



# WATER-RIGHT DOCKET

## Petrified Forest National Park

Docket No: 2

*ZUNI WELL, PAINTED DESERT*

### 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 3<sup>rd</sup> 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 USES<sup>1</sup>  
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)

<sup>1</sup> See Instructions for explanation of uses in this category

**9. Means of Conveyance:**

- A. ☐ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: \_\_\_\_\_
- B. ☒ Other, describe: (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<br>FOR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                       | File No. 39-<br>Date Filed:<br>WEN |                                                                                                                                                                                                                                 |                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <h2 style="margin: 0;">OTHER USES<sup>1</sup><br/>AMENDMENT</h2> <p style="margin: 0;">SUPERIOR COURT OF APACHE COUNTY</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                       |                                    |                                                                                                                                                                                                                                 |                                                                                                                                                                       |
| <p>1. Claimant Name: <u>United States of America, c/o National Park Service (Wupatki NM)</u><br/>           Claimant Address: <u>1201 Oakridge Drive, Suite 250</u> City <u>Fort Collins</u><br/>           State: <u>Colorado</u> Zip Code <u>80525</u> Telephone <u>(970) 225-3500</u></p>                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                       |                                    |                                                                                                                                                                                                                                 |                                                                                                                                                                       |
| <p>2. Basis of Claim:</p> <p>A. <input type="checkbox"/> Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____</p> <p>B. <input type="checkbox"/> Appropriation Right acquired after June 12, 1919. Application No. _____ Permit No. _____, or Certificate of Water Right No. _____</p> <p>C. <input type="checkbox"/> Decreed water right. Principal litigants, court, date and case no. _____</p> <p>D. <input type="checkbox"/> Right to withdraw groundwater. Grandfathered Right No. _____</p> <p>E. <input checked="" type="checkbox"/> Other, describe: <u>(see File No. 39-91444)</u></p> |                                                                                                                                                                       |                                    |                                                                                                                                                                                                                                 |                                                                                                                                                                       |
| <p>3. Claimed Priority Date: ____/____/____ (month/day/year) (see file No. 39-91444)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                       |                                    |                                                                                                                                                                                                                                 |                                                                                                                                                                       |
| <p>4. Use:</p> <table style="width: 100%;"> <tr> <td style="width: 50%;"> <p>A. <input type="checkbox"/> Municipal</p> <p>B. <input type="checkbox"/> Commercial or Industrial</p> <p>C. <input type="checkbox"/> Mining</p> <p>D. <input type="checkbox"/> Stockwatering other than from a stockpond</p> </td> <td style="width: 50%;"> <p>E. <input type="checkbox"/> Recreation, Fish &amp; Wildlife</p> <p>F. <input checked="" type="checkbox"/> Other, describe:<br/> <u>(see file No. 39-91444)</u></p> </td> </tr> </table>                                                                                                                    |                                                                                                                                                                       |                                    | <p>A. <input type="checkbox"/> Municipal</p> <p>B. <input type="checkbox"/> Commercial or Industrial</p> <p>C. <input type="checkbox"/> Mining</p> <p>D. <input type="checkbox"/> Stockwatering other than from a stockpond</p> | <p>E. <input type="checkbox"/> Recreation, Fish &amp; Wildlife</p> <p>F. <input checked="" type="checkbox"/> Other, describe:<br/> <u>(see file No. 39-91444)</u></p> |
| <p>A. <input type="checkbox"/> Municipal</p> <p>B. <input type="checkbox"/> Commercial or Industrial</p> <p>C. <input type="checkbox"/> Mining</p> <p>D. <input type="checkbox"/> Stockwatering other than from a stockpond</p>                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>E. <input type="checkbox"/> Recreation, Fish &amp; Wildlife</p> <p>F. <input checked="" type="checkbox"/> Other, describe:<br/> <u>(see file No. 39-91444)</u></p> |                                    |                                                                                                                                                                                                                                 |                                                                                                                                                                       |
| <p>5. Source of Water: (see file No. 39-91444 with attachment)</p> <p>A. <input type="checkbox"/> Stream: name _____, tributary to _____</p> <p>B. <input type="checkbox"/> Spring: name _____, tributary to _____</p> <p>C. <input type="checkbox"/> Lake or Reservoir: name _____, tributary to _____</p> <p>D. <input type="checkbox"/> Groundwater.</p>                                                                                                                                                                                                                                                                                            |                                                                                                                                                                       |                                    |                                                                                                                                                                                                                                 |                                                                                                                                                                       |
| <p>6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-91444)</p> <p>____ 1/4, ____ 1/4, ____ 1/4, Section _____, Township _____ N/S, Range _____ E/W</p>                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                       |                                    |                                                                                                                                                                                                                                 |                                                                                                                                                                       |
| <p>7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                       |                                    |                                                                                                                                                                                                                                 |                                                                                                                                                                       |
| <p>8. Means of Diversion:</p> <p>A. <input type="checkbox"/> Instream pump.</p> <p>B. <input type="checkbox"/> Gravity flow into a ditch, canal or pipeline.</p> <p>C. <input type="checkbox"/> Well: Arizona Department of Water Resources Well Registration No. 55- _____</p> <p>D. <input checked="" type="checkbox"/> Other, describe: <u>(see file No. 39-91444)</u></p>                                                                                                                                                                                                                                                                          |                                                                                                                                                                       |                                    |                                                                                                                                                                                                                                 |                                                                                                                                                                       |

<sup>1</sup> See Instructions for explanation of uses in this category

## 9. Means of Conveyance:

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

B. ☒ Other, describe: (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 USES<sup>1</sup>  
**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)

<sup>1</sup> See Instructions for explanation of uses in this category

## 9. Means of Conveyance:

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

B. ☒ Other, describe: (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 USES<sup>1</sup>  
**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)

<sup>1</sup> See Instructions for explanation of uses in this category.

## 9. Means of Conveyance:

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

B. ☒ Other, describe: (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-feet 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 USES<sup>1</sup>  
**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 1/4, SE 1/4, NW 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: \_\_\_\_\_

<sup>1</sup> See Instructions for explanation of uses in this category

## 9. Means of Conveyance:

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

B. ☐ Other, describe: \_\_\_\_\_

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

County 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)<br>(e.g. irrigation, domestic, stock) | Annual Use<br>(list use amount for each type) | Acres Irrigated<br>(irrigation use only) | Specific Months of Use<br>(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

P.2

002

AFFIDAVIT

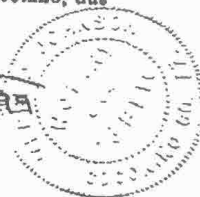
I, James Babbitt, being duly sworn and more than eighteen years of age, do hereby state and affirm as follows:

1. I am the 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 1892.
3. I further believe that since 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 USES<sup>1</sup>  
**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 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: \_\_\_\_\_

<sup>1</sup> See Instructions for explanation of uses in this category

## 9. Means of Conveyance:

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

B. ☐ Other, describe: \_\_\_\_\_

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

County \_\_\_\_\_

Legal Subdivision \_\_\_\_\_

Section \_\_\_\_\_

Township \_\_\_\_\_

Range \_\_\_\_\_

N/S

E/W

N/S

E/W

## 11. Claimed Right: (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)<br>(e.g. irrigation, domestic, stock) | Annual Use<br>(list use amount for each type) | Acres Irrigated<br>(irrigation use only) | Specific Months of Use<br>(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 3:58 PM 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 <sup>2</sup> 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~~ <sup>1892</sup>.

3. I further believe that since <sup>1892</sup> ~~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

JUN-15-99 TUE 10:55 AM

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

INTN 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.

JUL-27-1998 13:42

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## MONUMENT

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new subsection

Nov. 12

## 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

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P.L. 104-333  
Sec. 208

LAWS OF 104th CONG.—2nd SESS.

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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.

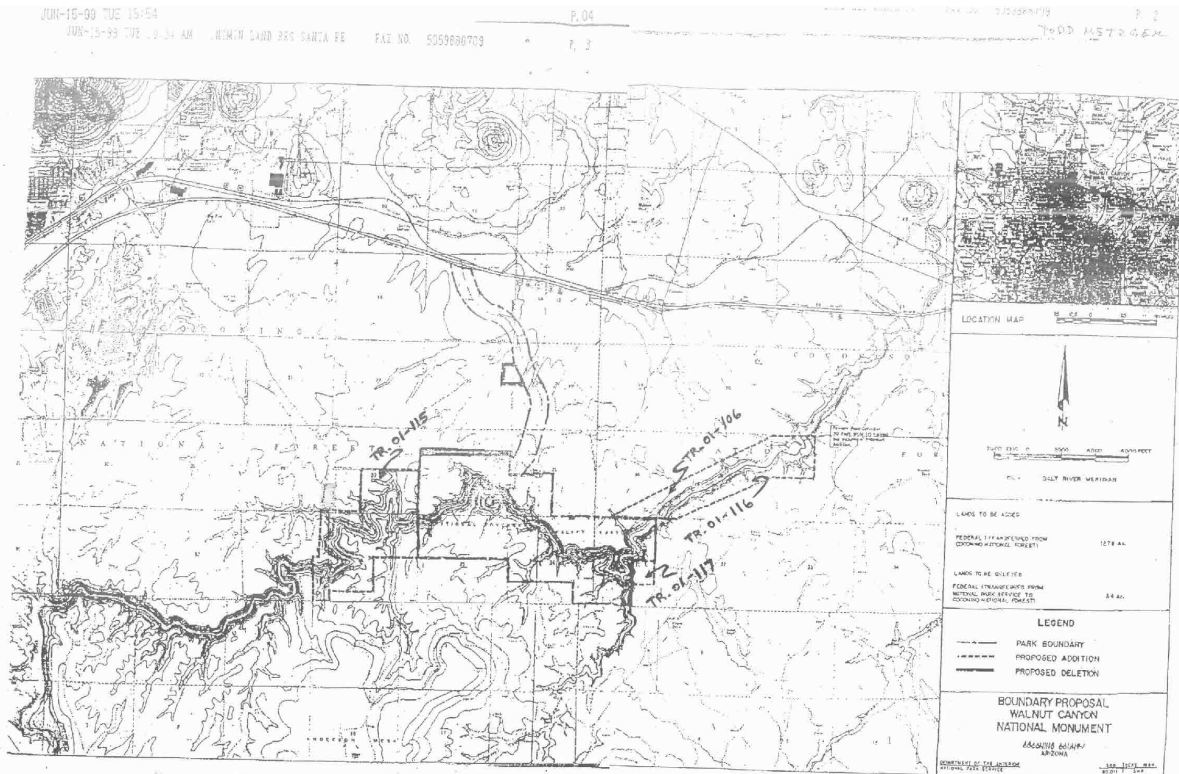
Respondent's Obligation: Mandatory.

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





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 3<sup>rd</sup> 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:

LS4 (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 3<sup>rd</sup> 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)



STATEMENT OF CLAIMANT FORM  
FOR

# OTHER USES<sup>1</sup> AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39- 89222  
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)

<sup>1</sup> See Instructions for explanation of uses in this category

**STATEMENT OF CLAIMANT FORM**  
FOR

**OTHER USES<sup>1</sup>**  
**AMENDMENT**

SUPERIOR COURT OF APACHE COUNTY

File No. 39- 89222

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)

<sup>1</sup> See Instructions for explanation of uses in this category

**9. Means of Conveyance:**

- A. ☐ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: \_\_\_\_\_
- B. ☒ Other, describe: (See File No. 39-89222) \_\_\_\_\_

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

County Apache & Navajo Petrified Forest National Park  
 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  
☐ Arizona miner's inches  
 B. Annual Volume of Water Use: 172 \_\_\_\_\_ 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 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 172 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), Charles W. Pettee, for K 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

or, \_\_\_\_\_

Authorized Personnel of the Department of Water Resources

**Estimation of Future Water Use for  
Petrified Forest National Park**

Prepared by J. Harte  
Reviewed by R. Thomasson  
and Flagstaff Area Office Staff  
Approved by W. Hansen  
February 10, 2000

**Introduction**

The objective of this report is to estimate the quantity of water needed for future consumptive use purposes at Petrified Forest National Park (PEFO). Future water use is projected through the year 2050, a 50 year planning period. This report is prepared in support of federal water rights claims to be filed in the Little Colorado River Adjudication in the State of Arizona.

In 1985 Owen R. Williams, Hydrologist, NPS Water Rights Branch, estimated future consumptive use to be 70 acre-feet per year. Measured water use data are now available allowing for a reexamination of the previous estimate and a new estimate of water needs in the year 2050.

PEFO has purchased its water from the Navajo Tribal Utility Authority (NTUA) since 1996. Water flows by gravity from a storage tank, through an 8-inch pipeline, to park headquarters. The system is capable of delivering almost 200,000 gallons per day. PEFO maintains Puerco Well Number 2 as a backup water supply (07/11/97 email from Patrick Fleming, National Park Service Regional Office, Denver Colorado).

**Methods and Results**

Average annual water use at PEFO was determined by computing the average of the 1998 and 1999 metered water use. Water use data are available for 1994-1997, however, they were not used in computations of average annual water use because all water use was not accounted for and PEFO switched from water wells to the NTUA water system in 1996 (Chad Thomas, PEFO Maintenance, 02/09/00). Administrative and visitor uses are not distinguished and consumptive use is assumed to be the same as the actual metered use for this report.

The following table shows the metered 1998-1999 annual water use and computed average annual water use for PEFO (metered water use data provided by Chad Thomas, PEFO Maintenance, 01/19/00).

| Date              | Metered Water Use (gallons) | Metered Water Use (acre-feet) |
|-------------------|-----------------------------|-------------------------------|
| 1998              | 4,954,230                   | 15.2                          |
| 1999              | 4,861,730                   | 14.9                          |
| Average Water Use | 4,907,980                   | 15.0                          |

In order to make a conservative estimate of future water needs at PEFO, the National Park Service-wide average annual visitation growth rate for the period from 1948-1995 is applied to the estimate of current annual water use. Appendix A describes the computation of this rate as well as the rationale for its selection as an appropriate rate. Applying the average annual growth rate of 5 percent per year to the current water use of 15 acre-feet per year for fifty years, yields a projected water need in the year 2050 of approximately 172 acre-feet per year.

**Recommendation**

It is recommended that the future consumptive use claim for Petrified Forest National Park, filed in the Little Colorado River Adjudication, be amended to 172 acre-feet per year.

**APPENDIX A****Determination of a Regional Growth Rate for Projecting Future Water Needs  
at Little Colorado River Basin National Park Units**

Because park water use is partially a function of park visitation, historic visitation data was examined to determine a reasonable growth rate for estimating future water needs. Unfortunately methods of counting Park visitors have not been consistent over time, making estimates of growth rates at individual parks difficult. For this reason, an attempt was made to derive a regional growth rate that incorporates data from a number of National Park units.

Average annual growth rates for the period 1948 through 1995 were computed for each of the four National Park units within the Little Colorado River basin, as well as total National Park unit visitation. Historical data for total nationwide park visitation is shown in Appendix A, along with the computed average annual growth rate. Growth rates for the four Little Colorado River basin parks were similarly computed. The results of these computations are shown in Table 1 below. Average annual growth rates range from 2.9 percent per year at Petrified Forest National Park to 10.2 percent per year at Wupatki National Monument, with the nationwide average of 5.0 percent per year being the median.

Adopting the nationwide average annual growth rate of 5.0 percent as the regional growth rate is reasonable. It is the median value of the calculated growth rates and it incorporates the most visitation data, potentially mitigating the effects of inconsistent visitor counting methods.

|                               | Nationwide | Petrified<br>Forest NP | Walnut<br>Canyon NM | Wupatki<br>NM | Sunset<br>Crater NM |
|-------------------------------|------------|------------------------|---------------------|---------------|---------------------|
| Growth Rate<br>(percent/year) | 5.0        | 2.9                    | 4.7                 | 10.2          | 8.0                 |

Table 1. Average annual growth rates for all four National Park units within the Little Colorado River Basin and the nationwide average.

Table 2. Number of visitors and interannual growth rates for all National Park Service units.

| Year | Visitors   | Growth Rate | Year                        | Visitors    | Growth Rate |
|------|------------|-------------|-----------------------------|-------------|-------------|
| 1904 | 122,594    |             | 1953                        | 52,268,174  | 0.10        |
| 1905 | 142,859    | 0.17        | 1954                        | 54,210,200  | 0.04        |
| 1906 | 32,475     | -0.77       | 1955                        | 56,572,800  | 0.04        |
| 1907 | 63,242     | 0.95        | 1956                        | 61,602,300  | 0.09        |
| 1908 | 70,926     | 0.12        | 1957                        | 68,016,000  | 0.10        |
| 1909 | 87,998     | 0.24        | 1958                        | 65,460,900  | -0.04       |
| 1910 | 200,516    | 1.28        | 1959                        | 68,900,500  | 0.05        |
| 1911 | 224,407    | 0.12        | 1960                        | 79,229,000  | 0.15        |
| 1912 | 229,534    | 0.02        | 1961                        | 86,665,161  | 0.09        |
| 1913 | 252,153    | 0.10        | 1962                        | 97,046,762  | 0.12        |
| 1914 | 240,193    | -0.05       | 1963                        | 102,712,763 | 0.06        |
| 1915 | 335,299    | 0.40        | 1964                        | 111,387,664 | 0.08        |
| 1916 | 358,006    | 0.07        | 1965                        | 121,313,965 | 0.09        |
| 1917 | 490,705    | 0.37        | 1966                        | 133,083,066 | 0.10        |
| 1918 | 454,841    | -0.07       | 1967                        | 139,677,567 | 0.05        |
| 1919 | 811,516    | 0.78        | 1968                        | 150,837,568 | 0.08        |
| 1920 | 1,058,455  | 0.30        | 1969                        | 163,991,969 | 0.09        |
| 1921 | 1,173,718  | 0.11        | 1970                        | 172,006,570 | 0.05        |
| 1922 | 1,218,419  | 0.04        | 1971                        | 153,693,200 | -0.11       |
| 1923 | 1,495,635  | 0.23        | 1972                        | 165,653,324 | 0.08        |
| 1924 | 1,672,832  | 0.12        | 1973                        | 168,922,900 | 0.02        |
| 1925 | 2,056,487  | 0.23        | 1974                        | 171,054,800 | 0.01        |
| 1926 | 2,316,921  | 0.13        | 1975                        | 190,390,600 | 0.11        |
| 1927 | 2,799,767  | 0.21        | 1976                        | 216,554,800 | 0.14        |
| 1928 | 3,026,472  | 0.08        | 1977                        | 210,569,700 | -0.03       |
| 1929 | 3,250,192  | 0.07        | 1978                        | 222,184,042 | 0.06        |
| 1930 | 3,248,586  | 0.00        | 1979                        | 205,369,808 | -0.08       |
| 1931 | 3,544,938  | 0.09        | 1980                        | 220,463,199 | 0.07        |
| 1932 | 3,754,596  | 0.06        | 1981                        | 238,592,669 | 0.08        |
| 1933 | 3,481,590  | -0.07       | 1982                        | 244,924,579 | 0.03        |
| 1934 | 6,337,206  | 0.82        | 1983                        | 243,616,747 | -0.01       |
| 1935 | 7,676,490  | 0.21        | 1984                        | 248,785,509 | 0.02        |
| 1936 | 11,989,793 | 0.56        | 1985                        | 263,441,808 | 0.06        |
| 1937 | 15,133,432 | 0.26        | 1986                        | 281,094,850 | 0.07        |
| 1938 | 16,331,467 | 0.08        | 1987                        | 287,244,998 | 0.02        |
| 1939 | 15,530,636 | -0.05       | 1988                        | 282,451,441 | -0.02       |
| 1940 | 16,755,251 | 0.08        | 1989                        | 269,399,837 | -0.05       |
| 1941 | 21,236,947 | 0.27        | 1990                        | 258,682,828 | -0.04       |
| 1942 | 9,370,969  | -0.56       | 1991                        | 267,840,999 | 0.04        |
| 1943 | 6,828,420  | -0.27       | 1992                        | 274,694,549 | 0.03        |
| 1944 | 8,339,775  | 0.22        | 1993                        | 273,120,925 | -0.01       |
| 1945 | 11,713,852 | 0.40        | 1994                        | 268,636,169 | -0.02       |
| 1946 | 21,752,315 | 0.86        | 1995                        | 269,564,307 | 0.00        |
| 1947 | 25,534,188 | 0.17        | 1996                        | 265,796,163 | -0.01       |
| 1948 | 29,858,828 | 0.17        | 1997                        | 275,236,335 | 0.04        |
| 1949 | 31,736,402 | 0.06        | 1998                        | 286,739,115 | 0.04        |
| 1950 | 33,252,589 | 0.05        |                             |             |             |
| 1951 | 37,106,440 | 0.12        |                             |             |             |
| 1952 | 47,379,438 | 0.28        |                             |             |             |
|      |            |             | Average annual growth rate: |             |             |
|      |            |             | 1948-1998                   |             |             |
|      |            |             | 0.048                       |             |             |

Table 2. Number of visitors and interannual growth rates for all National Park Service units.

| Year | Visitors   | Growth Rate | Year                        | Visitors    | Growth Rate |
|------|------------|-------------|-----------------------------|-------------|-------------|
| 1904 | 122,594    |             | 1953                        | 52,268,174  | 0.10        |
| 1905 | 142,859    | 0.17        | 1954                        | 54,210,200  | 0.04        |
| 1906 | 32,475     | -0.77       | 1955                        | 56,572,800  | 0.04        |
| 1907 | 63,242     | 0.95        | 1956                        | 61,602,300  | 0.09        |
| 1908 | 70,926     | 0.12        | 1957                        | 68,016,000  | 0.10        |
| 1909 | 87,998     | 0.24        | 1958                        | 65,460,900  | -0.04       |
| 1910 | 200,516    | 1.28        | 1959                        | 68,900,500  | 0.05        |
| 1911 | 224,407    | 0.12        | 1960                        | 79,229,000  | 0.15        |
| 1912 | 229,534    | 0.02        | 1961                        | 86,665,161  | 0.09        |
| 1913 | 252,153    | 0.10        | 1962                        | 97,046,762  | 0.12        |
| 1914 | 240,193    | -0.05       | 1963                        | 102,712,763 | 0.06        |
| 1915 | 335,299    | 0.40        | 1964                        | 111,387,664 | 0.08        |
| 1916 | 358,006    | 0.07        | 1965                        | 121,313,965 | 0.09        |
| 1917 | 490,705    | 0.37        | 1966                        | 133,083,066 | 0.10        |
| 1918 | 454,841    | -0.07       | 1967                        | 139,677,567 | 0.05        |
| 1919 | 811,516    | 0.78        | 1968                        | 150,837,568 | 0.08        |
| 1920 | 1,058,455  | 0.30        | 1969                        | 163,991,969 | 0.09        |
| 1921 | 1,173,718  | 0.11        | 1970                        | 172,006,570 | 0.05        |
| 1922 | 1,218,419  | 0.04        | 1971                        | 153,693,200 | -0.11       |
| 1923 | 1,495,635  | 0.23        | 1972                        | 165,653,324 | 0.08        |
| 1924 | 1,672,832  | 0.12        | 1973                        | 168,922,900 | 0.02        |
| 1925 | 2,056,487  | 0.23        | 1974                        | 171,054,800 | 0.01        |
| 1926 | 2,316,921  | 0.13        | 1975                        | 190,390,600 | 0.11        |
| 1927 | 2,799,767  | 0.21        | 1976                        | 216,554,800 | 0.14        |
| 1928 | 3,026,472  | 0.08        | 1977                        | 210,569,700 | -0.03       |
| 1929 | 3,250,192  | 0.07        | 1978                        | 222,184,042 | 0.06        |
| 1930 | 3,248,586  | 0.00        | 1979                        | 205,369,808 | -0.08       |
| 1931 | 3,544,938  | 0.09        | 1980                        | 220,463,199 | 0.07        |
| 1932 | 3,754,596  | 0.06        | 1981                        | 238,592,669 | 0.08        |
| 1933 | 3,481,590  | -0.07       | 1982                        | 244,924,579 | 0.03        |
| 1934 | 6,337,206  | 0.82        | 1983                        | 243,616,747 | -0.01       |
| 1935 | 7,676,490  | 0.21        | 1984                        | 248,785,509 | 0.02        |
| 1936 | 11,989,793 | 0.56        | 1985                        | 263,441,808 | 0.06        |
| 1937 | 15,133,432 | 0.26        | 1986                        | 281,094,850 | 0.07        |
| 1938 | 16,331,467 | 0.08        | 1987                        | 287,244,998 | 0.02        |
| 1939 | 15,530,636 | -0.05       | 1988                        | 282,451,441 | -0.02       |
| 1940 | 16,755,251 | 0.08        | 1989                        | 269,399,837 | -0.05       |
| 1941 | 21,236,947 | 0.27        | 1990                        | 258,682,828 | -0.04       |
| 1942 | 9,370,969  | -0.56       | 1991                        | 267,840,999 | 0.04        |
| 1943 | 6,828,420  | -0.27       | 1992                        | 274,694,549 | 0.03        |
| 1944 | 8,339,775  | 0.22        | 1993                        | 273,120,925 | -0.01       |
| 1945 | 11,713,852 | 0.40        | 1994                        | 268,636,169 | -0.02       |
| 1946 | 21,752,315 | 0.86        | 1995                        | 269,564,307 | 0.00        |
| 1947 | 25,534,188 | 0.17        | 1996                        | 265,796,163 | -0.01       |
| 1948 | 29,858,828 | 0.17        | 1997                        | 275,236,335 | 0.04        |
| 1949 | 31,736,402 | 0.06        | 1998                        | 286,739,115 | 0.04        |
| 1950 | 33,252,589 | 0.05        |                             |             |             |
| 1951 | 37,106,440 | 0.12        |                             |             |             |
| 1952 | 47,379,438 | 0.28        |                             |             |             |
|      |            |             | Average annual growth rate: |             |             |
|      |            |             | 1948-1998                   |             |             |
|      |            |             | 0.05                        |             |             |

NOTE TO THE FILE:

On 02/14/00 a final DRAFT of the report, "Estimation of Future Water Use for Petrified Forest National Park" was FAXed to Park Superintendent Micki Hellickson, for her comments. On 02/14/00 Micki called WRD to discuss her comments to the report. Initially, Micki thought the quantity of 172 acre-feet per year was high, considering past use (Micki said park records show use of 11.5 million to 13.2 million gallons per year during the period 1986-1988; low flow toilets had been installed and irrigation had been reduced since then). However, after considering the park's responsibility to manage the park in perpetuity Micki agreed with the estimate of 172 acre-feet per year, as shown in the report.

Jim Harte  
Hydrologist  
WRD,WRB

EW  
3/27

March 26, 1969

L54-OLW

Memorandum

To: Chief, Office of Land and Water Rights, SSC  
Attention: Mr. Witucki

From: Chief, Branch of Water Resources

Subject: Analyses of water from Zuni Well, Lithodendron Wash, Petrified Forest

As discussed with Mr. Witucki, I promised to check our files to see if any analyses of the water from the Zuni Well at Petrified Forest were available. The three enclosed analyses were all made by the Geological Survey.

The analyses are quite comparable, indicating only little change in constituents, probably reflecting differences in recharge.

Signed

E. W. Reed

Enclosure

cc:  
OLWC-Mr. Rinaldi, 801 Bg., Room 720  
OLWW-Mr. Reed, 801 Bg., Room 718

EWReed:ljc

Water Analyses  
Zuni Well, Petrified Forest

|                                  | <u>4-26-67</u> | <u>5-11-65</u> | <u>5-7-64</u> |
|----------------------------------|----------------|----------------|---------------|
| Silica (SiO <sub>2</sub> )       | 11 ppm         | 11 ppm         | 11 ppm        |
| Iron (Fe)                        | 0.23           | 0.40           | 0.13          |
| Manganese (Mn)                   | -              | -              | -             |
| Calcium (Ca)                     | 8.2            | 10             | 8.7           |
| Magnesium (Mg)                   | 2.3            | 2.2            | 1.8           |
| Sodium (Na)                      | 579            | 636            | 578           |
| Potassium (K)                    | 1.6            | 1.7            | 1.4           |
| Bicarbonate (HCO <sub>3</sub> )  | 392            | 336            | 363           |
| Carbonate (CO <sub>3</sub> )     | 0              | 6              | 8             |
| Sulfate (SO <sub>4</sub> )       | 267            | 296            | 266           |
| Chloride (Cl)                    | 488            | 584            | 506           |
| Fluoride (F)                     | 0.8            | 0.8            | 0.8           |
| Nitrate (NO <sub>3</sub> )       | 3.3            | 2.5            | 2.7           |
| Boron (B)                        | 0.90           | 1.0            | 0.63          |
| Dissolved Solids (Calc)          | 1560           | -              | 1560          |
| Residue on evaporation           | 1590           | 1730           | 1640          |
| Hardness (as CaCO <sub>3</sub> ) | 30             | 34             | 29            |
| Non-carbonate hardness           | 0              | 0              | 0             |
| Percent sodium                   |                | 97             | 98            |
| Sodium Adsorption Ratio          | 46             | 47             | 47            |
| Specific conductance             |                |                |               |
| @25° C.: micromhos               | 2690           | 2350           | 2650          |
| pH                               | 8.2            | 8.4            | 8.4           |

Docket Information

Number of Documents in Docket 40

Documents Dated from 3/26/1969 to 5/17/2000

Docket Compiled: 4/5/2012