



WATER-RIGHT DOCKET

Wupatki National Monument

Docket No: 1

WUPATKI SPRING

State Water Rights Documentation

09-30-1999: Letter to AZ Dept of Water Resources regarding State of Claim of Right to Use Public Waters & Other Uses Amendm



IN REPLY REFER TO:

L54 (2380)
WUPA/Water Rights
PEFO/Water Rights
SUCR/Water Rights
WACA/Water Rights

Diane Hanna, Surface Water Rights
Arizona Department of Water Resources
Adjudications Division
500 North 3rd Street
Phoenix, Arizona 85004

Re: Statement Of Claim Of Right To Use Public Waters Of The State Of Arizona –
Registry No.s (to be assigned)
Statement Of Claimant Form For Other Uses Amendment – File No.s 39-89220,
39-89222, 39-91444, 39-91445, 39-91446, and 39-91447.

Dear Ms. Hanna:

Attached you will find completed water rights claim forms for Wupatki National Monument, Petrified Forest National Park, Sunset Crater National Monument, and Walnut Canyon National Monument.

“Statement Of Claim Of Right To Use Public Waters Of The State Of Arizona” forms are filed for Peshlaki and Heiser Springs in Wupatki National Monument.

“Statement Of Claimant Form For Other Uses Amendment” forms are filed to amend the claimed priority dates for Peshlaki and Hesier Springs in Wupatki National Monument. Please note the “Registry Number” referred to in Items 2, 3, and 15 must be filled in after your office has processed the “Statement Of Claim” forms and assigned a Registry Number. Amended claims are also filed to amend the quantifiable present and future administrative consumptive uses for Petrified Forest National Park, Sunset Crater National Monument, and Wupatki National Monument, and to amend the boundary description for Walnut Canyon National Monument.

Please return signed and dated copies of the processed claim forms to our office. Contact

Jim Harte (970) 225-3538 with any questions you may have regarding these claims.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles W. Pettee".

Charles W. Pettee
Chief, Water Rights Branch

Enclosures

cc: Peter Fahmy
Andy Walch
Flagstaff Areas – Sam R. Henderson
PEFO – Michelle Hellickson

STATEMENT OF CLAIMANT FORM
FOROTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39- _____

Date Filed: _____

WFN _____

1. Claimant Name: United States of America c/o National Park Service (Walnut Canyon NM)Claimant Address: 1201 Oak Ridge Dr. Suite 250 City Fort CollinsState: Colorado Zip Code 80525-5596 Telephone 970-225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____ Permit No. _____, or Certificate of Water Right No. _____
- C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
- D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
- E. ☒ Other, describe: (see file No. 39-89220)

3. Claimed Priority Date: ____/____/____ (month/day/year) (see File No. 39-89220)-

4. Use:

- A. ☐ Municipal
- B. ☐ Commercial or Industrial
- C. ☐ Mining
- D. ☐ Stockwatering other than from a stockpond
- E. ☐ Recreation, Fish & Wildlife
- F. ☒ Other, describe: (see file No. 39-89220)

5. Source of Water: (see file No. 39-89220)

- A. ☐ Stream: name _____, tributary to _____
- B. ☐ Spring: name _____, tributary to _____
- C. ☐ Lake or Reservoir: name _____, tributary to _____
- D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-89220)

____ 1/4, ____ 1/4, ____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
- B. ☐ Gravity flow into a ditch, canal or pipeline.
- C. ☒ Well: Arizona Department of Water Resources Well Registration No. 55-629093
- D. ☒ Other, describe: (see file No. 39-89220)

¹ 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: (see file No. 39-89220) _____

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

County Coconino County

Legal Subdivision _____

Section _____

Township _____

Range _____

N/S

E/W

N/S

E/W

11. Claimed Right: (see file No. 39-89220)

A. Maximum Flow Rate: _____ ☐ cubic-feet per second

☐ gallons per minute

☐ Arizona miner's inches

B. Annual Volume of Water Use: 12 _____ acre-feet per Annum

C. Storage Right: _____ acre-feet

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 _____

(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)

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? Additional contacts include William Hansen (970) 225-3532 and

Jim Harte (970) 225-3538.

15. Additional comments: Amends claim No. 39-89220 to include Walnut Canyon National Monument boundary modification, Section 208, --P.L. 104-333, 110 Stat. 4093, "Walnut Canyon National Monument Boundary Modification", November 12, 1996, published in the Federal Register and included as an attachment to this amendment.

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

ARIZONA DEPARTMENT OF WATER RESOURCES
ADJUDICATIONS DIVISION
500 NORTH 3RD STREET
PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), _____

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

(seal)

My Commission Expires _____

Notary Public

or, _____

Authorized Personnel of the Department of Water Resources

STATEMENT OF CLAIMANT FORM
FOR

OTHER USES¹ AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39-
 Date Filed:
 WFN

1. Claimant Name: United States of America, c/o National Park Service (Wupatki NM)
 Claimant Address: 1201 Oakridge Drive, Suite 250 City Fort Collins
 State: Colorado Zip Code 80525 Telephone (970) 225-3500

2. Basis of Claim:

A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____

B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____
 Permit No. _____, or Certificate of Water Right No. _____

C. ☐ Decreed water right. Principal litigants, court, date and case no. _____

D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____

E. ☒ Other, describe: (see File No. 39-91444)

3. Claimed Priority Date: ____/____/____ (month/day/year) (see file No. 39-91444)

4. Use:

A. ☐ Municipal

B. ☐ Commercial or Industrial

C. ☐ Mining

D. ☐ Stockwatering other than from a stockpond

E. ☐ Recreation, Fish & Wildlife

F. ☒ Other, describe:
(see file No. 39-91444)

5. Source of Water: (see file No. 39-91444 with attachment)

A. ☐ Stream: name _____, tributary to _____

B. ☐ Spring: name _____, tributary to _____

C. ☐ Lake or Reservoir: name _____, tributary to _____

D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-91444)
 _____ 1/4, _____ 1/4, _____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

A. ☐ Instream pump.

B. ☐ Gravity flow into a ditch, canal or pipeline.

C. ☐ Well: Arizona Department of Water Resources Well Registration No. 55- _____

D. ☒ Other, describe: (see file No. 39-91444)

¹ 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: (see file No. 39-91444) _____

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

County Coconino

Legal Subdivision _____

Section _____

Township _____

Range _____

N/S

E/W

N/S

E/W

11. Claimed Right: (see file No. 39-91444)

A. Maximum Flow Rate: _____

☐ cubic-feet per second

☐ gallons per minute

☐ Arizona miner's inches

B. Annual Volume of Water Use: 16.0 acre-feet per annum

C. Storage Right: _____ acre-feet

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 _____

(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)

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? Additional contacts include: William Hansen (970) 225-9532 and
Jim Harte (970) 225-3538.

15. Additional comments: Amends item II-A-4-C (page 4), to the attachment to claim

No. 39-91444, regarding Wupatki National Monument. Amends quantifiable present
and future administrative consumptive uses from 17 acre-feet per annum to
16 acre-feet per annum.

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

ARIZONA DEPARTMENT OF WATER RESOURCES
ADJUDICATIONS DIVISION
500 NORTH 3RD STREET
PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), _____

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

(seal)

My Commission Expires _____

Notary Public

or, _____

Authorized Personnel of the Department of Water Resources

STATEMENT OF CLAIMANT FORM
FOROTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39: _____

Date Filed: _____

WFN: _____

1. Claimant Name: United States of America c/o National Park Service (Petrified Forest NP)
 Claimant Address: 1201 Oak Ridge Drive, Suite 250 City Fort Collins
 State: Colorado Zip Code 80525 Telephone 970-225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
 B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____
 Permit No. _____, or Certificate of Water Right No. _____
 C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
 D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
 E. ☒ Other, describe: (see File No. 39-89222)

3. Claimed Priority Date: ____/____/____ (month/day/year) (See File No. 39-89222)

4. Use:

- A. ☐ Municipal
 B. ☐ Commercial or Industrial
 C. ☐ Mining
 D. ☐ Stockwatering other than from a stockpond
 E. ☐ Recreation, Fish & Wildlife
 F. ☒ Other, describe:
(see File No. 39-89222)

5. Source of Water: (see File No. 39-89222)

- A. ☐ Stream: name _____, tributary to _____
 B. ☐ Spring: name _____, tributary to _____
 C. ☐ Lake or Reservoir: name _____, tributary to _____
 D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (See File No. 39-89222)

____ 1/4, ____ 1/4, ____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
 B. ☐ Gravity flow into a ditch, canal or pipeline.
 C. ☒ Well: Arizona Department of Water Resources Well Registration No. 55. (see Item 15)
 D. ☒ Other, describe: (see File No. 39-89222)

¹ 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: (See File No. 39-89222) _____

10. Place of Use, if other than point of diversion: (attach additional sheet if required) Petrified Forest National Park

County Apache & Navajo

Legal Subdivision _____

Section _____

Township _____

Range _____

N/S E/W

N/S E/W

11. Claimed Right: (see File No. 39-89222) ☐ cubic-feet per second

A. Maximum Flow Rate: _____ ☐ gallons per minute

B. Annual Volume of Water Use: 35.0 acre-feet per annum

C. Storage Right: _____ acre-feet

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 _____

(Chuck Pettee, Branch Chief, Water Resources Branch, National Park Service)

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? Additional contacts include: William Hansen (970) 225-3532 and
Jim Harte (970) 225-3538

15. Additional comments: Amends Item II-B-4-C (page 9), to attachment to claim No. 39-89222,
regarding Petrified Forest National Park. Amends quantifiable, present and future
administrative consumptive uses from 10 acre-feet per annum to 35 acre-feet per annum.
8.c.(continued) well registration No. 55-629113, 629091, 506605, 506603

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix,
Arizona 85007.

ARIZONA DEPARTMENT OF WATER RESOURCES
ADJUDICATIONS DIVISION
500 NORTH 3RD STREET
PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), _____

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

(seal)

My Commission Expires _____

Notary Public

or, _____

Authorized Personnel of the Department of Water Resources

STATEMENT OF CLAIMANT FORM
FOROTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39- _____

Date Filed: _____

WFN _____

1. Claimant Name: United States of America c/o National Park Service (Sunset Crater NM)
 Claimant Address: 1201 OakRidge Drive, Suite 250 City Fort Collins
 State: Colorado Zip Code 80525 Telephone (970) 225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____ Permit No. _____, or Certificate of Water Right No. _____
- C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
- D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
- E. ☒ Other, describe: (see File No. 39-91447)

3. Claimed Priority Date: ____/____/____ (month/day/year) (see file No. 39-91447)

4. Use:

- A. ☐ Municipal
- B. ☐ Commercial or Industrial
- C. ☐ Mining
- D. ☐ Stockwatering other than from a stockpond
- E. ☐ Recreation, Fish & Wildlife
- F. ☒ Other, describe: (see file No. 39-91447)

5. Source of Water: (see file No. 39-91447)

- A. ☐ Stream: name _____, tributary to _____
- B. ☐ Spring: name _____, tributary to _____
- C. ☐ Lake or Reservoir: name _____, tributary to _____
- D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-91447)
 _____ 1/4, _____ 1/4, _____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
- B. ☐ Gravity flow into a ditch, canal or pipeline.
- C. ☒ Well: Arizona Department of Water Resources Well Registration No. 55- 649813
- D. ☒ Other, describe: (see file No. 39-91447)

¹ 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: (see file No. 39-91447) _____

10. Place of Use, If other than point of diversion: (attach additional sheet if required) Sunset Crater National Monument
 County Coconino
 Legal Subdivision _____ Section _____ Township _____ Range _____
 _____ N/S _____ E/W
 _____ N/S _____ E/W

11. Claimed Right: (see file No. 39-91447) ☐ cubic-foot per second

A. Maximum Flow Rate: _____ ☐ gallons per minute

B. Annual Volume of Water Use: 32 _____ acre-feet per annum ☐ Arizona miner's inches

C. Storage Right: _____ acre-feet

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 _____

(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)
 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? Additional contacts include: William Hansen (970)225-3532 and Jim Harte (970) 225-3538

15. Additional comments: Amends Item II-B-4-C (page 8), to the attachment to claim No. 39-91447, regarding Sunset Crater National Monument. Amends quantifiable present and future administrative consumptive uses from 20 acre-feet per annum to 32 acre-feet per annum.
Well #55-649813 replaces Well #A23-8(21-1)715 however #A23-8(21-1) 715 is available for
 (attach additional sheet if required) emergency use.

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

17. Notarized Statement:

I (We), _____

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

(seal)

My Commission Expires _____

Notary Public

or, _____

Authorized Personnel of the Department of Water Resources

STATEMENT OF CLAIMANT FORM
FOROTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39-

Date Filed:

WFN

1. Claimant Name: United States of America c/o National Park Service (Wupatki NM)Claimant Address: 1201 Oakridge Drive, Suite 250 City Fort Collins
State: Colorado Zip Code 80525 Telephone (970) 225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. ☒ Appropriation Right acquired after June 12, 1919. Application No. (A-25-0) 32-1(718) Permit No. _____, or Certificate of Water Right No. _____
- C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
- D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
- E. ☒ Other, describe: (see file No. 39-91445)

3. Claimed Priority Date: ____ / ____ / 1892 (month/day/year) (see Registry No. _____ and attachment)

4. Use:

- A. ☒ Municipal
- B. ☐ Commercial or Industrial
- C. ☐ Mining
- D. ☒ Stockwatering other than from a stockpond
- E. ☒ Recreation, Fish & Wildlife
- F. ☒ Other, describe: (see file No. 39-91445 and attachment)

5. Source of Water:

- A. ☐ Stream: name _____, tributary to _____
- B. ☒ Spring: name Heiser Spring in Heiser Wash, tributary to Little Colorado River
- C. ☐ Lake or Reservoir: name _____, tributary to _____
- D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-91445)
NW $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 32, Township 25 N/S, Range 10 E/W7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: (see file No. 39-91445)

8. Means of Diversion:

- A. ☐ Instream pump.
- B. ☒ Gravity flow into a ditch, canal or pipeline.
- C. ☐ Well: Arizona Department of Water Resources Well Registration No. 55-_____
- D. ☐ Other, describe: _____

¹ 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 Coconino

Legal Subdivision

(see file 39-91445)

Section _____

Township _____

Range _____

N/S

E/W

N/S

E/W

11. Claimed Right: (see file No. 39-91445)

A. Maximum Flow Rate: _____

☐ cubic-feet per second

☐ gallons per minute

☐ Arizona miner's inches

B. Annual Volume of Water Use: 2.5 acre-feet

C. Storage Right: _____ acre-feet

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 _____

(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)

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? Additional contacts include: William Hansen (970) 225-3532 and

Jim Harte (970) 225-3538

15. Additional comments: Amends item 3 (file No. 39-91445): claimed priority Date,
from August 23, 1942 to 1892. (See Registry No. _____ with attached affidavit)

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix,
Arizona 85007.

ARIZONA DEPARTMENT OF WATER RESOURCES
ADJUDICATIONS DIVISION
500 NORTH 3RD STREET
PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), _____

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

(seal)

My Commission Expires _____

Notary Public

or,

Authorized Personnel of the Department of Water Resources

ARIZONA DEPARTMENT OF WATER RESOURCES
SURFACE WATER RIGHTS

MAIL TO: P.O. BOX 458

PHOENIX, ARIZONA 85001-0458

500 North Third Street

Phoenix, Arizona 85004-3903

Telephone (602) 417-2442

Fax (602) 417-2424

(For office use only)

Registry No: _____

Date Filed: _____

STATEMENT OF CLAIM OF RIGHT TO USE PUBLIC WATERS OF THE STATE OF ARIZONA

1. Claimant USA, National Park Service Telephone 970-225-3500
Address 1201 OakRidge Dr. Suite 250 City Fort Collins State CO Zip 80525
2. Type of water source and name Heiser Spring in Heiser Wash
a tributary to Little Colorado River within the Kana a Wash watershed
(for office use only)
- 3.

Type of Water Use(s) (e.g. irrigation, domestic, stock)	Annual Use (list use amount for each type)	Acres Irrigated (irrigation use only)	Specific Months of Use (if not for entire year)
Municipal, irrigation,	2.5 acre-feet	N/A	January thru December
Stock watering,	(total for all uses)	N/A	(for all uses)
recreation, wildlife			

4. Date the water was first used beneficially (month/day/year): _____ /1892
5. Location of point of water diversion: County Coconino
Lot _____ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, Township 25 N/S Range 10 E/W
(if applicable)
6. Location of place(s) of water use: County Coconino
Lot _____ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$, Section 30, Township 25 N/S, Range 10 E/W
(if applicable)
Lot _____ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$, Section 32, Township 25 N/S Range 10 E/W
(if applicable)
7. Legal basis for the claim (attach any documents being filed in support of claim): State law-initiation of
diversion and application to beneficial use. Conveyed to U.S. by warranty deed dated
Nov. 22, 1949 from CO Bar Livestock Company (see attached affidavit)
The information contained herein is true and correct to the best of my (our) knowledge.

STATE OF ARIZONA)

County of _____)

Signature(s)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 19____.

My commission expires _____

Notary Public

INSTRUCTIONS

STATEMENT OF CLAIM OF RIGHT TO USE PUBLIC WATERS OF THE STATE OF ARIZONA

This claim is for surface water which is defined by statute as "the waters of all sources, flowing in streams, canyons, ravines, or other natural channels, or in a definite underground channel, whether perennial or intermittent, flood, waste or surplus water, and of lakes, ponds and springs on the surface."

The following instructions are referenced by number to the questions on the claim.

1. Complete name of claimant, current mailing address, including zip code and telephone number. If the claimant is a corporation or business, include the name of the authorizing agent.
2. Give the name of the direct source of surface water and the type of source. If known, provide the name of the drainage, creek, etc. to which the source is a tributary.
3. Describe the claimed beneficial uses including the annual quantity of use (in gallons or acre-feet for each type of use), the irrigated acreage for any claimed irrigation use and the months the water is used. A quantity of use must be provided for each beneficial use or the claim will be returned for correction. Per Arizona Revised Statute § 45-181, beneficial use includes but is not limited to, use for domestic, municipal, recreation, wildlife, including fish, agricultural, mining, stockwatering, and power purposes.
4. The date of first beneficial use must be completed or the claim will be returned for correction.
5. Provide the legal land description for the location of the claimed point of diversion from the claimed source. This location must be described to the nearest 40 acre tract ($\frac{1}{4}, \frac{1}{4}$) or other appropriate description or the claim will be returned for correction.
6. Provide the legal land description for the location of the place(s) of use. This location must be described to the nearest 40 acre tract ($\frac{1}{4}, \frac{1}{4}$) or other appropriate description or the claim will be returned for correction.
7. Provide any information you may have pertaining to the legal basis of the claim. Documentation could include affidavits, homestead documents, a notice of location, notice of appropriation, photographs, etc.

General Instructions:

1. A separate form must be filed for each claimed right to use public water.
2. A \$10.00 filing fee must accompany each claim.
3. The statement of claim is a sworn affidavit. The statement of claim must be signed by the claimant(s) and must be subscribed and sworn to.
4. The filing of a statement of claim pursuant to this article which knowingly provides for an overstatement of a right either in quantity of water or times of use claimed constitutes a class 3 misdemeanor.

03/27/99 3:07 PM 02:52 PM NPS WATER RESOURCES DIVISION/DENVER

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AFFIDAVIT

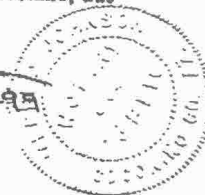
I, James Babbitt, being duly sworn and more than eighteen years of age, do hereby state and affirm as follows:

1. I am the DIRECTOR of the CO Bar Ranch, located N. of FLAGSTAFF, AZ. I have been a DIRECTOR since 1985.
2. Based on my own investigations about the history of water use on the CO Bar Ranch, I believe water from Peshlaki and Heiser Springs was first used for domestic and stockwatering purposes at the original homestead on the ranch in ~~1885~~ ¹⁸⁹².
3. I further believe that since ~~1885~~ ¹⁸⁹² water from Peshlaki and Heiser Springs has been continuously used for domestic and stockwatering purposes by CO Bar Ranch, the Navajo Nation, and the National Park Service.

James E. Babbitt
JAMES BABBITT
DIRECTOR of the CO Bar Ranch

Subscribed and sworn to before me in the State of Arizona, County of Coconino, this 21 day of April, 1998, by James Babbitt.

Martin D. John
NOTARY PUBLIC
6-9-98



STATEMENT OF CLAIMANT FORM
FOROTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39- _____

Date Filed: _____

WFN _____

1. Claimant Name: United States of America c/o National Park Service (Wupatki NM)Claimant Address: 1201 OakRidge Drive, Suite 250 City Fort CollinsState: Colorado Zip Code 80525 Telephone 970-225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____ Permit No. _____, or Certificate of Water Right No. _____
- C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
- D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
- E. ☒ Other, describe: (see registry No: _____)

3. Claimed Priority Date: _____ / _____ / 1892(month/day/year) (see registry No.: _____ and attachment)

4. Use:

- A. ☒ Municipal
- B. ☐ Commercial or Industrial
- C. ☐ Mining
- D. ☐ Stockwatering other than from a stockpond
- E. ☒ Recreation, Fish & Wildlife
- F. ☒ Other, describe: (see file No. 39-91446 and attachment)

5. Source of Water:

- A. ☐ Stream: name _____, tributary to _____
- B. ☒ Spring: name Peshlaki(aka Cottonwood), tributary to N/A
- C. ☐ Lake or Reservoir: name _____, tributary to _____
- D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required)

NE 1/4, SW 1/4, SW 1/4, Section 32, Township 25 N/S, Range 10 E/WX

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
- B. ☒ Gravity flow into a ditch, canal or pipeline.
- C. ☐ Well: Arizona Department of Water Resources Well Registration No. 55- _____
- D. ☐ Other, describe: _____

¹ 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: (see file No. 39-91446)

A. Maximum Flow Rate: _____

☐ cubic-feet per second☐ gallons per minute☐ Arizona miner's inches

B. Annual Volume of Water Use: 0.5 _____ acre-feet per annum

C. Storage Right: _____ acre-feet

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 _____
(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)

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? Additional contacts include: William Hansen (970) 225-3532 and
Jim Harte (970) 225-3538

15. Additional comments: Amends item 3 (file No. 39-91446): claimed priority date, from
December 31, 1983 to 1892. (see Registry No. _____ with attached affidavit)

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

ARIZONA DEPARTMENT OF WATER RESOURCES
ADJUDICATIONS DIVISION
500 NORTH 3RD STREET
PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), _____

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

(seal)

My Commission Expires _____

Notary Public

or, _____

Authorized Personnel of the Department of Water Resources

ARIZONA DEPARTMENT OF WATER RESOURCES
SURFACE WATER RIGHTS

MAIL TO: P.O. BOX 458
PHOENIX, ARIZONA 85001-0458
500 North Third Street
Phoenix, Arizona 85004-3903
Telephone (602) 417-2442
Fax (602) 417-2424

(For office use only)

Registry No: _____

Date Filed: _____

STATEMENT OF CLAIM OF RIGHT TO USE PUBLIC WATERS OF THE STATE OF ARIZONA

1. Claimant USA, National Park Service Telephone 970-225-3500
Address 1201 OakRidge Dr. Suite 250 City Fort Collins State CO Zip 80525
2. Type of water source and name Peshlaki (aka Cottonwood) Spring
a tributary to N/A within the Kana a Wash watershed
(for office use only)

Type of Water Use(s) (e.g. irrigation, domestic, stock)	Annual Use (list use amount for each type)	Acres Irrigated (irrigation use only)	Specific Months of Use (if not for entire year)
Municipal, Recreation,	.5 acre-feet (total	N/A	January thru December
Fish and Wildlife	for all uses)	N/A	(for all uses)

4. Date the water was first used beneficially (month/day/year): _____/1892
5. Location of point of water diversion: County Coconino
Lot _____ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 25 N/S Range 10 E/W
(if applicable)
6. Location of place(s) of water use: County Coconino
Lot _____ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$, Section 32, Township 25 N/S Range 10 E/W
(if applicable)
Lot _____ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$, Section _____, Township _____ N/S, Range _____ E/W
(if applicable)
7. Legal basis for the claim (attach any documents being filed in support of claim): State law-initiation of
diversion and application to beneficial use, conveyed to U.S. by warranty deed dated
Nov. 22, 1949 from CO Bar Livestock Company (see attached affidavit)
The information contained herein is true and correct to the best of my (our) knowledge.

STATE OF ARIZONA)
County of _____)

Signature(s)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 19____.

My commission expires _____

Notary Public

INSTRUCTIONS

STATEMENT OF CLAIM OF RIGHT TO USE PUBLIC WATERS OF THE STATE OF ARIZONA

This claim is for surface water which is defined by statute as "the waters of all sources, flowing in streams, canyons, ravines, or other natural channels, or in a definite underground channel, whether perennial or intermittent, flood, waste or surplus water, and of lakes, ponds and springs on the surface."

The following instructions are referenced by number to the questions on the claim.

1. Complete name of claimant, current mailing address, including zip code and telephone number. If the claimant is a corporation or business, include the name of the authorizing agent.
2. Give the name of the direct source of surface water and the type of source. If known, provide the name of the drainage, creek, etc. to which the source is a tributary.
3. Describe the claimed beneficial uses including the annual quantity of use (in gallons or acre-feet for each type of use), the irrigated acreage for any claimed irrigation use and the months the water is used. A quantity of use must be provided for each beneficial use or the claim will be returned for correction. Per Arizona Revised Statute § 45-181, beneficial use includes but is not limited to, use for domestic, municipal, recreation, wildlife, including fish, agricultural, mining, stockwatering, and power purposes.
4. The date of first beneficial use must be completed or the claim will be returned for correction.
5. Provide the legal land description for the location of the claimed point of diversion from the claimed source. This location must be described to the nearest 40 acre tract ($\frac{1}{4}$, $\frac{1}{4}$) or other appropriate description or the claim will be returned for correction.
6. Provide the legal land description for the location of the place(s) of use. This location must be described to the nearest 40 acre tract ($\frac{1}{4}$, $\frac{1}{4}$) or other appropriate description or the claim will be returned for correction.
7. Provide any information you may have pertaining to the legal basis of the claim. Documentation could include affidavits, homestead documents, a notice of location, notice of appropriation, photographs, etc.

General Instructions:

1. A separate form must be filed for each claimed right to use public water.
2. A \$10.00 filing fee must accompany each claim.
3. The statement of claim is a sworn affidavit. The statement of claim must be signed by the claimant(s) and must be subscribed and sworn to.
4. **The filing of a statement of claim pursuant to this article which knowingly provides for an overstatement of a right either in quantity of water or times of use claimed constitutes a class 3 misdemeanor.**

03/27/99 02:52PM NPS WATER RESOURCES DIVISION/R/DENVER

P.2

002

AFFIDAVIT

I, James Babbitt, being duly sworn and more than eighteen years of age, do hereby state and affirm as follows:

1. I am the ^a DIRECTOR of the CO Bar Ranch, located N. EE FLAGSTAFF, AZ. I have been a DIRECTOR since 1985.

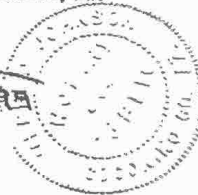
2. Based on my own investigations about the history of water use on the CO Bar Ranch, I believe water from Peshlaki and Heiser Springs was first used for domestic and stockwatering purposes at the original homestead on the ranch in ~~1885~~ ¹⁸⁹².

3. I further believe that since ¹⁸⁹² ~~1885~~ water from Peshlaki and Heiser Springs has been continuously used for domestic and stockwatering purposes by CO Bar Ranch, the Navajo Nation, and the National Park Service.

James E. Babbitt
JAMES BABBITT
DIRECTOR of the CO Bar Ranch

Subscribed and sworn to before me in the State of Arizona, County of Coconino, this 27 day of April, 1998, by James Babbitt.

Martin D. John
NOTARY PUBLIC
6-9-98



JUN-15-99 TUE 15:55

JUN-15-99 TUE 10:55 AM

INTMOW LAND RES-SANCA FE

FAX NO. 5059886709

P. 05

P. 4

WALNUT CANYON NATIONAL MONUMENT

AREA: 40.00 Acres

DATE: June 29, 1998

INTEREST TO BE ACQUIRED: Fee

TRACT 01-117

Situated in the State of Arizona, County of Coconino, being more particularly described:

All of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31 of Township 21 North, Range 9 East of the Gila and Salt River Base and Meridian and containing 40.00 acres of land, more or less.

JUN-15-99 TUE 15:55

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WNTMTH LAND RES-SANTA FE

FAX NO. 5059886709

P. 06

P. 5

WALNUT CANYON NATIONAL MONUMENT

AREA: 690.00 Acres

DATE: June 29, 1998

INTEREST TO BE ACQUIRED: Fee

TRACT NO. 01-115

Situated in the State of Arizona, County of Coconino, in a portion of Section 27, a portion of Section 33 and Section 34 of Township 21 North, Range 8 East of the Gila and Salt River Base and Meridian, being more particularly described:

All of Lot 1; Lot 2; the S $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{4}$ of Lot 3; and the E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 27 and containing 200.00 acres of land, more or less.

All of the E $\frac{1}{4}$ E $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{4}$ W $\frac{1}{4}$ E $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{4}$ of Lot 1; and E $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 33 and containing 50.00 acres of land, more or less.

All of the N $\frac{1}{4}$; N $\frac{1}{4}$ SW $\frac{1}{4}$; and N $\frac{1}{4}$ S $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34 and containing 440.00 acres of land, more or less.

The above described parcel, known as Tract 01-115 of Walnut Canyon National Monument contains a total of 690.00 acres of land, more or less.

SEP-13-99 MON 10:52 AM

INTERN LAND RES-SANTA FE

FAX NO. 5059886709

P. 2

WALNUT CANYON NATIONAL MONUMENT

AREA: 547.00 ACRES

DATE: JUNE 29, 1998

REVISED DATE: SEPTEMBER 2, 1999

INTEREST TO BE ACQUIRED: FEE

TRACT 01-106 AND 01-116

Situated in the State of Arizona, County of Coconino, in a portion of Section 28, Section 29 and Section 30 of Township 21 North, Range 9 East of the Gila and Salt River Base and Meridian, being more particularly described:

The Northwest Quarter of Section 28;

Also, a parcel of land more particularly described as follows:

Beginning at the West 1/16 corner common to Section 31 and said Section 30 of Township 21 North, Range 9 East;

Thence, Northeasterly, on a straight line to the quarter corner common to said Section 29 and said Section 30;

Thence, Northeasterly, from said quarter corner on a straight line, to the Section corner common to the Section 20, Section 21, said Section 28 and said Section 29;

Thence, South, along the section line common with said Section 28 and said Section 29 to the quarter corner common with said sections;

Thence, Southwesterly, from said quarter corner to the section corner common to said Section 29, said Section 30, Section 31 and Section 32;

Thence, West, along the South line of said Section 30, to the point of beginning.

Excepting therefrom a 50.00 foot right-of-way designated as the Walnut Creek Reservoir Pipeline right-of-way in a Quitclaim Deed from The Atchison, Topeka and Santa Fe Railway Company to Warren Stanley Smith, et ux. as recorded in Docket No. 1259, page 512 of the deed records of Coconino County.

The above-described parcel, known as Tract 01-106 and 01-116 of Walnut Canyon National Monument contains a total of 547.00 acres of land, more or less.

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PARKS AND PUBLIC LANDS ACT

P.L. 104-388
Sec. 208

"(d) To further the purposes of the monument, the Secretary is also authorized to acquire from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange not to exceed 65 acres outside the boundary depicted on the map referred to in section 301 and develop and operate thereon research, information, interpretive, and administrative facilities. Lands acquired and facilities developed pursuant to this subsection shall be administered by the Secretary as part of the monument. The boundary of the monument shall be modified to include the lands added under this subsection as a non-contiguous parcel."

SEC. 207. WUPATKI NATIONAL MONUMENT BOUNDARY ADJUSTMENT.

16 USC 431 note.

The boundaries of the Wupatki National Monument, Arizona, are hereby revised to include the lands and interests in lands within the area generally depicted as "Proposed Addition 168.89 Acres" on the map entitled "Boundary—Wupatki and Sunset Crater National Monuments, Arizona", numbered 322-80,021, and dated April 1989. The map shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. Subject to valid existing rights, Federal lands and interests therein within the area added to the monument by this section are hereby transferred without monetary consideration or reimbursement to the administrative jurisdiction of the National Park Service, to be administered as part of the monument in accordance with the laws and regulations applicable thereto.

SEC. 208. WALNUT CANYON NATIONAL MONUMENT BOUNDARY MODIFICATION.

16 USC 431 note.

(a) PURPOSE.—The purpose of this section is to modify the boundaries of the Walnut Canyon National Monument (hereafter in this section referred to as the "national monument") to improve management of the national monument and associated resources.

(b) BOUNDARY MODIFICATION.—Effective on the date of enactment of this Act, the boundaries of the national monument shall be modified as depicted on the map entitled "Boundary Proposal—Walnut Canyon National Monument, Coconino County, Arizona", numbered 360/80,010, and dated September 1994. Such map shall be on file and available for public inspection in the offices of the Director of the National Park Service, Department of the Interior. The Secretary of the Interior, in consultation with the Secretary of Agriculture, is authorized to make technical and clerical corrections to such map.

(c) ACQUISITION AND TRANSFER OF PROPERTY.—The Secretary of the Interior is authorized to acquire lands and interest in lands within the national monument, by donation, purchase with donated or appropriated funds, or exchange. Federal property within the boundaries of the national monument (as modified by this section) is hereby transferred to the administrative jurisdiction of the Secretary of the Interior for management as part of the national monument. Federal property excluded from the monument pursuant to the boundary modification under subsection (b) is hereby transferred to the administrative jurisdiction of the Secretary of Agriculture to be managed as a part of the Coconino National Forest.

(d) ADMINISTRATION.—The Secretary of the Interior, acting through the Director of the National Park Service, shall manage the national monument in accordance with this title and the provisions of law generally applicable to units of the National Park Service, including "An Act to establish a National Park Service,

110 STAT. 4107

110 STAT. 4093
NOV. 12, 1996

JUL-27-1999 13:43

SANTA FE FIELD SOLICITOR

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P.L. 104-333
Sec. 208

LAWS OF 104th CONG.—2nd SESS.

Nov. 12

and for other purposes" approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 209. BUTTE COUNTY, CALIFORNIA LAND CONVEYANCE.

(a) PURPOSE.—It is the purpose of this section to authorize and direct the Secretary of Agriculture to convey, without consideration, certain lands in Butte County, California, to persons claiming to have been deprived of title to such lands.

(b) DEFINITIONS.—For the purpose of this section:

(1) The term "affected lands" means those Federal lands located in the Plumas National Forest in Butte County, California, in sections 11, 12, 13, and 14, township 21 north, range 5 East, Mount Diablo Meridian, as described by the dependent resurvey by the Bureau of Land Management conducted in 1992, and subsequent Forest Service land line location surveys, including all adjoining parcels where the property line as identified by the 1992 BLM dependent resurvey and National Forest boundary lines before such dependent resurvey are not coincident.

(2) The term "claimant" means an owner of real property in Butte County, California, whose real property adjoins Plumas National Forest lands described in paragraph (1), who claims to have been deprived by the United States of title to property as a result of previous erroneous surveys.

(3) The terms "Secretary" means the Secretary of Agriculture.

(c) CONVEYANCE OF LANDS.—Notwithstanding any other provision of law, the Secretary is authorized and directed to convey, without consideration, all right, title, and interest of the United States in and to affected lands as described in subsection (b)(1), to any claimant or claimants, upon proper application from such claimant or claimants, as provided in subsection (d).

(d) NOTIFICATION.—Not later than 2 years after the date of enactment of this Act, claimants shall notify the Secretary, through the Forest Supervisor of the Plumas National Forest, in writing of their claim to affected lands. Such claim shall be accompanied by—

(1) a description of the affected lands claimed;

(2) information relating to the claim of ownership of such lands; and

(3) such other information as the Secretary may require.

(e) ISSUANCE OF DEED.—(1) Upon a determination by the Secretary that issuance of a deed for affected lands is consistent with the purpose and requirements of this section, the Secretary shall issue a quit claim deed to such claimant for the parcel to be conveyed.

(2) Prior to the issuance of any such deed as provided in paragraph (1), the Secretary shall ensure that—

(A) the parcel or parcels to be conveyed have been surveyed in accordance with the Memorandum of Understanding between the Forest Service and the Bureau of Land Management, dated November 11, 1989;

(B) all new property lines established by such surveys have been monumented and marked; and

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Federal Register / Vol. 63, No. 164 / Tuesday, August 25, 1998 / Notices

the proposed projects will be implemented. He will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service Appeal Regulations (36 CFR part 215).

Dated: August 17, 1998.

Monte Fujishin,

District Ranger.

[FR Doc. 98-22736 Filed 8-24-98; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF AGRICULTURE

Forest Service

DEPARTMENT OF THE INTERIOR

National Park Service

USDA, Forest Service, USDI, National Park Service; Notice of Transfer of Administrative Jurisdiction, Coconino National Forest and Walnut Canyon National Monument

SUMMARY: The Forest Service previously had administrative jurisdiction over 1,279 acres, more or less, as depicted on the map entitled, "Boundary Proposal—Walnut Canyon National Monument," numbered 360/80,010, and dated September 1994. The National Park Service formerly had administrative jurisdiction on 54 acres, more or less, as shown on the same map. Notice is hereby given that, pursuant to the provisions of Section 208 of Pub. L. 104-333, 110 Stat. 4093, administrative jurisdiction on the 1,279 acres is now in the National Park Service, and administrative jurisdiction on the 54 acres is now in the Forest Service. Both transfers are subject to prior existing rights and applicable laws and regulations. The specific lands and/or interests, subject to this notice, include both the surface and minerals on 1,279 acres, more or less, and 54 acres, more or less.

SUPPLEMENTARY INFORMATION: The maps and other documents associated with this transfer of lands and minerals may be reviewed at the Intermountain Land Resources Program Center, 1220 South St. Francis Drive, Santa Fe, New Mexico 87504, and at Walnut Canyon National Monument Headquarters, 6400 North Highway 89, Flagstaff, Arizona 86004. The same materials are available at the USDA, Forest Service, Regional Office, 517 Gold Avenue, SW, Albuquerque, New Mexico 87102, and Coconino National Forest, 2323 Greenlaw Lane, Flagstaff, Arizona 86004.

Dated: May 5, 1998.

Eleanor Towns,

Regional Forester, USDA, Forest Service, Region 3.

Dated: July 17, 1998.

John E. Cook,

Regional Director, Intermountain Region, National Park Service.

[FR Doc. 98-22723 Filed 8-24-98; 8:45 am]

BILLING CODE 4310-70-P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Bureau of Export Administration (BXA).

Title: Approval of Triangular Involving Commodities Covered by a U.S. Import Certificate.

Agency Form Number: None.

OMB Approval Number: 0694-0009.

Type of Request: Extension of a currently approved collection of information.

Burden: 1 hour.

Average Time Per Response: 30 minutes per response.

Number of Respondents: 1.

Needs and Uses: The triangular symbol will be stamped on the certificate as notification to the government of the exporting country that the U.S. importer is uncertain whether the items will be imported into the U.S. or knows that the items will not be imported into the U.S., but that, in any case, the items will not be delivered to any other destination except in accordance with the EAR. This procedure was developed in an effort to increase the effectiveness of controls over international trade in strategic commodities, ensuring that they will not be delivered to any other destination except in accordance with export control regulations.

Affected Public: Individuals, businesses or other for-profit institutions.

Respondent's Obligation: Required to obtain or retain a benefit.

OMB Desk Officer: Victoria Baecher-Wassmer (202) 395-5871.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, DOC Forms Clearance Officer, (202) 482-3272, Department of Commerce,

Room 5327, 14th and Constitution Avenue, NW, Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Victoria Baecher-Wassmer, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20230.

Dated: August 18, 1998.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 98-22726 Filed 8-24-98; 8:45 a.m.]

BILLING CODE 3510-33-P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 USC Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Northeast Region—Gear Identification Requirements.

Agency Form Number(s): None.

OMB Approval Number: None.

Type of Request: New collection.

Burden: 24,518 hours.

Number of Respondents: 3,253

(multiple requirements).

Avg. Hours Per Response: One minute to mark gear.

Needs and Uses: This collection is under the authority of the Magnuson-Stevens Fishery Conservation and Management Act. The regulations specify that federal permit holders using specified fishing gear be marked with the vessels official identification number, Federal permit number, tag number, or some other specified form of identification. The regulations further specify how the gear is to be marked (e.g., location and visibility). This information is used for enforcement purposes and for the identification of gear concerning damage loss or civil proceedings.

Affected Public: Businesses or other for-profit organization, individuals.

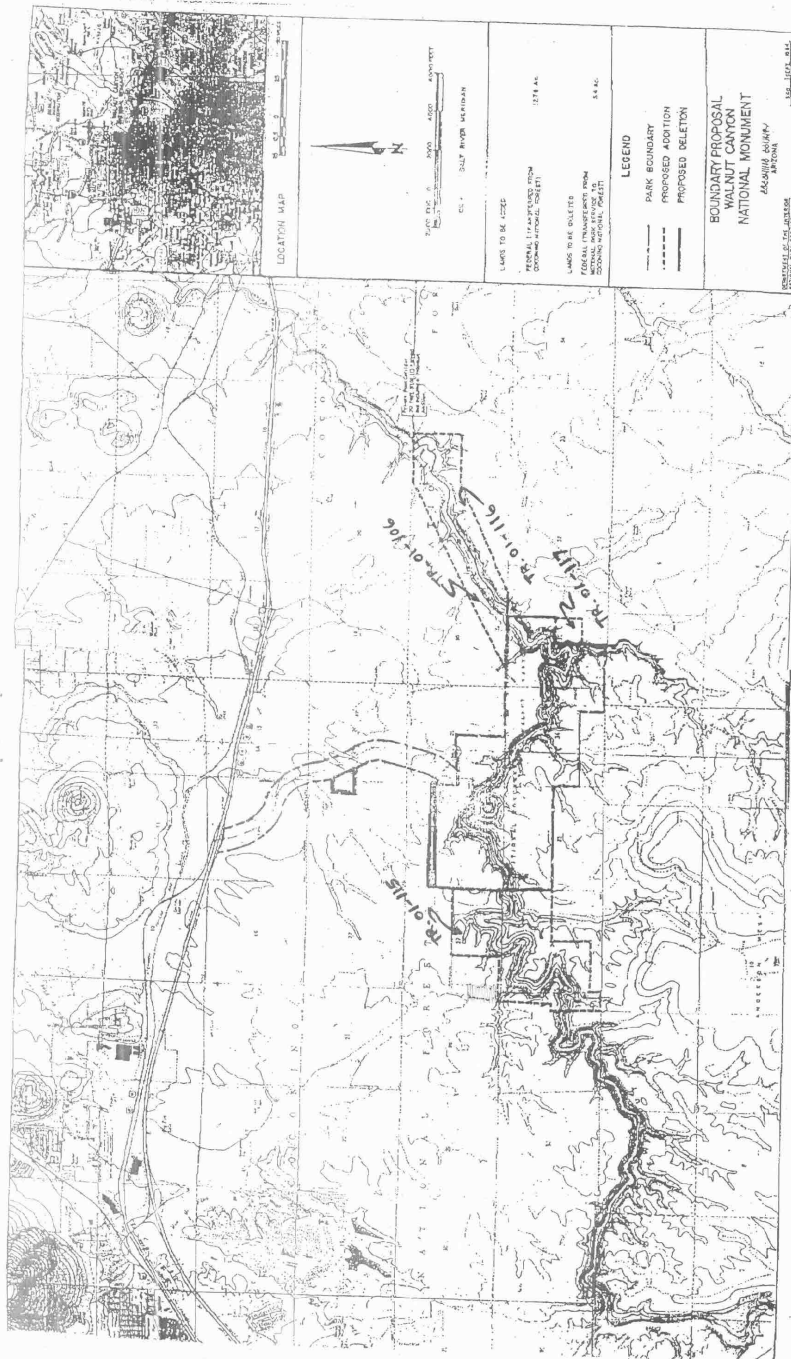
Frequency: Recordkeeping.

Respondent's Obligation: Mandatory.

OMB Desk Officer: David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, DOC Forms Clearance Officer, (202) 482-3272, Department of Commerce,

WALNUT CANYON NM DEED NO. 6



NOTA

For Departmental Use Only

STATEMENT OF CLAIMANT FOR FOR OTHER USES¹

File No. 39-	91444
Date Filed:	Nov 29, 1985
WFN	

LITTLE COLORADO RIVER WATERSHED ADJUDICATION
SUPERIOR COURT OF APACHE COUNTY

Reserved

1. Claimant Name: United States of America, c/o National Park Service (Wupatki NM)
 Claimant Address: Southwest Regional Office, P.O. Box 728 City Santa Fe
 State: New Mexico Zip Code 87501 Telephone (505) 988-6412
2. Basis of Claim:
 - A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
 - B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____, Permit No. _____, or Certificate of Water Right No. _____
 - C. ☐ Decreed water right. Principal litigants, court, date and case no.: _____
 - D. ☐ Right to withdraw groundwater.
 - E. ☒ Other, describe: Reserved Water Rights
3. Claimed Priority Date: See attachment (month/day/year)
4. Use:

A. ☐ Municipal	E. ☐ Recreation, Fish & Wildlife
B. ☐ Commercial or Industrial	F. ☒ Other, describe:
C. ☐ Mining	<u>Reservation purposes.</u>
D. ☐ Stockwatering other than from a stockpond	<u>see attachment</u>
5. Source of Water:
 - A. ☒ Stream: name _____, tributary to _____
 - B. ☒ Spring: name _____, tributary to _____
 - C. ☐ Lake or Reservoir: name _____, tributary to _____
 - D. ☒ Groundwater *
 * See attachment
6. Legal description of the Point of Diversion: (attach additional sheet if required)
1/4, 1/4, 1/4, Section _____, Township _____ N/S, Range _____ E/W
Reserved portions of Wupatki National Monument
7. If there are Irrigation, Domestic or Stockpond uses also supplied from the Point of Diversion, describe:

8. Means of Diversion:
 - A. ☐ Instream pump
 - B. ☐ Gravity flow into ditch, canal or pipeline.
 - C. ☐ Well: Arizona State Land Department, Arizona Water Commission or Arizona Department of Water Resources Intent to Drill File No. _____
 - D. ☒ Other, describe: Natural Flows

¹ 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: In-channel

10. Place of Use, if other than point of diversion: (attach additional sheet if required) Wupatki National Monument
County Coconino

Legal Subdivision	Section	Township	Range
_____	_____	_____N/S	_____E/W
_____	_____	_____N/S	_____E/W

11. Claimed Right: See attachment

A. Maximum Flow Rate: _____

☐ cubic-feet per second
☐ gallons per minute
☐ Arizona miner's inches

B. Annual Volume of Water Use: _____ acre-feet

C. Storage Right: _____ acre-feet

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 Keith E. Miller, Assoc.Reg.Dir., Park Operations

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? _____
Southwest Regional Office, National Park Service

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

16. Additional comments: _____

(attach additional sheet if required)

17. Notarized Statement:

I (We), Keith E. Miller, on behalf of the National Park Service,

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

(seal)

My Commission Expires: _____

Notary Public

or, _____
Authorized Personnel of the Department of Water Resources

Permit No.

Application No.

D R A F T

March 8, 1955

APPLICATION FOR A PERMIT

To Appropriate Public Waters of the State of ArizonaFiled.....at.....M.
(Applicant must not fill in the above blanks)

I, The United States, by Thomas J. Allen
(Applicant's name as inserted here must agree with that on the front of the application)
of Interior Building, Washington 25
(Postoffice)
DISTRICT OF COLUMBIA, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of Arizona.

- The source of the proposed appropriation is Wupatki Spring in Deadman's Wash
(Name of stream or name of reservoir and stream if water is diverted from reservoir)
drainage (normally dry) tributary of Little Colorado River
- The amount of water which the applicant intends to apply to beneficial use is:
For domestic use, 220,000 gallons per annum
(Municipal or Domestic) (Gallons per annum, or gallons per day)
For irrigation use,
(Irrigation) (Acre feet per acre per annum)
For use,
(Mining or Stock Watering) (Cubic feet per second, or gallons per annum)
For use, cubic feet per second.
(Power)
For use,
- The point of diversion located S 14° 37' 46" E. 1237.37 ft.
(State bearing and distance or coordinate distances to section or quarter section corner)
from NW Cor. Sec. 30, T. 25 N., R. 10 E., G&SRM

being within the NW 1/4 NW 1/4 of Sec. 30, T. 25N
(State 40-acre subdivision of U. S. Government survey or projection thereof) (No. N. or S.)
R. 10 E, G. & S. R. B. & M., in the County of Coconino
(No. E. or W.)

(Note—Complete paragraph below for all proposed uses of water, except irrigation)

- The water will be used for domestic purposes in the SE 1/4 NW 1/4
(40 or 10 acre subdivision)
of Sec. 30 and for in the
(40 or 10 acre subdivision)
of Sec. , T. 25N, R. 10E, G. & S. R. B. & M., Coconino County, Arizona.

DESCRIPTION OF WORKS

- Diversion Works:** (a) Diversion will be by gravity, the diverting dam to be feet in height (stream bed to overflow), long on top, and constructed of
(Concrete, earth, brush, etc.)

- (b) Description of headgate water is collected in 6" tile in trenches in the water
(Timber, concrete, etc., number and size of openings)
bearing rock and delivered to 1000 gallon concrete sump, which is to be replaced
by a 100,000 gallon collecting tank at same site. ON Ridge South of Present Reservoir
- (c) If water is to be pumped give general description 10 gpm Typhoon Pump with 1.5HP
(Size and type of pump)
gasoline engine now lifts water 10 ft. The pump will be replaced by one of
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)
gpm to lift water feet.

Do not use this form in making application for a permit to construct a reservoir and store water. A special form for this purpose may be obtained from the State Land Commissioner.

6(b) Is 100,000 gal. tank to be at new site and elevation, to give different pipe length, diameter and pump lift?

7. Existing 3000 gallon concrete distribution reservoir is to be replaced by 100,000 gallon concrete reservoir. Water is now distributed by gravity through 270 feet of 2" G.I. pipe. The new distribution pipe will consist of 300 feet of 4" G.I. pipe and 100 ft. of 1" pipe and 50 ft. of 3/4" pipe.

20. Records do not indicate whether natural surface spring flow was formerly adequate to serve goats and sheep of Indians.

Revised

13. **Power Use.** (a) The maximum amount of water to be used through the penstock is..... none
cubic feet per second.
- (b) Total amount of power to be developed..... theoretical horsepower.
(Second feet X fall $\div$ 8.8)
- (c) Total fall to be utilized..... feet.
(Pressure head)
- (d) The nature of the works by means of which the power is to be developed.....
(Turbine, Pelton wheel, hydraulic ram, etc.)
- (e) The works to be located, and the water to be released, in..... of Sec.....
(40-acre subdivision)
- T....., R....., G. & S. R. B. & M.
(No. N. or S.) (No. E. or W.)
- (f) Is water to be returned to any stream?..... If so, name stream and describe location of
(Yes or No)
point where returned. in the Sec....., T.....
(Name of stream) (40-acre subdivision) (No. N. or S.)
- R....., G. & S. R. B. & M.
(No. E. or W.)
- (b) The use to which the power is to be applied is
(For distribution and sale or private use, etc.)
- (Give general description of locality where power will be used)
14. **Mining Use.** The mines to be served are..... none known
(placer gold, lode gold, copper, etc.)
- as the
(Names of claims or name of group)
- located in....., Sec....., T....., R....., G. & S. R. B. & M.
(40-acre subdivision) (No. N. or S.) (No. E. or W.)
- and owned by.....
- The method of utilizing the water is.....
- Will the water be polluted by chemicals or otherwise?.....
(Explain nature of pollution, if any)
- What disposition is made of water after use?.....
(State if stored for reuse. If returned to a stream give name of stream and description of 40-acre tract to which returned)

GENERAL

15. Are the maps required by the Rules and Regulations filed with Application?...Yes..... If not,
(Yes or No)
state specifically the time required for filing same.....
16. The proposed point of diversion is on land of..... The United States
(Insert name of owner, or state on Public Domain, National Forest, State Land, etc.)
17. The proposed conduit system is on land of..... The United States
(Insert name of owner, or state on Public Domain, National Forest, State Land, etc.)
18. The land at the proposed place of use is owned by..... The United States
19. Post office used by those living near the proposed point of diversion is..... Flagstaff
20. Of the applicant's knowledge, has the water described herein ever been appropriated, claimed or
used by others?...Not known. If so, file a statement herewith furnishing names of former appropriators
or users of the water, and supporting applicant's claim that the water is now subject to appropriation.
21. If the source of supply is a stream, state names and addresses of three water users from the
stream below the proposed point of diversion; or, if there are no water users from stream below the pro-
posed point of diversion, or if the source of supply is other than a stream, furnish the names and addresses
of at least three residents of the vicinity familiar with the source of supply and the proposed use of water.

Assistant Director
National Park Service
Department of the Interior

Signature of Applicant

ORDER OF CORRECTION

STATE OF ARIZONA, }
County of Maricopa. } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows:

In order to retain its priority, this application must be corrected, completed and refiled in the office of the State Land Commissioner on or before....., 19.....

WITNESS my hand and seal of office this.....day of....., 19.....

Corrected application refiled

.....
State Land Commissioner

Application No.....

Permit No.....

PERMIT

STATE OF ARIZONA, }
County of Maricopa. } ss.

This is to certify that I have examined the foregoing application and do hereby approve the same, and grant to the applicant a permit to appropriate the water described therein subject to the following limitations and conditions:

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and shall not exceed.....
.....
.....

The priority of date under this permit is.....

Actual construction work shall begin on or before....., and shall be prosecuted with reasonable diligence and be completed on or before.....

Complete application of the water to the proposed use shall be made on or before.....

WITNESS my hand and seal of office this.....day of....., 19.....

.....
State Land Commissioner

C E R T I F I C A T E

Pursuant to the provisions of the act of August 24, 1912, as amended (5 U. S. C., Sec. 488), I HEREBY CERTIFY that the annexed copies, from bottom upwards, of: (1) Certified copy of Resolution of Board of Directors of CO Bar Live Stock Company; (2) Deed to the United States of America from CO Bar Live Stock Company, in three pages, conveying S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 32, T. 25 N., R. 10 E., G&SN, which includes Heiser Springs; (3) Certificate of acceptance of said deed for the United States of America; (4) Preliminary print of Drawing NE-WP-6977, Heiser Spring Diversion for Wupatki National Monument; and (5) Draft of March 7, 1955, of Application for the Appropriation of Water of Heiser Spring, in four pages, constitute a full, true, and literal exemplification of the status of proposed Federal claim to waters of Heiser Spring for Wupatki National Monument contained in the official records of the National Park Service.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the National Park Service to be affixed, this day of AUG 28 1956 , A. D. 1956.

(SGD) JACKSON E. PRIOR

**Assistant Director
National Park Service**

Copy to: Regional Director, Region Three
Superintendent, Wupatki Docket #2
Superintendent, Southwestern National Monuments
Western Office of Design and Construction
Acting Assistant Solicitor, Parks
E. M. Dunn

C E R T I F I C A T E

Pursuant to the provisions of the act of August 24, 1912,
as amended (5 U. S. C., Sec. 488), I HEREBY CERTIFY that the annexed, in
the order listed, constitutes a full, true, and literal exemplification
of:

1. Proclamation No. 1721 issued December 9, 1904,
establishing the Wupatki National Monument, as the same
appears in Vol. 43, United States Statutes at Large,
Page 1977.

2. Proclamation No. 2243 issued July 9, 1937,
adding certain described land to the Wupatki National
Monument, as the same appears in Vol. 50, United States
Statutes at Large, Page 1841.

3. Proclamation No. 2454 issued January 22, 1941,
excluding certain described lands from Wupatki National
Monument needed for the construction and operation of a
diversion dam for irrigation of lands on the Navajo
Indian Reservation, as the same appears in Vol. 55,
United States Statutes at Large, Page 1508.

IN WITNESS WHEREOF, I have hereunto set my hand and
caused the seal of the National Park Service to be affixed, this
27th day of August, A. D. 1956.

Jackson E. Price

Assistant Director
National Park Service

Copy to: Regional Director, Region Three
Superintendent, Wupatki
Western Office of Design and Construction
Acting Assistant Solicitor, Parks
✓ Mr. Dunn

C E R T I F I C A T E

Pursuant to the provisions of the act of August 24, 1912, as amended (5 U. S. C., Sec. 488), I HEREBY CERTIFY that the annexed copies, from bottom upwards, of: (1) Preliminary print of Drawing No. WIP-6978, Wapathi Spring Diversion for Wapathi National Monument; and (2) Draft of March 8, 1955, of Application for the Appropriation of water of Wapathi Spring, in four pages, constitute a full, true, and literal exemplification of the status of water rights under said draft of application for Wapathi National Monument, contained in the official records of the National Park Service.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the National Park Service to be affixed, this
day of AUG 28 1956, A. D. 1956.

(SGD) JACKSON E. PRIOR

Assistant Director
National Park Service

Copy to: Regional Director, Region Three
Superintendent, Wapathi
Superintendent, Southwestern National Monuments
Western Office of Design and Construction
Acting Assistant Solicitor, Parks
Mr. Dunn



IN REPLY REFER TO:

United States Department of the Interior

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

May 15, 2000

L54 (2380)
WUPA/Water Rights
PEFO/Water Rights
SUCR/Water Rights
WACA/Water Rights

Ms. Lisa M. Jannusch
Arizona Department of Water Resources
Adjudications Division
500 North 3rd Street
Phoenix, Arizona 85004

Re: Statement Of Claimant Form For Other Uses Amendment - File No.s 39-89220,
39-89222, 39-91444, 39-91445, 39-91446, and 39-91447.

Dear Lisa:

Attached you will find completed (signed and notarized) water rights claim forms for Wupatki National Monument, Petrified Forest National Park, Sunset Crater National Monument, and Walnut Canyon National Monument. The information you requested in your letter of December 3, 1999 has been provided on the attached forms.

Thanks again for your help with these claims. If we can do anything else please contact Jim Harte at (970) 225-3538.

Sincerely,

Charles W. Pettee
Chief, Water Rights Branch

Attachments (6)

ARIZONA DEPARTMENT OF WATER RESOURCES

500 North Third Street, Phoenix, Arizona 85004

Telephone (602) 417-2442

Fax (602) 417-2401



December, 3, 1999

Charles W. Pettee
National Parks Service
Water Resource Division
1201 Oak Ridge Dr., Ste250
Fort Collins, Co 80525-5596

RE: STATEMENT OF CLAIMANT NO. 39

Dear: Claimant,

The Department of Water Resources has received your request to assign/amend a Statement of Claimant filed in the adjudication proceedings. The information you have supplied is **insufficient** to complete your request. **Please provide the information noted in bold below** so that we may continue to process your assignment or amendment.

Please complete the enclosed form(s) and return with all supporting documentation.

We cannot determine what Statement of Claimant is being referenced in your request. Please identify the file reference number (39-) of the Statement of Claimant you are assigning or amending.

All signatures must be acknowledged by a Notary Public.

Proof of ownership must be submitted with the original assignment form:
Copy of a RECORDED DEED, TAX VALUATION NOTICE, OR A TAX BILL.

Other:

Sincerely,

Lisa M. Jannusch
Administrative Assistant III

(602) 417-2442 / Toll-Free in Arizona 1-800-352-8488



United States Department of the Interior

NATIONAL PARK SERVICE

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

October 13, 1999

IN REPLY REFER TO:

L54 (2380)
WUPA/Water Rights
PEFO/Water Rights
SUCR/Water Rights
WACA/Water Rights

Diane Hanna, Surface Water Rights
Arizona Department of Water Resources
Adjudications Division
500 North 3rd Street
Phoenix, Arizona 85004

Re: Statement Of Claim Of Right To Use Public Waters Of The State Of Arizona –
Registry No.s (to be assigned)
Statement Of Claimant Form For Other Uses Amendment – File No.s 39-89220,
39-89222, 39-91444, 39-91445, 39-91446, and 39-91447.

Dear Diane:

Attached you will find completed (signed and notarized) water rights claim forms for
Wupatki National Monument, Petrified Forest National Park, Sunset Crater National
Monument, and Walnut Canyon National Monument.

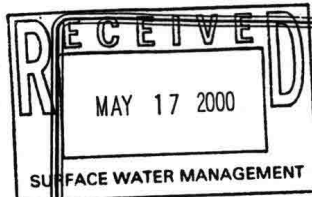
Thanks for your help with these claims. If we can do anything else please contact Jim
Harte at (970) 225-3538.

Sincerely,

Charles W. Pettee
Chief, Water Rights Branch

Enclosures (7)

10-13-99



STATEMENT OF CLAIMANT FORM
FOR

OTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39- 91444
Date Filed: _____
WFN: _____

1. Claimant Name: United States of America, c/o National Park Service (Wupatki NM)
Claimant Address: 1201 Oakridge Drive, Suite 250 City Fort Collins
State: Colorado Zip Code 80525 Telephone (970) 225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____, Permit No. _____, or Certificate of Water Right No. _____
C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
E. ☒ Other, describe: (see File No. 39-91444)

3. Claimed Priority Date: ____/____/____ (month/day/year) (see file No. 39-91444)

4. Use:

- A. ☐ Municipal
B. ☐ Commercial or Industrial
C. ☐ Mining
D. ☐ Stockwatering other than from a stockpond
E. ☐ Recreation, Fish & Wildlife
F. ☒ Other, describe: (see file No. 39-91444)

5. Source of Water: (see file No. 39-91444 with attachment)

- A. ☐ Stream: name _____, tributary to _____
B. ☐ Spring: name _____, tributary to _____
C. ☐ Lake or Reservoir: name _____, tributary to _____
D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-91444)
____ 1/4, ____ 1/4, ____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
B. ☐ Gravity flow into a ditch, canal or pipeline.
C. ☐ Well: Arizona Department of Water Resources Well Registration No. 55-_____
D. ☒ Other, describe: (see file No. 39-91444)

¹ See Instructions for explanation of uses in this category

STATEMENT OF CLAIMANT FORM
FOR

OTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39-	91444
Date Filed:	
WFN	

1. Claimant Name: United States of America, c/o National Park Service (Wupatki NM)
 Claimant Address: 1201 Oak Ridge Drive, Suite 250 City Fort Collins
 State: Colorado Zip Code 80525 Telephone (970) 225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____ Permit No. _____ or Certificate of Water Right No. _____
- C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
- D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
- E. ☒ Other, describe: (see File No. 39-91444)

3. Claimed Priority Date: ____/____/____ (month/day/year) (see file No. 39-91444)

4. Use:

- A. ☐ Municipal
- B. ☐ Commercial or Industrial
- C. ☐ Mining
- D. ☐ Stockwatering other than from a stockpond
- E. ☐ Recreation, Fish & Wildlife
- F. ☒ Other, describe: (see file No. 39-91444)

5. Source of Water: (see file No. 39-91444 with attachment)

- A. ☐ Stream: name _____, tributary to _____
- B. ☐ Spring: name _____, tributary to _____
- C. ☐ Lake or Reservoir: name _____, tributary to _____
- D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-91444)
 _____ 1/4, _____ 1/4, _____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
- B. ☐ Gravity flow into a ditch, canal or pipeline.
- C. ☐ Well: Arizona Department of Water Resources Well Registration No. 55- _____
- D. ☒ Other, describe: (see file No. 39-91444)

¹ 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: (see file No. 39-91444) _____

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

County Coconino

Legal Subdivision _____

Section _____

Township _____

Range _____

N/S

E/W

N/S

E/W

11. Claimed Right: (see file No. 39-91444)

A. Maximum Flow Rate: _____

☐ cubic-feet per second

☐ gallons per minute

☐ Arizona miner's inches

B. Annual Volume of Water Use: 53 acre-feet per annum

C. Storage Right: _____ acre-feet

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 Charles W. Pettee

(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)
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? Additional contacts include: William Hansen (970) 225-3532 and
Jim Harte (970) 225-3538.

15. Additional comments: Amends item II-A-4-C (page 4), to the attachment to claim

No. 39-91444, regarding Wupatki National Monument. Amends quantifiable present
and future administrative consumptive uses from 17 acre-feet per annum to
53 acre-feet per annum.

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

ARIZONA DEPARTMENT OF WATER RESOURCES
ADJUDICATIONS DIVISION
500 NORTH 3RD STREET
PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), Charles W. Pettee for the NPS

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

Charles W. Pettee

(seal)

My Commission Expires
Flora B. Romero, Notary Public
State of Colorado
My Commission Expires 7/30/2002

Flora B. Romero
Notary Public

of, _____

Deed

WUPATKI

Public Domain

10 Proclamation $S\frac{1}{2}$ sec 32, T 26N, R 9E; all sec 6, W $\frac{1}{2}$ sec.

E, N $\frac{1}{2}$ sec 7, T 25N, R 9E; SE $\frac{1}{4}$ sec 1, NE $\frac{1}{4}$ sec 12, T 25N, R 8E;

N $\frac{1}{2}$ sec 30, T 25N R 10E —

T 25N, 28E.

N $\frac{1}{2}$ & SW $\frac{1}{4}$ sec 1

all sec 2 & 11

W $\frac{1}{2}$ & SE $\frac{1}{2}$ sec 12,

all sec 13 & 14

all those parts of sec 3, 10 & 15 lying east of
the east line of L $\frac{1}{2}$ of D.S. # 89

T 25N, R 9E,

sec 1 to 4 inclusive

sec 5, E $\frac{1}{2}$

sec 7 S $\frac{1}{2}$

sec 8 to 18 inclusive.

WUPATKI (CONT.)

Deed 4. From C.O. BAR Lumber Co.

$W\frac{1}{2}SW\frac{1}{4}$ and $S\frac{1}{2}NW\frac{1}{4}$, sec 32

T 25N. R10E.

NOTE. Water improvements consist of a concrete tanks and pipe line

Deed 5 From State of Arizona

T 25N R8E sec 2, sec 3 & 10 that portion east of U.S. 89

sec 11, and 14

sec 15, $S\frac{1}{2}SE\frac{1}{4}$ and those portions of $N\frac{1}{2}N\frac{1}{2}$ and $NE\frac{1}{4}SW\frac{1}{4}$ lying east of U.S. 89

T 25N. R9E sec 2 and 16

T 25N. R10E sec. 2, lots 1, 2, 3, 4 and 5, $SE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$ AND $SW\frac{1}{4}$

sec. 16

sec 32, $E\frac{1}{2}$, $N\frac{1}{2}NW\frac{1}{4}$, and $E\frac{1}{2}SW\frac{1}{4}$

T 26N. R9E sec 32

T 26N. R10 sec 32

end

WUPATKI (CONT.)

T 26N R 9E sec 32 N $\frac{1}{2}$

T 25N R 10E sec. 1, lots 1 to 4 inclusive

W $\frac{1}{2}$ SW $\frac{1}{4}$, & SE $\frac{1}{4}$ SW $\frac{1}{4}$;

sec. 2, lots 1 to 5 inclusive

S $\frac{1}{2}$ NW $\frac{1}{4}$ + S $\frac{1}{2}$;

Secs. 3 to 12 & 14 to 22, inclusive

secs. 28 + 29

sec 30, S $\frac{1}{2}$;

sec. 31 + 32

T 26N R 10E sec. 16, SW $\frac{1}{4}$ sec 17 SE $\frac{1}{4}$

SEC. 20

sec 21, NW $\frac{1}{4}$

sec. 29 + 32

(20,008.37 ac)

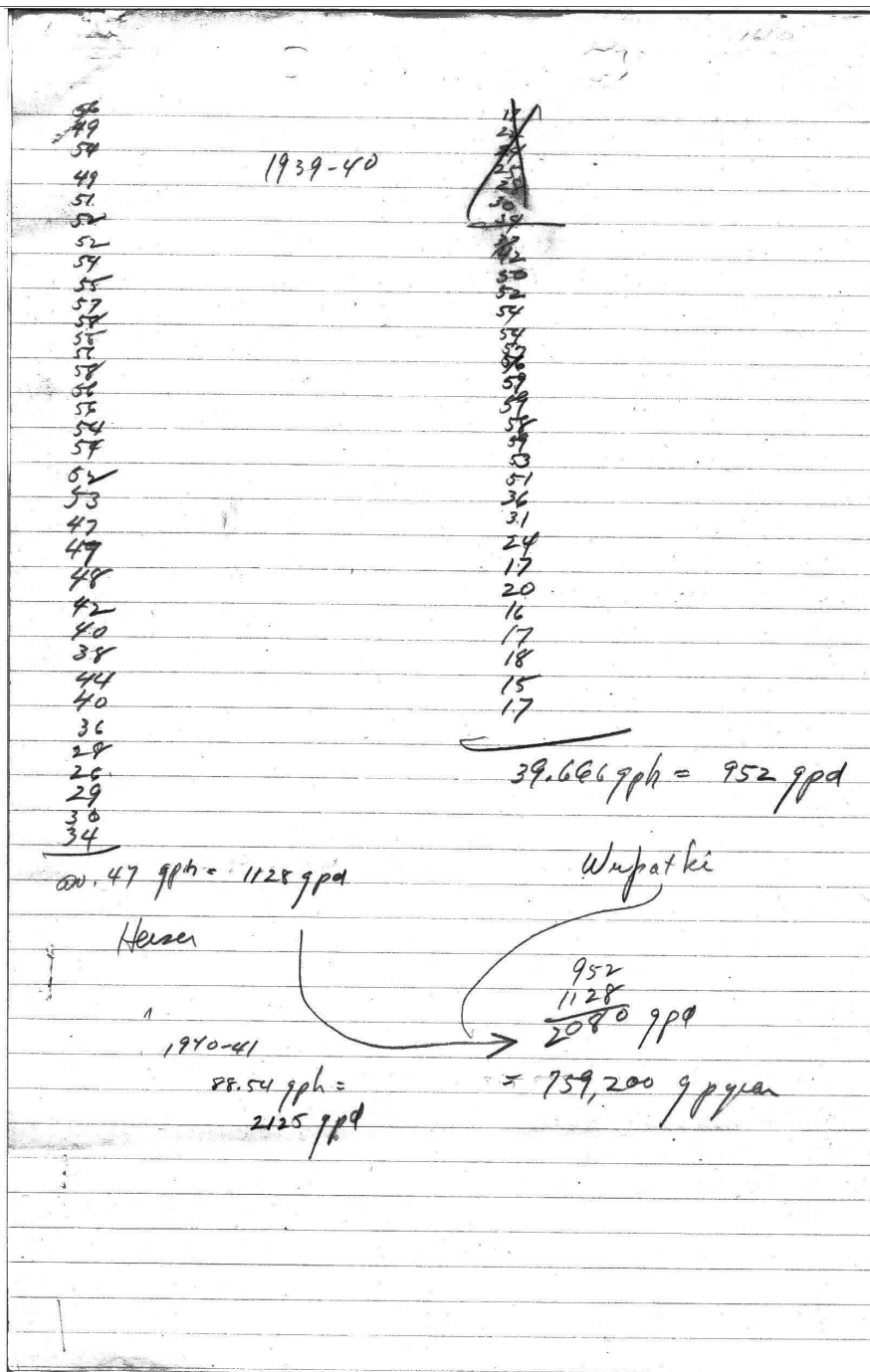
Deed 2. From Santa Fe R.R.

T 25N, R 10E, lots 1, 2, 3 + 4, SE $\frac{1}{4}$ SW $\frac{1}{2}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$, sec 1.

sec 3, 5, 7, 9, 11, 15, 17, 19, 21, 29 and 31

(7275.32 ac)

3. MINUS DEED 52.27 ac. to Indian service for construction
of diversion dam on Little Colorado River. Lots 1 + 2,
sec 12 - T 25N, R 10E



C O P Y

Water Rights copy.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION THREE
SANTA FE, NEW MEXICO

June 26, 1946.

MEMORANDUM for the Director.

There is enclosed a chart prepared by Custodian Jones, showing the flow of Heiser and Wupatki Springs at Wupatki National Monument. This chart covers a period of from September, 1939 to March, 1942, and indicates that we may expect a flow of about 2 1/2 gallons per minute from Heiser Spring.

Custodian Jones will resume measurements of both springs and it is expected that measurements this summer will be somewhat lower as a result of the severe drought we are now experiencing in the Southwest.

We will give you further data on these springs at the end of this year.

(Sgd) James R. Lassiter

James R. Lassiter,
Regional Engineer.

Enclosure 2859966.
cc: Custodian, Wupatki.

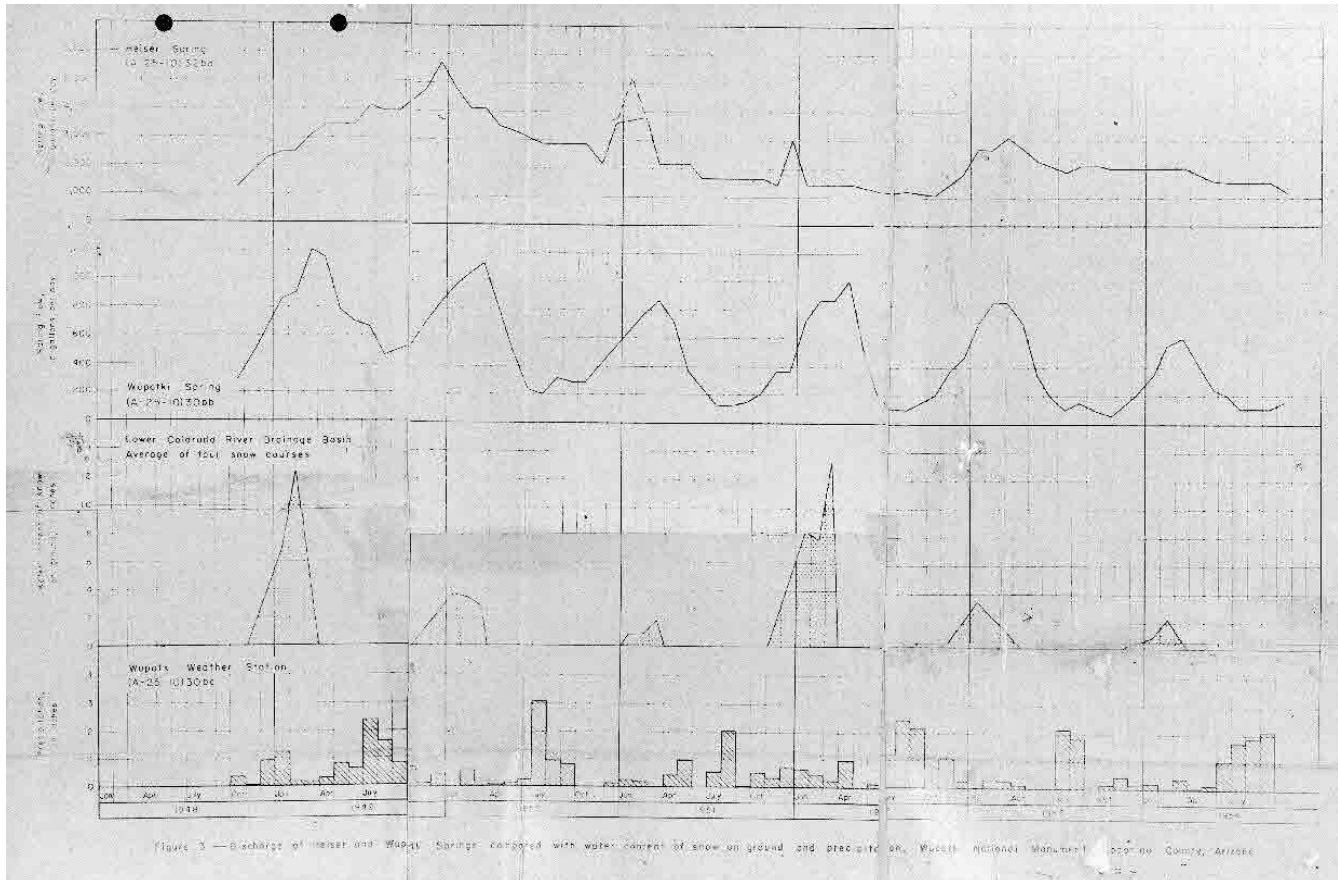
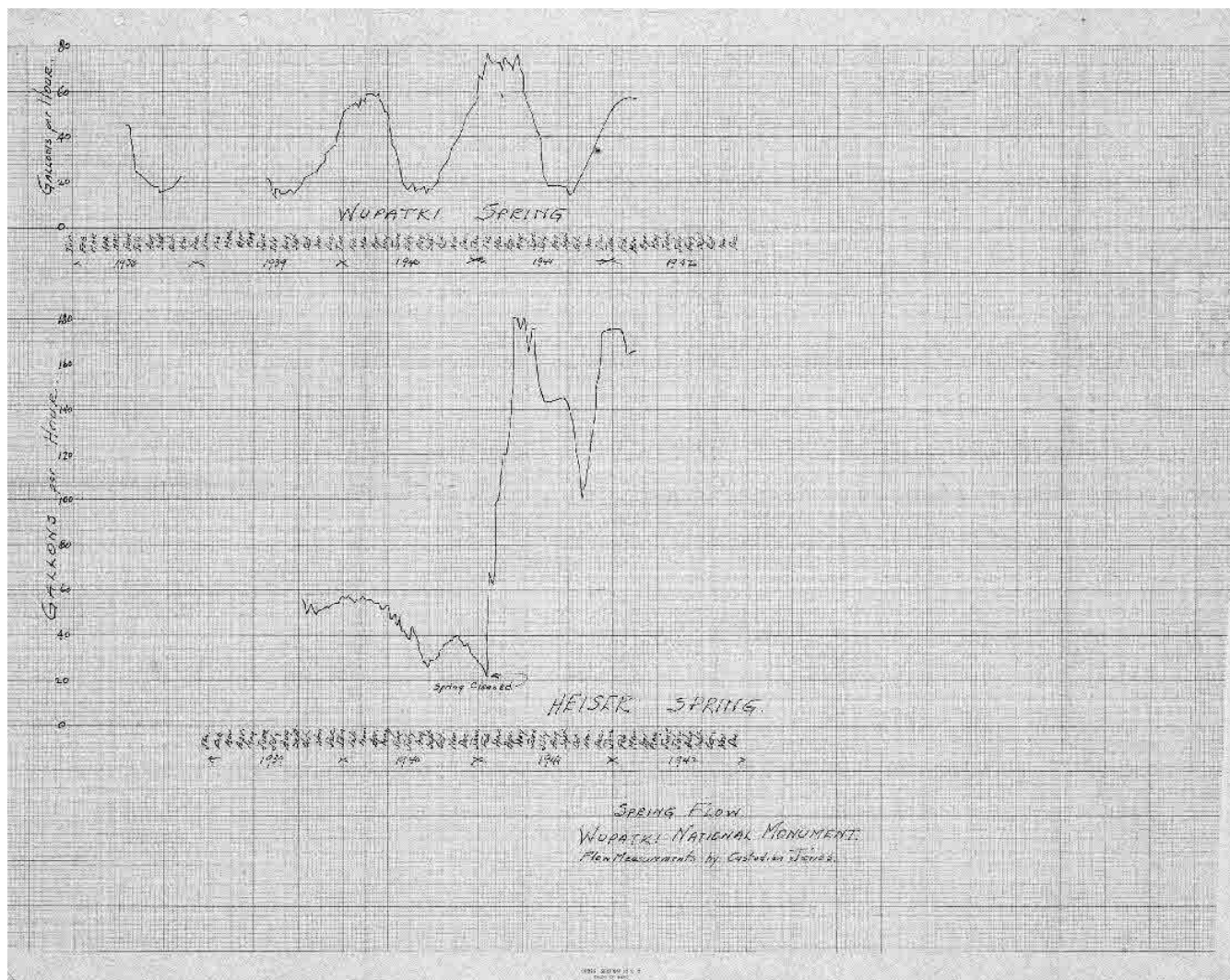


Figure 3 — Discharge of Heiser and Wupatki Springs compared with water content of snow on ground and precipitation at Wupatki, Grandditch, Maricopa County, Arizona



Other Supporting Information

Memorandum

To: Stan Ponce

From: Walter Rusinek

Subject: Water rights status at Wupatki and Sunset Crater
National Monuments

Sunset Crater National Monument

In 1985, we filed claims for water rights in SUCR as part of the general adjudication of the Little Colorado River system in Arizona. The case is currently before the Apache County Superior Court. The claims filed were:

- 1.) Reserved rights -- non-quantifiable claim for non-consumptive use of all water within the Monument above reserved consumptive claims. Use is any water use necessary to fulfill the purposes of the Monument, and to provide for fire protection, watershed protection or reclamation, road construction and other administrative needs. Claim includes instream flows.
- 2.) Reserved rights -- present and future consumptive use of 20 AFY from unnamed surface and groundwater sources for administrative and other Park purposes.
- 3.) State appropriative rights:
 - a.) Headquarters Well #1 -- 65 AFY, priority March 7, 1963 for municipal and emergency uses.
 - b.) Headquarters Well #2 -- 65 AFY, priority December 1, 1979 for municipal uses.

Well #2 replaces well #1 which remains to provide an emergency back-up water system. Well #2 is registered under Arizona law, #649813, filed June 14, 1982.
 - c.) Black Falls Trading Post Well -- 90 gpm, priority June 12, 1963 for municipal and recreational, fish and wildlife uses.

Wupatki National Monument

A claim was also filed for WUPA water rights in the Little Colorado River adjudication. These claims include:

- 1.) Reserved rights -- non-quantifiable claim for all non-consumptive use of water within the Monument above reserved consumptive claims. Use is any use necessary to fulfill the purposes of the Monument, and to provide for fire protection, watershed reclamation or protection, road construction or other administrative needs. Claim includes instream flow.
- 2.) Reserved rights -- present and future consumptive use of 17 AFY from Citadel Ruin well, headquarters well, Wupatki Springs and other surface and groundwater sources for administrative and other Park purposes.
- 3.) State appropriative rights:
 - a.) Heiser Spring -- 2.5 AFY, priority August 23, 1942 for irrigation, stock watering, fish and wildlife, recreation and municipal uses.
 - b.) Peshlaki (Cottonwood) Spring -- 0.5 AFY, priority December 31, 1983 for recreation, fish and wildlife, and municipal uses.
- 4.) The docket contains draft copies of applications to appropriate water in Arizona for both Heiser and Wupatki springs dated March 7, 1955. It does not appear the applications were ever filed.
- 5.) Citadel Ruin Well and Headquarters Well both are registered under Arizona law, filing date June 14, 1982. Citadel Ruin well is # 649814, maximum capacity 17.6 gpm; Headquarters Well is # 649816, maximum capacity 16 gpm.

January 14, 1960

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Well Log, Pump Test, and Docket Assemblies, Wupatki

From the information with your memorandum of November 1959, I favor one Docket No. 1, Headquarters Water System, with Part I for Wupatki Spring, and Part II for the new well; and Docket 2, Heiser Spring Water System. However, there are also potential future developments which might make it desirable to keep the records of Wupatki Spring in its individual Docket 1, and set up Docket 3, Headquarters Water System, as a new one. You and the Superintendent should agree on the procedure you prefer, for local administrative purposes.

There is no question about Docket 2, and the need for establishing rights by filing an application as soon as all data can be supplied. The claim should be to the maximum past spring flow, or portion which has or probably will be used, rather than to the flow now found. The flow may increase again by the time proof of use is required, and we should establish rights to that amount if needed. Of course, the domestic use should be limited to firm flow, which may be that now found, and the rest of the right should be for water for Indian stock and wildlife when available. This right will only have priority of date application is filed under State law, but may have successorship priority of earlier use under claim in Arizona vs. California.

Docket 1, or 3, Headquarters Water System, should be the record of right to use water for the designated purposes under priority of first withdrawal and reservation of the Monument area, as that right may be defined in Arizona vs. California. Filing the records and rights to Wupatki Spring in that docket, will make the history of the water use more complete. No application is now needed for the well use, but the reports on well drilling, pump test, pump installation and capacity, and pipeline and reservoir construction, with map and dates, should be filed.

	CHF.
	ADM.
	P & P.
	ARCH.
1	ENGR.
	L. A.
	COORD. P. S.
2	
3	
135	

Whether filed as independent Docket 1 or part of Docket for Headquarters Water System, an application should be filed to establish priority under State surface water rights, claiming maximum past flow or use, whichever is less. However, the first complication in filing a claim for Headquarters domestic use is that no proof for license can be made unless the standby pump and pipeline connection is restored and maintained. It may be preferable to include only the map of the old system and a historical statement of past use in Part I of the Docket 3 for Headquarters Water System.

If Docket 1 is to cover only the spring, the application to be filed with the State and in Docket 1, could claim only future use by wildlife and Indian stock, through some simple stock watering facilities to be provided at the spring. The application should be filed as soon as possible to establish the date of State priority, and should indicate the date of first development for past domestic use even though the State will not grant the retroactive priority.

The applications for the two springs should include the statement that nothing in the application constitutes waiver of other rights the U.S. may have to the same water.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Wupatki
Chief, WOBC (2)

Dockets 1 & 2,

Region Three
Santa Fe, New Mexico
November 10, 1959

L-34

WESTERN OFFICE
DESIGN & CONSTRUCTION
NOV 10 1959

CHIEF
ADMIN. ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
ENGINEER
LAND ARCH.

ACTION TAKEN—DATE
None

Memorandum

To: Regional Director
Through: Regional Chief of Operations
From: Regional Chief of Lands and Civil Engineer
Subject: Trip to Heiser Springs and Wupatki Springs, Wupatki National Monument

While enroute to Grand Canyon National Park to assist in the study of the water supply for the South Rim we stopped at Wupatki National Monument to get some information to complete the water dockets at Heiser Spring (Docket No. 2) and Wupatki Springs (Docket No. 1).

We had made an unscheduled stop at Walnut Canyon (subject of another memorandum) on the morning of October 20 and arrived at Wupatki at 1:05 p.m. Superintendent Eshen then took us to Heiser Spring.

This spring is a seep which is collected in a concrete collecting box and runs through a two-inch pipe to a concrete storage reservoir with a capacity of 1,620 gallons. From here there is a two-inch pipe to one residence and a three-fourths inch pipe to the other residence. The two storage buildings and three trailer houses are fed by a one and one-half inch pipe. The overflow runs out through a two-inch pipe into an L shaped trough and a cylindrical tank as shown on Drawing No. SM-WUP-6977. The estimated flow of the overflow at the time of our inspection was 3 g.p.m.

We had a map of this area but we did not have ground elevations at the various residences and buildings. We shot these elevations and returned to Wupatki Springs. This spring which is near the headquarters area was not flowing when we were there. The pump from this spring has been removed and no use is contemplated of this spring at present except in an emergency.

To get the necessary information for the Wupatki Springs docket and the new well will require additional field work of from two to three days. Therefore, since we had an appointment with this water study group at Grand Canyon, we decided that Civil Engineer Fields would return at a later date and complete the field work for Wupatki Springs.

We left the Monument at 3:10 p.m. for Grand Canyon.

(SIGNED)

John E. Hall
Regional Chief of Lands

(SIGNED)

William E. Fields
Civil Engineer

Copy to: Director (2)
Supt., Wupatki
Chief, WDC (2)

Approved for distribution

NOV 12 1959

(SIGNED)

Date:

Thomas J. Allen, Regional Director

LS4-CBL

August 21, 1959

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Water Rights, Heiser and Wupatki Springs, Dockets 1 and 2, and Proposed Claim for New Well, Proposed Docket 3, Wupatki

WESTERN OFFICE	
DESIGN & CONSTRUCTION	
AUG 26 1959 A.M.	
CHIEF	
ADMIN. ASSIST.	
PERSONNEL	
PLANS & PROG.	
SAFETY	
ARCHITECT	
ENGINEER	3
LAND. ARCH.	
ACTION TAKEN - DATE	
None	

The attached tracings of Drawings 6977 and 6978 should be completed by Mr. Fields, if the two springs are to be used. I believe that the title of my position under the engineer's statement can be erased if Mr. Fields or the Regional Engineer wishes to sign them. The 1954 work date might also be changed, but the preferred alternative is to add a notation of 1959 revision.

Water right applications should be completed in accordance with previous correspondence if there is to be continued use of the springs. Heiser Spring will definitely be used for stock and wildlife watering, if nothing else. I assume that Wupatki Spring will also provide wildlife watering facilities.

Drawing 6978 should also be the model for a water right map for the new well. The drawing with Mr. Kell's memorandum of June 5 to the Regional Chief of Operations is nominally the same as the drawing of January 1954, which was approved by the Regional Director on February 1, 1954, with the engineer's statement by George J. Johnston, which was the basis for Drawing 6978. The only significant difference is that the scale of 1954 drawing was 200 feet to the inch, and the drawing with Mr. Kell's memorandum of June 5 is 100 feet to the inch. We do not need the larger scale, and I do not see why so much drafting time is devoted to duplication of equally good maps. Also, the tie on any file map should be the single, closing course rather than the detailed traverse which is shown on the regional drawings. Mr. Johnston's drawing of 1954 was redrawn as 6978 because the form of title did not agree with my previous instructions from the State, it included undesirable approval block, and I believe it was of wrong size (I have cut off part for filing). Coordinate grids are acceptable, if available.

We do not, of course, have to file an application for the appropriation of the well water at this time unless there is to be greater use than I anticipate. However, we should assemble records as a Docket 3, as soon as the information is obtained. Mr. Kell included draw down-recovery curves with his memorandum of June 5, but we are most interested in the well log and pump test records which do not seem to have been supplied.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachment

Copy to: Superintendent, Wupatki
Chief, WODC (2)

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

254

WUPATKI NATIONAL MONUMENT
Flagstaff, Arizona
August 14, 1959

Mr. Oliver J. Gosner
U. S. Dept. of the Interior
Geological Survey
Tucson, Arizona

Dear Sir:

Reference is made to your report of July, 1955 on Ground Water Investigations at Wupatki and Sunset Crater National Monuments.

It looks like the Service is going to forego the drilling of a deep well at Sunset Crater and making a major development there. We are interested in the "perched water" referred to in your report with the possibility of developing a flow of 5 to 10 gallons for a small development. We are now investigating the possibility of such a source in the vicinity of Jack Smith Spring, approximately 2 miles West of U. S. 89 and the Sunset Crater Entrance Road, and a reported old source of water used by a lumber camp at the northwest corner of the Bonito Lava Flow. Also note on the map accompanying your report an unused well on the west side of Bonito Park along the Sunset Crater Entrance Road which we will check into. If you should be travelling through this section we will appreciate an opportunity to discuss this matter with you.

You might be interested in the fact that the well has been completed at Wupatki National Monument in the headquarters area. Total depth of well 904 ft. Struck water at 801 ft. in Coconino Sandstone. Went through 95 ft. Moencopi, 220 ft. Kaibab and 579 into the Coconino. Struck Coconino at 325 ft. Water of fair quality. Static water level 780 ft. Twenty four hour pump test at 50 gal. per min., showed a draw down of 45 ft. with recovery in 17 minutes.

Very truly yours,

Russell L. Mahan
Russell L. Mahan
Superintendent

cc: Regional Director
Chief, WODC

WESTERN OFFICE DESIGN & CONSTRUCTION	
AUG 13 1959A.1	
CHIEF	
ADMIN. ASSIST.	
PERSONNEL	
PLANS & PROG.	
SAFETY	
ARCHITECT	
ENGINEER	
LAND. ARCH.	
ACTION TAKEN DATE	

95' Moencopi
220' Kaibab
780
579
Coconino
894

154-L

September 26, 1958

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Water Development and Water Rights, Wupatki

I have just learned that Perry Brothers Drilling Company, Flagstaff, was awarded a contract to start well drilling at Wupatki within 15 days at bid price of \$13,153. Assuming that the Company is licensed it will have to comply with state water laws which are given in your copy of Arizona Administrative Procedure Act, Title 25, Land Department, 1953, beginning at page 178. We should have four copies of all filings with the State Land Department, and particularly the log and record of pump test, for a water right docket.

My tentative calculations, which provide for no irrigation, indicate that maximum August pumping to supply about 6,340 gpd in 1956 would have been about 13 gpm if all water were pumped in 8-hour work day. I also estimate that with about 100,000 annual visitors sometime between 1966 and 1975, the peak day water demand will be about 22,360 gallons, which could be pumped at 47 gpm during 8 hours.

Rule 2, page 178, specifies filing of notice of intention to drill if there is an intent to pump at more than 100 gpm. Apparently there is no need for filing the notice unless there is planned irrigation to at least double the demand, even if negligible storage is to be provided. However, we should have the statement as to the pumping rates, annual and daily water demands, and the basis of the design as WDC is planning them.

This leaves the unresolved question as to what use is to be made of the waters of the two springs. The answer may depend on the results of the well drilling, but an answer should be supplied so that we may proceed with water right applications, of which drafts are in the various assemblies of Dockets 1 and 2. Heiser Spring, at least, is approximately a mile from the Superintendent's present residence and the presumed wellsite and is used by the Indians and their goats as well as temporarily serving a CCC building which has been used as an employee's residence, and by visitors. Our records show the following available supplies:

WESTERN OFFICE
DESIGN & CONSTRUCT

SEP 20 1958A

CHIEF
ADMIN. ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
ENGINEER
LAND ARCH.
ACTION TAKEN - 0

cf made Nevada

9/23

None

<u>Source</u>	<u>Daily Flow</u>	<u>Average Flow</u>	<u>Annual Flow</u>
Heiser Spring	600-3,000 gpd	1,100 gpd	401,500 gals.
Wupatki Spring	150-1,500 gpd	600 gpd	219,000 gals.
Total		1,700 gpd	620,500 gals.

Since presenting our testimony in Arizona vs. California, it has become important that we file applications for the appropriation of all claimed water as rapidly as possible, where filings are needed, and to have the data available for groundwater appropriation if the water laws are amended to require it. Applications for the appropriation of Heiser and Wupatki Springs should have been made before this. In fact, it would have been easier to make proof and obtain licenses before the supplemental supply becomes available.

Whether the plans for the new water system call for pumping in excess of 100 gpm or not, we should obtain the log and pump test records, and other data for which provision is made on the Record of Well form, with which you have been provided. The driller's reports to the state will be better if they are made and cover the same data.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Wupatki
Chief, WODC

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

In reply refer to:
L 54

January 4, 1956

Memorandum

To: General Superintendent, Southwestern National Monuments
From: Chief, Western Office, Division of Design and Construction
Subject: Engineering Data - Water Development - Wupatki

Please refer to your letter of December 20 relating to the subject. The information regarding the length of water lines, elevation of reservoirs and locations in relation to the Section, Township and Range obtained from Mr. Moffitt's notes are as follows:

Length of Water Lines:

Concrete Tank (Heiser Springs) to Reservoir . . 3,695.6 ft.
Reservoir to Water Tank 10,933.8 ft.

Elevation:

Concrete Tank 4,848 ft.
Reservoir 5,127 ft.
Water Tank 4,954 ft.

Location:

Concrete Tank - 936.9' west, 1059' north of the SE corner of the NW quarter of Section 32; T25; R.10E.
Reservoir - 1803.5' west, 2.3' south of the NE corner of the SE quarter of Section 31; T25; R.10E.
Water Tank - 1227.2' west, 932.8' north of the SE corner of the NE quarter of Section 30; T25; R.10E.

Mr. Moffitt's notes do not show a measured distance from Station Z "3" to Station 0/00. A distance of 289.0' was scaled from Drawing NM-WUP-5313. A sketch showing the locations in relation to Township and Range is attached; also a copy of Mr. Moffitt's notes is attached.

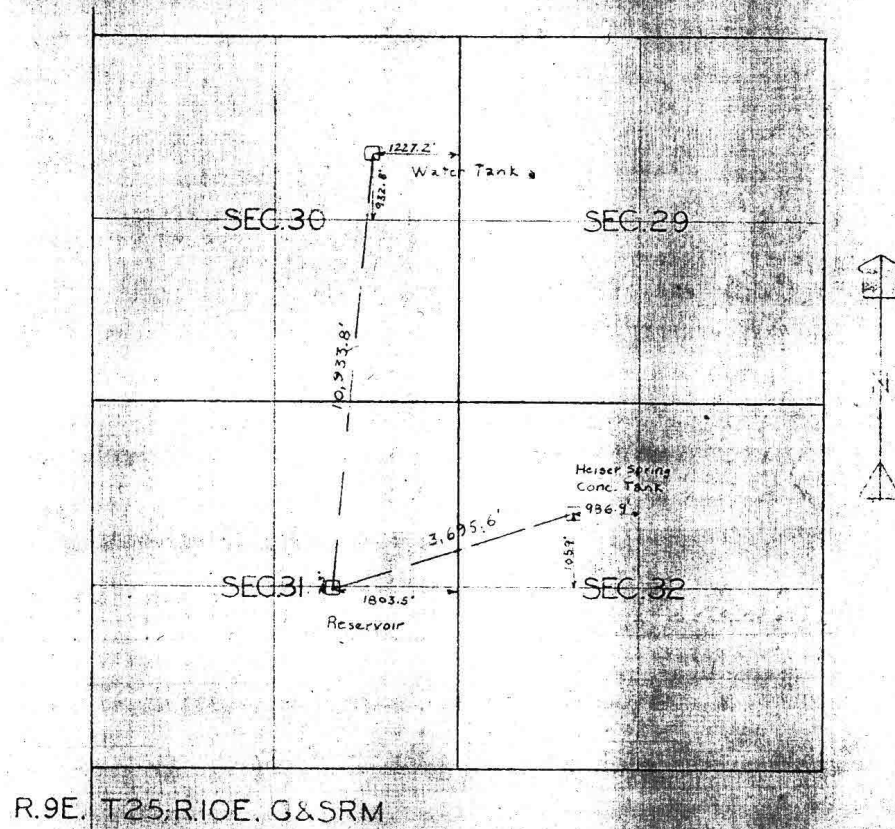
In duplicate

Attachments

Sanford Hill
Chief, Western Office
Division of Design and Construction

Copy sent Supt. Wupatki - 1-25-56
sent the Landscape office for P.C.P.

Copy to: Supt., Wupatki NM
Reg.Dir., Region Three



HEISER SPRG.	ELEV. 4848 FT.
RESERVOIR	5127 FT.
WATER TANK	4954 FT.

WUPATKI N.M.
REGION III

In reply refer
154-1

Office of Chief, Western Office Div. of Design and Const.
MAY 18 1955 A.M.
Supv. Architect
Supv. Engineer <i>11/4 5/31</i>
Supv. Landscape Arch. <i>5/23</i>
Safety Engineer

May 13, 1955

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Water Rights, Heiser and Wupatki Springs, Dockets 1 and 2,
Wupatki National Monument

Mr. Gastelum is correct in his memorandum of April 8, which Mr. Canfield forwarded on April 29, that the master plan should be the basis for a water right application. However, we have operating water systems, based on past developments, without appropriative water rights, and a water right permit can be amended as to any details except the quantity of water at any time before the proof is made for final license or certificate.

Unless the suggested new master plan is to be completed and approved in the very near future, it will be to the advantage of both this Service and the State to complete and file the claims to the waters of Heiser and Wupatki Springs on the basis of the existing systems and designated areas of use large enough to cover alternative areas of future development. I strongly recommend that the drafts of the applications and maps be completed in accordance with my memorandum of April 8, and showing the alternative future plans of development, and returned to us.

The pipeline location between the two areas should be shown along the general course to be followed, based on topography, but need not have the accuracy of an engineering survey since both springs are already tied to section corners. We will also have to show its diameter adequate for proposed pump capacity. The 100,000 gallon reservoir should be shown within the proper 10 acre subdivision and within 5 or 10 feet of the proper elevation to define the pump lift within reasonable limits. The distribution pressure of developed areas is significant for fire protection but is not important in the water claim.

Since we are dealing with total spring flows of only about 750,000 gallons per year, with relatively low flow in the tourist season, I recommend that the water claim provide for 500,000 gallons of storage even though only 100,000 gallons may be included in the

immediate master plans and construction program. We can always make proof on less than the initial claims. On that basis, the plan should show alternate reservoir sites, if any, such as that at Heiser Spring which Mr. Castellum would delete from the plans.

It is also more important to show that the sheep watering may be any where within 2500 feet down the draw, than to limit areas of use by reducing the pipe length at this time.

SIGNED
A. van V. Dunn
Chief, Water Resources Section

In duplicate

Copy to: ~~Western~~ Office of Design and Construction

In reply refer to:
154-L

March 8, 1955

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Water Rights, Heiser and Wupatki Springs, Buckets 1 and 2,
Wupatki National Monument

Office of Chief, Western Office Div. of Design and Const.
MAR 14 1955 A.M.
Supv. Architect
Supv. Engineer <i>12/3/4</i>
Supv. Landscape Arch.
Safety Engineer

In the attempt to prepare applications for the appropriation of Heiser and Wupatki Springs, we have found the information inadequate to describe either the existing or proposed system. With a copy to the Western Office of Design and Construction, we are submitting two copies of preliminary drafts of the two proposed applications. None of these drafts merits filing, and it is assumed that one or two copies will be returned for use in preparing the final claims.

The two drawings, NM-WUP-6977 and 6978, as prepared from the engineering plans, are nominally complete to show existing developments at the two areas except for the lack of elevations.

To cover future local use, we lack the locations of proposed campground and the additional residences and utility area, and the stock watering tanks. We also lack the traverse of the pipeline proposed to provide a supplemental supply for the Wupatki area from Heiser Spring as prescribed in PCP-U-9, and appear to need clarification of the plans.

PCP-U-3-4 appears to call for a 100,000 gallon tank at the existing site of the 1,000 gallon sump at Wupatki Spring, and there is no proposal to increase the 3,000 gallons of storage near the headquarters. This means that all winter storage will be provided at the spring and pumped to the 3,000 gallon distribution reservoir as needed. The existing 10gpm pump would be inadequate to maintain an adequate flow for fire protection. Moreover, the 3,000 gallon reservoir is only about 35 feet higher than the ground at the residence (NM scaling from limited topography) and there is only a 2" distribution pipe.

Drawing NM-WUP-5313, as revised June 19, 1952, provides for a new distribution reservoir at the Heiser Spring area at 2333.1 feet from Z-0, or 2213 feet from pipeline take-off shown on Drawing 6977, but we have no capacity, elevation, or specific location for that reservoir. We have tentatively specified a 100,000 gallon tank in the application, but that is probably inadequate to impound the off-season spring flow.

PCP-U-9 provides for 13,200 feet of 2½ inch pipe from Heiser Spring to the Wupatki area with a pump lift of 100 feet, which is to point between apparent elevation of Wupatki Spring and the 3,000 gallon reservoir above the Superintendent's residence. This suggests that the high point in the line may be at proposed reservoir 2333.1 ft. from Z-0 in Heiser Spring area, whence water would flow to 100,000 gallon tank at Wupatki Spring by gravity, to be pumped back to the 3,000 gallon reservoir as needed. The pump size on this line is not specified, and we have tentatively suggested 75 gpm to permit daily pumping in a reasonable number of hours.

PCP-U-9 only provides for 3,000 feet of 4" distribution pipe, which is not enough if the reservoir is to be 2333.1 feet SW from Z-0, and the Heiser Spring area development is to extend into NE¼NW¼ Sec. 32, to a campground. We have provided for 5,500 feet of 4" pipe at Heiser Spring and 300 feet of 4" pipe at Wupatki Spring area.

PCP-U-7 calls for new 10,000 gallon sump at Heiser Spring, which appears to be adequate to store the peak spring flow for three days.

PCP-U-6 calls for 2,500 feet of ¾" pipe down Heiser Wash to new watering troughs for the sheep and goats of the Indians. We have indicated the approximate alignment and lower terminus from drainage shown on a photograph I took some years ago. The length is probably correct as long as water is taken from the existing collecting sump, but may be lengthened or shortened if water is ultimately taken from the proposed distribution system.

This outline constitutes the limit of information I have been able to assemble, and it needs thorough review. Question 8, on both applications, should also be checked as to both costs and construction schedule. The cost is supposed to include past expenditures and future construction. As far as I can see, the water system will be the same for the two areas whether all water is obtained from the two springs, or part is to be obtained from a well or the Flagstaff water supply through the system of one of the water users associations. Hence we should be able to describe the system in detail except for the pipeline between the two sources. An approximation for the latter should be shown on the insert on Drawing 6977.

I have based the water claims on average annual spring flows of 1,500 gpd from Heiser and 600 gpd from Wupatki, and then segregated an estimated allowance for sheep and goats from the former. We actually seem to know more about maximum and minimum flows than we do about averages, and the indicated averages are intentionally slightly higher than those reported by you for that reason. With reported minimum flows of 1,000 gpd and 80 gpd, I question whether present applications provide for enough storage.

The records of this Office also refer to plans to accommodate a maximum of 5,000 visitors per month and 50,000 visitors per year. It is quite probable that the 50,000 visitors per year may be all that can be accommodated with modern water facilities and the available spring flow, but I am attaching a graphical representation of the annual attendance for 1953 and 1954. Monthly attendance already exceeds the estimate by 50% and annual attendance jumped from 35% to 73% of the estimate in the last year.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Attachments 5

Copy to: ✓ Western Office of Design and Construction With attachments

Wupatki Attendance

	1953		1954		
	Visitors	V.D.	Visitors	V.D.	% of Total
Jan.	410	410	536	536	1.4
Feb.	553	553	516	516	1.4
Mar.	507	507	614	614	1.7
Apr.	1,432	1,432	1,597	1,597	4.4
May	1,255	1,255	1,511	1,511	4.1
June	2,384	2,384	6,350	6,350	17.4
July	3,034	3,034	7,248	7,248	19.9
Aug.	3,398	3,398	7,722	7,722	21.2
Sept.	2,391	2,391	4,548	4,548	12.4
Oct.	1,267	1,267	2,565	2,565	7.0
Nov.	644	644	1,785	1,785	4.9
Dec.	475	475	1,527	1,527	4.2
	<u>17,750</u>		<u>36,519</u>		<u>100.0</u>

WR Copy
In reply refer to: *WR*
L54-L

March 8, 1955

Memorandum

To: Regional Director, Region Three
From: Chief, Water Resources Section
Subject: Photographs of Wupatki and Heiser Springs, Wupatki

With copies of this memorandum, we are placing prints of the four photographs I took in 1947 in the Wupatki files in this Office, sending one set to the Western Office of Design and Construction, and attaching one set of prints and the four films numbered WUP-47-D-1 to 4. We are also supplying two extra sets of sheets with titles. The logical place for films is at the area, and the photographs may have more value elsewhere.

[SIGNED] A. VAN V. DUNN

A. van V. Dunn
Chief, Water Resources Section

In triplicate

Attachments 2

Copy to: Western Office of Design and Construction, with attachment
Mr. Dunn
AvVDunn:lct

attached to letter of
3-8-55



WUP-47-D-1 - Trench at Wupatki Spring Diversion



WUP-47-D-2 - Diversion at Heiser Spring



WUP-47-D-3 - Pond and CCC Barracks at
Heiser Spring - Heiser Wash
drains to left of Barracks - July 1947



WUP-47-D-4 - CCC Barracks from Heiser Spring
July 1947



UNITED STATES
DEPARTMENT OF THE INTERIOR
SOUTHWESTERN NATIONAL MONUMENTS
NATIONAL PARK SERVICE
Box 1562
GLOBE, ARIZONA

In reply refer to:
L54

December 20, 1955

Office of Chief, Western Office Div. Design and Const.
DEC 23 1955 A.M.
Supr. Architect
Supr. Engineer <i>HR 14</i>
Supr. Landscape Arch.
Safety Engineer
<i>See Memo to Supt. SWNM 1/4/56</i>

Memorandum

To: Chief, Western Office, Division of Design and Construction
From: General Superintendent
Subject: Engineering Data - Water Development - Wupatki

In order to complete data for the filing of water rights applications on Wupatki and Heiser Springs for future development, it is necessary to have the engineering data secured last season by Mr. Moffitt and his crew.

The data we specifically need is length of water lines, elevation of storage reservoirs and location in relation to Section, Township and Range of these developments.

We would appreciate any assistance you can give us in completing this data for Mr. Dunn's information.

John M. Davis
John M. Davis
General Superintendent

Copy to: Supt. Wupatki
Regional Director
(in duplicate)

May 15, 1952

**Statement of A. van V. Dunn
Relating to Wupatki Spring**

Wupatki National Monument was established by Proclamation 1721 of Dec. 9, 1924, as two units including: (1) The Citadel Group of Ruins; and (2) The Wupatki Group of Ruins. Wupatki Spring is on the Wupatki Group unit. The boundary was extended to include all land between the two parcels and the Little Colorado River by Proclamation 2243 of July 9, 1937.

The water has been used as a public watering hole by Indians and ranging stock since before the Monument was established. The first resident custodians occupied some rooms in the Citadel Ruins and hauled their water from the Wupatki and Heiser Springs without formal appropriation.

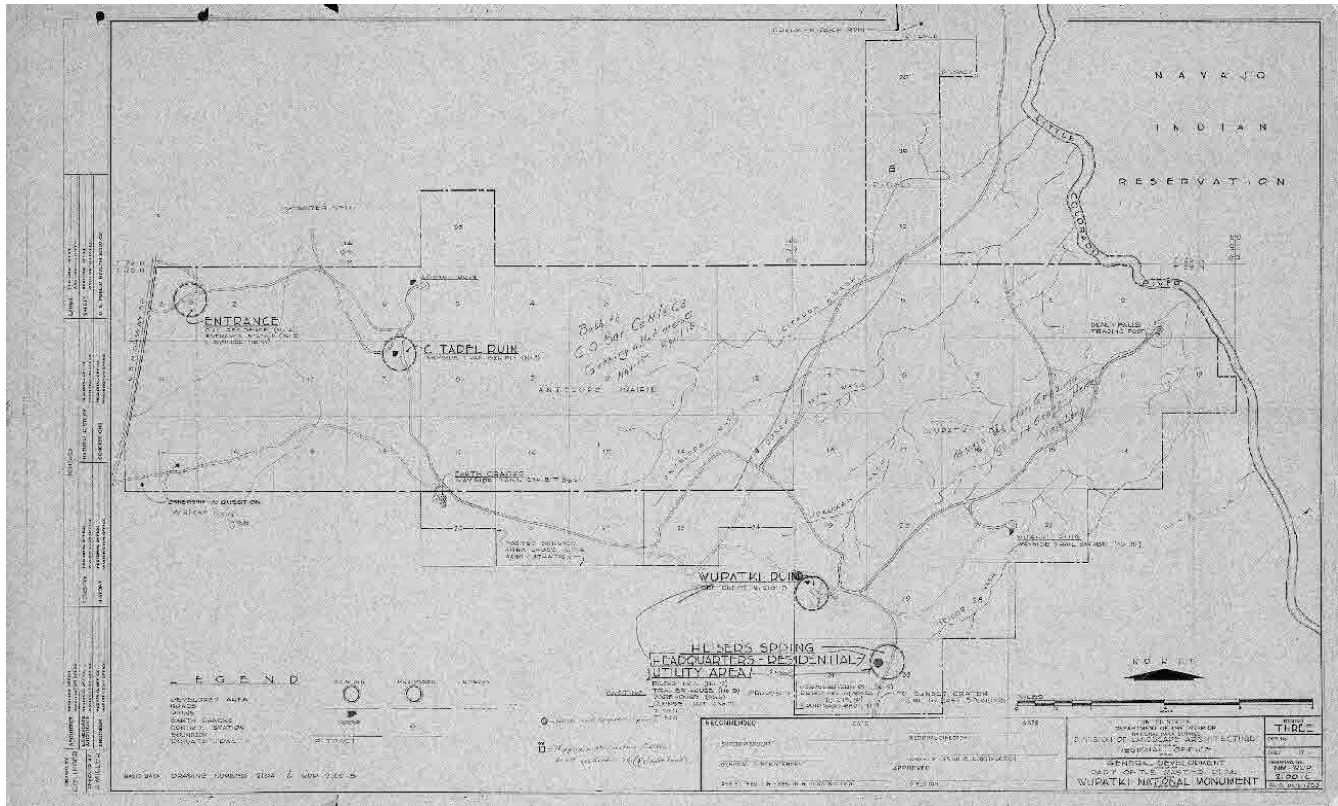
The Wupatki Spring was formally appropriated by the United States by the construction of a water system to the new Headquarters Area in 1940, with PWA and CCC labor, but no claim has been filed with the State Land Commissioner as of May 1952.

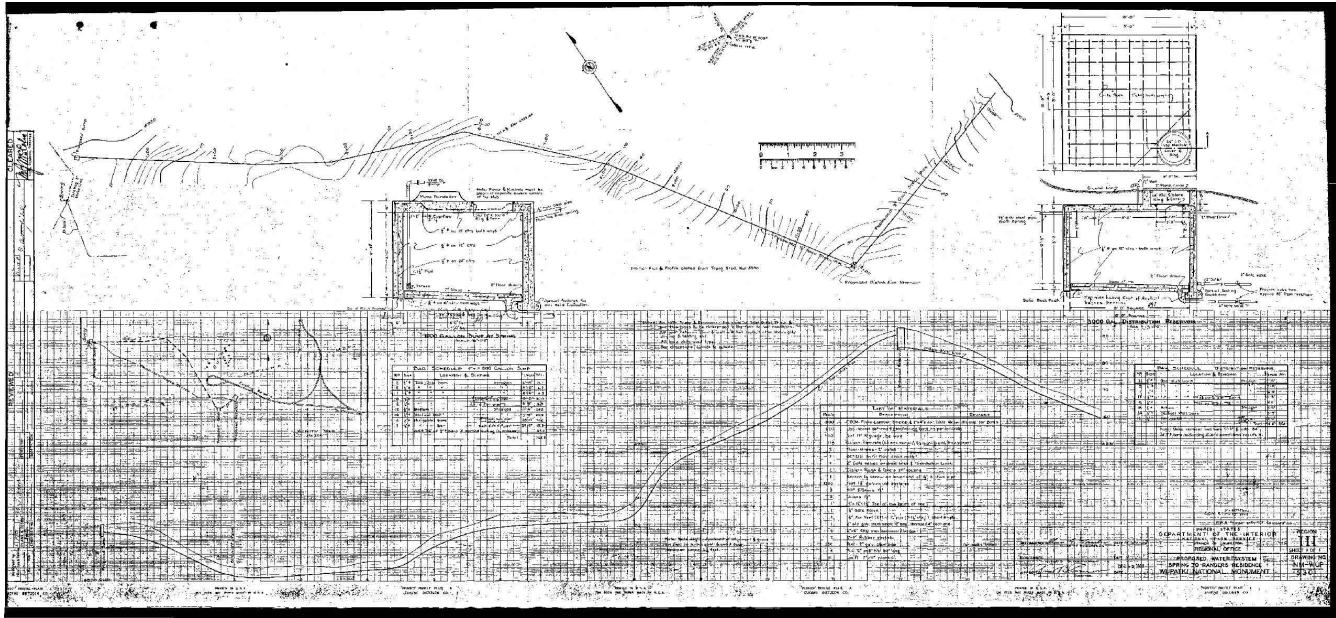
The spring is located in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30, T. 25 N., R. 10 E., G. & S. Rm M., and the flow varies from about 150 to 1500 gallons per day. The water system consists of collecting ditches and pipes at the springs; a 1,000-gallon collecting sump; a 600-gallon per hour pump driven by a 1.5 HP gasoline engine; 1,200 feet of 1 $\frac{1}{2}$ -inch GI pipe to a 3,000-gallon, concrete distribution reservoir, and a 2-inch distribution line to the area of use.

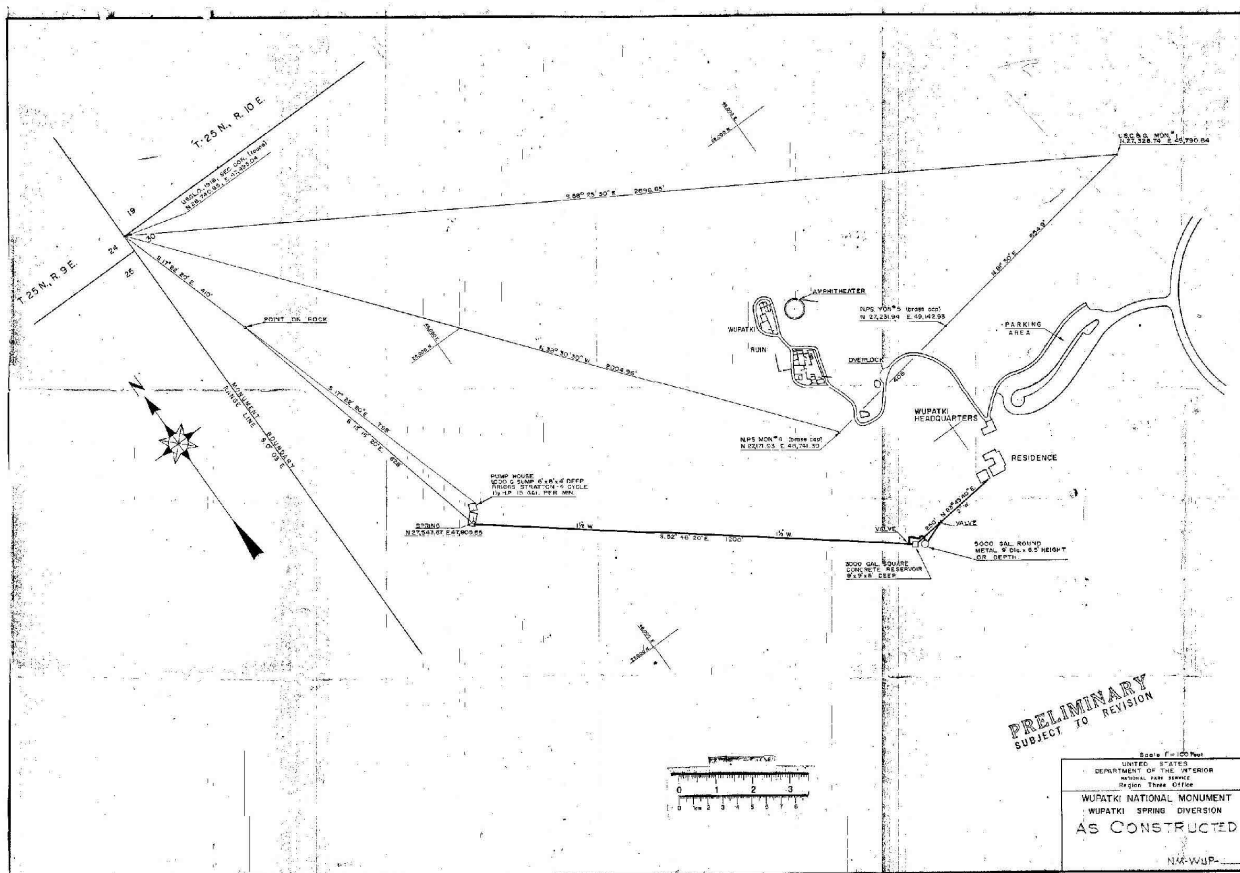
A claim should be filed with the State Land Commissioner.

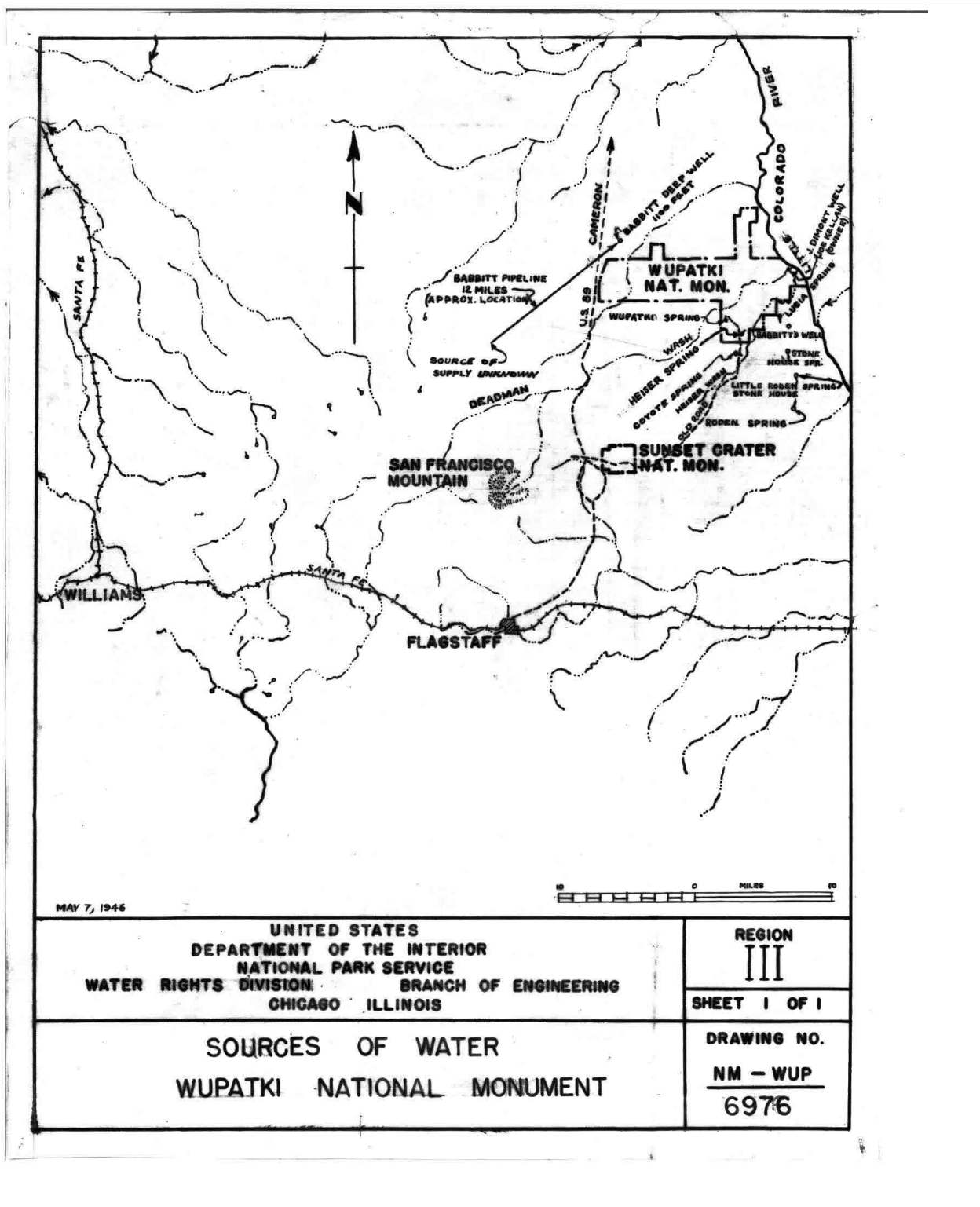
(SGD.) A. VAN V. DUNN

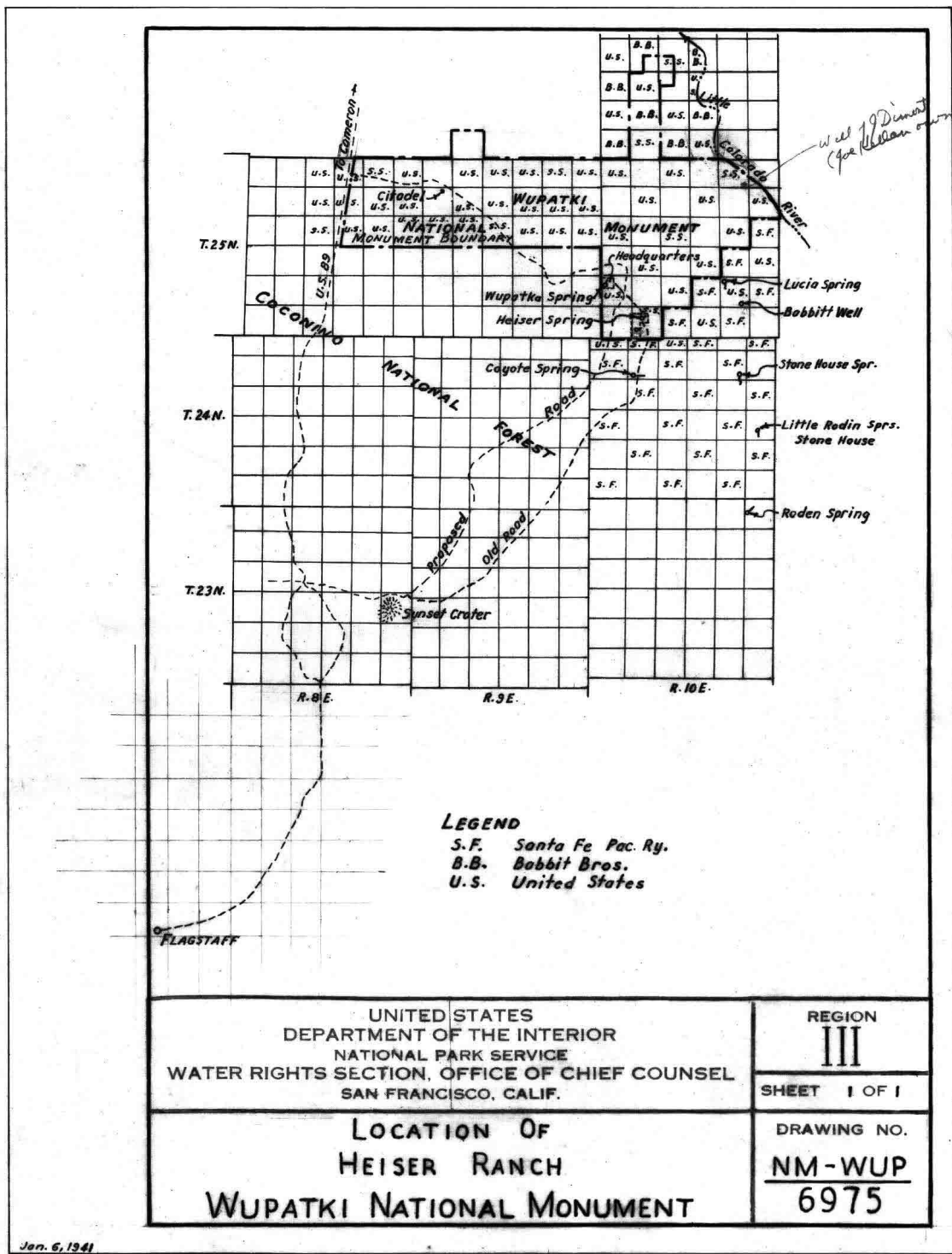
A. van V. Dunn
Chief, Water Resources Branch









Docket Information

Number of Documents in Docket 83

Documents Dated from 12/15/1938 to 5/15/2000

Docket Compiled: 4/11/2012