

ARIZONA DEPARTMENT OF WATER RESOURCES

Surface Water Rights
500 North Third Street, Phoenix, Arizona 85004
Telephone (602) 417-2442
Fax (602) 417-2424



JANE DEE HULL
Governor

RITA P. PEARSON
Director

June 8, 1999

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USDA Forest Service - Tonto National Forest
ATTN: Kathy Nelson
2324 E. McDowell Road
Phoenix, Arizona 85506

RE: Certificate No. 89109.0000

The Director of the Department of Water Resources is pleased to forward the enclosed Certificate of Water Right for your records. A certificate is evidence of your right to use a given amount of public waters of the State for a certain beneficial use at the specified location. You may wish to record the certificate with your County Recorder for the county in which the water right is located. A copy of each water right certificate is maintained in the official records of the Department.

Please note that the right to the use of water as evidenced by a certificate is not absolute; the basis, measure, and limit of any water right granted under provisions of the Public Water Code is the amount actually put to the stated beneficial use, but never more than the amount stated in the certificate. In addition, your water right is given a date of priority, the filing date of the original application, as a means of ranking the water right in relation to all other water rights within a specific watershed. Your water right is subject to prior-vested water rights. For purposes of management of the available water resource in times of scarcity, water rights senior in time to your water right could have "first call" on the available supply of public water; senior water rights could prohibit your use of the water resource until their water rights are satisfied.

The watershed in which your water right is located is undergoing a Superior Court judicial proceeding. This proceeding, called a water rights adjudication, is a quantification and ranking of all water rights located within the watershed. To participate in the adjudication, you must file a claim with the superior court. If you have not yet taken action to join the court proceedings, you may wish to do so to protect your water right.

Questions concerning the nature of your water right may be addressed to the Surface Water Rights Unit. Questions concerning the water rights adjudication proceedings may be addressed to Alexandra Arboleda of the Office of Legal Services at (602) 417-2420. The Department cannot give legal advice. If you are concerned about how the adjudication will affect your rights, you may wish to consult an attorney experienced in water rights matters.

Sincerely,


Gerry L. Wildeman

Enclosures

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This is to Certify, that the United States Department of Agriculture, Tonto National Forest, has made proof to the satisfaction of the Department of Water Resources of a right to the use of the waters flowing in Pinto Creek, for recreation and wildlife, including fish, under Application and Permit No. 33-89109. The right to the use of the waters was perfected in accordance with the laws of Arizona; the priority of the water right dates from December 14, 1983; the amount of water to which such right is entitled for the stated purposes is limited to an amount actually beneficially used for such purposes, but shall not exceed an amount, as listed below, expressed as specific monthly flow rates and total annual volume as measured at the U.S.G.S. gaging station #09498502, "Pinto Creek near Miami, Arizona", in the Northwest quarter of the Southwest quarter of the Northwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 25, Township 2 North, Range 13 East, Gila and Salt River Base and Meridian.

<u>Month</u>	<u>Flow Rate</u> <u>(cubic feet/second)</u>	<u>Monthly Volume</u> <u>(acre feet/month)</u>
January	1.90	116.8
February	2.30	127.7
March	3.50	215.2
April	3.50	208.2
May	5.55	341.2
June	2.80	166.6
July	2.50	153.7
August	2.05	126.0
September	1.60	95.2
October	1.40	86.1
November	1.20	71.4
December	1.40	86.1
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Total Annual Volume (acre feet/year)		1,794.2
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Water will not be diverted from the natural channel of Pinto Creek. The beneficial use for recreation and wildlife, including fish, will occur instream along the meandering course of the natural channel of Pinto Creek beginning in the Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 26, Township 2 North, Range 13 East, and continuing through the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 26, the Southwest quarter of the Northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), the Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 25, the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), the Southwest quarter of the Northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), the Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 24, the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), the Northwest quarter of the Southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), the Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), the Southwest quarter of the Northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), the Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 13, the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), the Southeast quarter of the Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), the Northeast quarter of the Southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), the Southwest quarter of the Northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), the Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), the Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 12, the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), the Southeast quarter of the Northwest

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There shall be no impoundments of public waters nor interference with the natural surface water flow occurring along the described reach of the stream channel.

There shall be no consumptive use of public waters or degradation of water quality, other than is caused by natural habitat (flora and fauna).

The right to the use of water is restricted to the place of use and for the purposes described previously. There shall be no interference with nor detrimental effect upon prior vested water rights.

WITNESS the seal and signature of the Assistant Director,
Department of Water Resources,
affixed this 8th day of June, 1999.



Frank Putman, Manager (Attest)
Surface Water and Adjudication



Darrell Jordan, Assistant Director
Surface Water Management Division

The Department of Water Resources shall be notified of any change of address for the above named person(s), or if ownership of the water right or of the land at the location of the water right is conveyed to another person(s), pursuant to Arizona Revised Statute § 45-164(B).