sources is allowed to flow unrestricted. The National Park Service claims rights to these waters for the purposes indicated in

Item 4. However, due to the large number, magnitude of flow, and seasonal nature of these sources, a listing is not practical.

(continued on the next page)

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

STATE OF ARIZONA)
) SS
County of _____)

VERIFICATION

(please print Claimant-Affiant's name)

(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. *

Claimant-affiant signature

Gerard S. Witucki
Claimant-affiant representative's
signature

Claimant-affiant signature

Gerard S. Witucki
Chief, Division of Water Resources

Attest:

Claimant-affiant representative's
signature

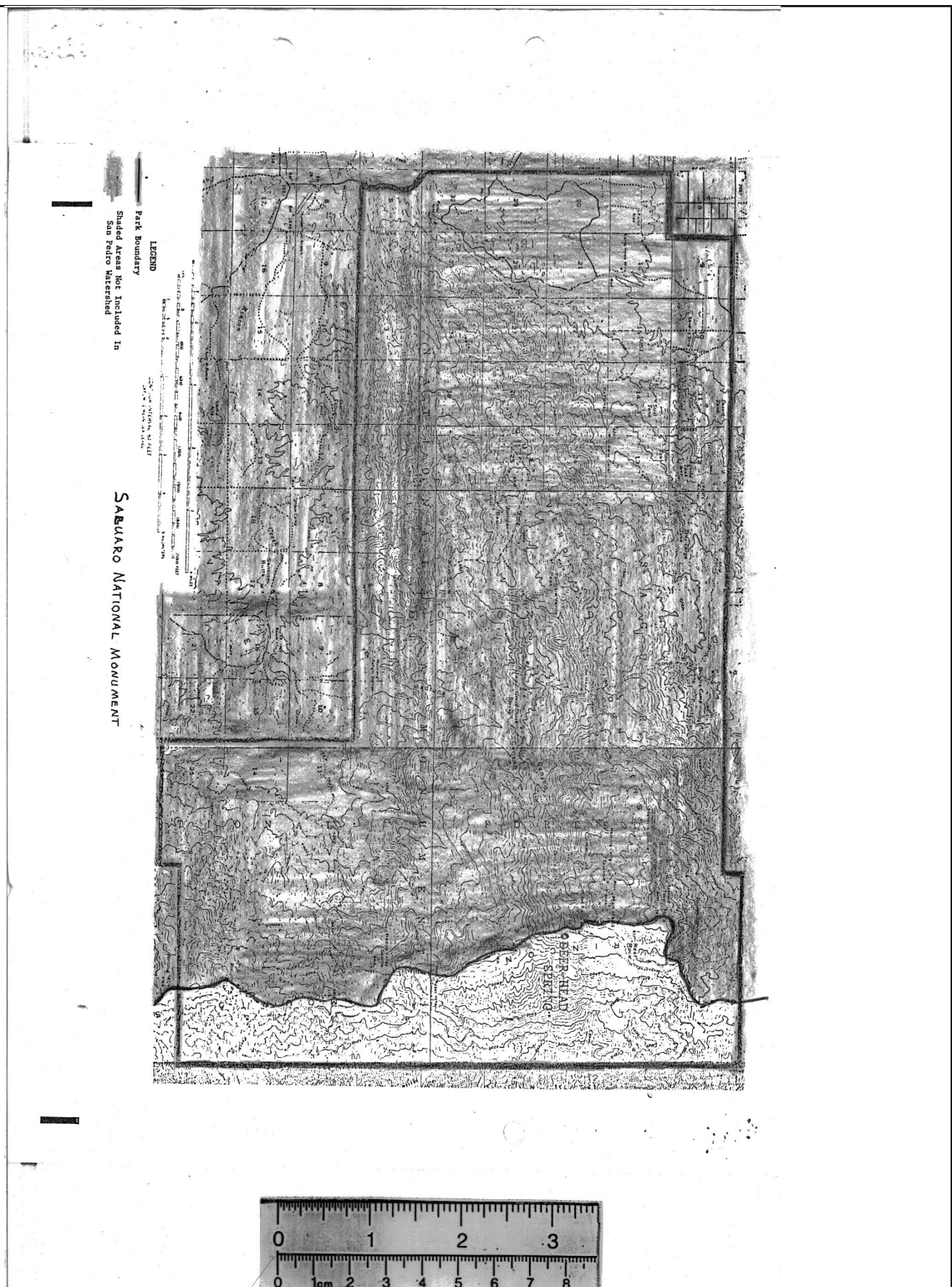


* United States Government
Department of the Interior
National Park Service
Western Regional Office

Subscribed and sworn to before me this
30th day of November, 1981.

Mary E. Meredith
Notary Public or authorized employee of
the Arizona Water Commission

My Commission expires 3/26/85



Other Supporting Information



United States Department of the Interior

NATIONAL PARK SERVICE

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

August 8, 2001

IN REPLY REFER TO:

L54 (2380)
SAGU/Water Rights

Memorandum

To: Superintendent, Saguaro National Park

From: Chief, Water Rights Branch

Subject: Order and Partial Decree for Springs in the San Pedro River Adjudication

Please find attached the Order and Partial Decree of Stipulated Water Rights: San Pedro River Watershed (Saguaro National Park Monument [Rincon Mountain Unit]) and the abstracts from the referenced stipulation. The partial decree recognizes federal reserved water rights for Turkey Creek, Turtle, Mud, Spud Rock, and Deer Head Springs in the Rincon Mountain Unit contained within the San Pedro River Adjudication.

The NPS originally filed Statement of User Claims in the San Pedro River Adjudication in 1982. The NPS and several objectors entered into a stipulation defining the attributes of the water rights in 1996. This partial decree recognizes our rights to the five springs and represents the first recognition of federal reserved rights for any NPS unit in Gila River General Adjudication.

The five springs have a priority date of March 1, 1933 (the date of reservation) and may be used for wildlife, park administration including drinking and sanitation for visitors and Park Service personnel, maintenance of Park Service buildings, facilities and vehicles, and similar uses/firefighting. Because the five springs are located in the headwaters of the Rincon Mountains it is unlikely they will be threatened by future development around the park and, therefore, it is unlikely that long-term monitoring to protect these rights is required.

If you have any questions with regard to the Order or the abstracts please call Bill Hansen, of my staff, at (970) 225-3532.

Enclosures: (6) [SAGU Dockets (12, 13, 18, 23, 24, 30) and Adjudication File]

cc: SAGU – Weesner
IMRO – Wade, Ladd, Reber
2380 (email) – Soukup, Kliwinski, Kimball, Flora, Jackson, McGlothlin

WR Copy
In reply refer to:
LS4 SAGU-L

Region Three
Santa Fe, New Mexico

May 12, 1953

Memorandum

To: Director
From: Regional Chief, Land and Recreation Planning
Subject: Information Regarding Seven Springs, Saguaro

In reply to Mr. Dunn's memorandum of July 3, 1951, we have attached copies of Superintendent King's memorandum of March 30, giving information on the following springs:

- | | |
|-------------------------------|--|
| 1. Freeman Spring | NE $\frac{1}{4}$ Sec. 5, T. 15 S., R. 16 E. |
| 2. Douglas Camp Spring | SE $\frac{1}{4}$ Sec. 8, T. 14 S., R. 17 E. |
| 3. Manning Camp Spring | NE $\frac{1}{4}$ Sec. 24, T. 14 S., R. 17 E. |
| 4. Spud Rock Spring | NE $\frac{1}{4}$ Sec. 19, T. 14 S., R. 18 E. |
| 5. Happy Valley Saddle Spring | SE $\frac{1}{4}$ Sec. 5, T. 15 S., R. 18 E. |
| 6. Deer Head Spring | SE $\frac{1}{4}$ Sec. 20, T. 14 S., R. 18 E. |
| 7. Mud Spring | SE $\frac{1}{4}$ Sec. 21, T. 14 S., R. 18 E. |

Mr. Castellum has checked with the State Engineer's office and there are no water rights filings on any of the above springs. We have attached a supply of forms obtained from the State Engineer by Mr. Castellum for any action Mr. Dunn feels should be taken after he has reviewed the data supplied by Mr. King.

(SIGNED)

Milton J. McColm
Regional Chief of Land
and Recreation Planning

In duplicate

Attachments 2

Copy to: Gen. Supt., SWNM (2)

COPY

COPY

March 30, 1953

MEMORANDUM

To: General Superintendent
From: Superintendent, Saguaro
Subject: Water Rights, Saguaro

According to Mr. Castellum's memorandum of March 27, 1953, he checked with the State Engineer's office and found no record of applications for the several springs in Saguaro National Monument. The following information relates to specific information requested in Mr. Davis' memorandum of August 7, 1951:

Freeman Spring NE $\frac{1}{4}$ Sec. 5, T. 15 S., R. 16 E.

1. Water does not flow away from spring.
2. Tributary to Rincon Creek.
5. 50 Gallons per day for wildlife.
6. Estimate that development would produce 50 gallons per day.

Douglas Camp SE $\frac{1}{4}$ Sec. 8, T. 14 S., R. 17 E.

1. Water does not flow away from spring.
2. Tributary to Millito Creek.
5. 50 gallons per day for wildlife.
6. Estimate that development could produce 50 gallons per day.

Manning Camp Spring NE $\frac{1}{4}$ Sec. 24, T. 14 S., R. 17 E.

1. In a wet season it will run at an estimated rate of 5 gallons per minute and will empty into the main creek a distance of approximately 100 feet. In a dry season it has been known to dry up entirely.
2. Tributary to Chiminea Creek.
5. Estimate that a minimum of 150 gallons per day necessary for domestic use at Manning Camp during the summer season.
6. No additional increase in flow anticipated.

Spud Rock Spring NE $\frac{1}{4}$ Sec. 19, T. 14 S., R. 18 E.

1. Water does not flow away from spring.
2. Tributary to Bear Creek.
3. 50 gallons per day estimated use by wildlife.
6. 50 gallons estimated increase by developing.

Happy Valley Saddle Spring

SE $\frac{1}{4}$ Sec. 5, T. 15 S., R. 18 E.

1. Water does not flow away from spring except when wet season occurs.
2. Tributary of Rincon Creek.
5. 25 gallons per day estimated use by wildlife.
6. Estimate development would increase production by 25 gallons.

Deer Head Spring

SE $\frac{1}{4}$ Sec. 20, T. 14 S., R. 18 E.

1. Water does not flow away from spring, but ground surface is moist for a distance of 50 feet below spring.
2. Tributary of Bear Creek.
5. Estimate use by wildlife at 50 gallons per day.
6. Estimate development will increase production by 50 gallons per day.

Mud Spring

SE $\frac{1}{4}$ Sec. 21, T. 14 S., R. 18 E.

1. Water does not flow away from spring.
2. Tributary of Bear Creek.
5. 50 gallons per day estimated use by wildlife.
6. 50 gallons per day estimated increase after development.

None of the springs listed have a measurable flow of water away from the source except the Manning Camp Spring. I believe that in each case there would be a considerable increase in water production, if properly developed. We have accomplished some development on the Manning Camp spring which has proven adequate for the past several seasons for domestic consumption. However this spring was practically dry during the latter part of June in 1948.

Samuel A. King
Superintendent

C
O
P
Y

C O P Y

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Southwestern National Monuments
P. O. Box 1728
Santa Fe, New Mexico

In reply refer to:
154 SAGU

August 7, 1951

Memorandum

To: Superintendent, Saguaro
From: General Superintendent
Subject: Water Rights, Saguaro

On June 11 I transmitted a copy of a memorandum to the Regional Director prepared by Regional Counsel Barton regarding seven springs at Saguaro National Monument. These springs are named and described as follows:

Freeman Spring	NE $\frac{1}{4}$ Sec. 5, T. 15 S., R. 16 E.
Douglas Camp	SE $\frac{1}{4}$ Sec. 8, T. 14 S., R. 17 E.
Manning Camp	NE $\frac{1}{4}$ Sec. 24, T. 14 S., R. 17 E.
Spud Rock Cabin	NE $\frac{1}{4}$ Sec. 19, T. 14 S., R. 18 E.
Mud Springs	SE $\frac{1}{4}$ Sec. 21, T. 14 S., R. 18 E.
Happy Valley Saddle	SE $\frac{1}{4}$ Sec. 5, T. 15 S., R. 18 E.
Deer Head Spring	SE $\frac{1}{4}$ Sec. 20, T. 14 S., R. 18 E.

We also have a letter to you from Roger D. Morris, Acting Forest Supervisor, dated June 28, advising that the Forest Service has nothing in its records to indicate any appropriation was ever made of the waters from these springs by the Coronado National Forest.

There is attached a copy of Mr. Dunn's memorandum of July 3 relating to the spring development program at Saguaro. Will you check with State Engineer C. H. W. Smith at your first opportunity and determine whether any filings have been made on any springs within the boundaries of the monument, and particularly the seven described in the above list. We suggest that a personal check with Mr. Smith's office will be advisable rather than sending a list to his office by mail. In the meantime, you should again review Mr.

Barton's memorandum of May 28 and as soon as practicable, submit the information requested, especially that covered by points 1, 2, 5, and 6. The general location of the springs mentioned under items 3 and 4 was covered by the description of the springs furnished by you on the PCP sheet.

John M. Davis
General Superintendent

Attachment

Copy to: Director
Regional Director



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
LS4 SAGU

July 3, 1951

Memorandum

To: Regional Director, Region Three
From: Chief, Water Resources Branch
Subject: Water Rights, Saguaro National Monument

This refers to the memorandum of May 28 for you from the Regional Counsel with regard to a spring development program, and the memorandum of June 21 for the Regional Forester from Mr. Ratcliff.

Mr. Barton's excellent memorandum covers the matter from one angle, but Mr. Ratcliff introduces the idea that there may have been some developments in the thirties, with related filing of Federal water claims.

There was, of course, no ground for filing a water claim unless a spring was developed or to be developed. Accordingly, it will be helpful to check with the State Engineer to see if any filings were made within the Monument, and also to make field inspection at each known spring to determine what improvements may have been made. With this information, including filing numbers, if any, we will proceed to assemble water right dockets.

(SGD.) A. VAN V. DUNN

A. van V. Dunn
Chief, Water Resources Branch

In duplicate

AvanVDunn: sh

C O P Y

UNITED STATES DEPARTMENT OF AGRICULTURE
Forest Service
Coronado National Forest

E
WATER RESOURCES, Coronado
Water Rights

June 28, 1951

Mr. Sam King
National Park Service
Saguaro National Monument
Tucson, Arizona

Dear Mr. King:

Reference is made to your list of springs which you furnished to this office to ascertain the existence of any water rights.

We have nothing in our records to indicate that any appropriation was ever made of the waters of these springs by the Coronado National Forest.

Very truly yours,

WM. H. WOODS, JR., Forest Supervisor

By ROGER D. MORRIS Acting

WR Copy
In reply refer to:
L54 SAGU-L

Region Three
Santa Fe, New Mexico

May 12, 1953

Memorandum

To: Director
From: Regional Chief, Land and Recreation Planning
Subject: Information Regarding Seven Springs, Saguaro

In reply to Mr. Dunn's memorandum of July 3, 1951, we have attached copies of Superintendent King's memorandum of March 30, giving information on the following springs:

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| 6. Deer Head Spring | SE $\frac{1}{4}$ Sec. 20, T. 14 S., R. 18 E. |
| 7. Mud Spring | SE $\frac{1}{4}$ Sec. 21, T. 14 S., R. 18 E. |

Mr. Gastelum has checked with the State Engineer's office and there are no water rights filings on any of the above springs. We have attached a supply of forms obtained from the State Engineer by Mr. Gastelum for any action Mr. Dunn feels should be taken after he has reviewed the data supplied by Mr. King.

(SIGNED)

Milton J. McColm
Regional Chief of Land
and Recreation Planning

In duplicate

Attachments 2

Copy to: Gen. Supt., SWNM (2)

Docket Information

Number of Documents in Docket 15

Documents Dated from 6/28/1951 to 11/30/1981

Docket Compiled: 6/8/2016