6417-033-03290

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

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO USE WATER IN THE LITTLE COLORADO RIVER SYSTEM AND SOURCE

	APACHE CO. SUPE	Sins collet
No. 6417 No.	FILED	DOCKETED P

RECOMMENDED FORM
FOR OBJECTIONS TO THE
Hydrographic Survey Report for the
Silver Creek Watershed

MAY	29	1991	
0	ירו וירו	114P.	1

	inform: Object	ation contained in	n Volumes 1 Iten. Use of	& 2 can this form	be st	ed file report. Objections ated on one objection for gested. Objections must	m.
This Obje	ection is directed to Waters	shed File Neport No.		033- 51		DAB - 001	-
			OBJECTOR	1 INFOR	MATIC	DN .	
	r's Name:		<u>Arizona</u>	Game	& Fj	sh Commission	
Objecto	or's Address:		2222 Wes				
011.4	. +		<u>Phoenix</u>			85023	
-	r's Telephone No.:		•	942-3			
Shed):	r's Watershed I-lie H	eport No .(il flie	Objector's cl	aimed wa	aler rig	hts are located within the	Sllver Creek Water-
011007.		033. 51	DVB	<u>.</u>	001		
Or Obie	ctor's Statement of Cla	imant No. (if the (Objector's clai	mad wata	ridhe	are located outside the Sil	var Craeli Weinsch-di
J. 23,5		39-	pojecioi s ciai	meo wate	rigins	are located outside the Sil	ver Creek vyalersned):
		35				_	
		CT	ATEMENT C			***************************************	
egories)	. Please check the cal ollowing page. eck	ategories of the t	pical waters	hed file r	epoit (not all watershed file repo you object, and state the r	orts have all these cat- eason for the objection
☐ 1.	object to the de	scription of Land	Ownership				,
□ 2.	I object to the de	scription of Appli	cable Filing	s and D	ectees	3	
Э 3.	I object to the de	scription of DWR	's Analysis	of Filing	s and	Decrees	
] 4.	I object to the de-	scription of the D	lverslons (c	or the clai	med w	rater right(s)	
] 5.	I object to the de	scription of the U	ses for the	claimed v	valer ri	ight(s)	
	I object to the des	scription of Rese	rvolrs used	for the cl	aimed	water right(s)	
7.	I object to the des	scription of Share	d Uses & I	Olversion	s for t	he claimed water right(s)	
∃ 8.	I object to the PWI	R (Potential Water	r Right) Sum	imary of I	he clai	med water right(s)	
] 9.	I object to the des	scription of Quan	lilles of Us	e for the	claime	d water right(s)	
10.	l object to the Exp	planation provide	ed for the cla	nimed wa	ter rigl	ht(s)	
11.	Other Objections	please state volu	ıme number,	, page nu	mber	and line number for each	objection)

ATTACHMENT

to

RECOMMENDED FORM
FOR OBJECTIONS TO THE
Hydrographic Survey Report for the
Silver Creek Watershed

(Silver Springs Fish Hatchery) (033- <u>51 - DAB - 001</u>)

The reason for my objection is as follows:

CATEGORY NUMBER

COMMENTS

10. EXPLANATION, USES AND RESERVOIRS Section ID1, third sentence, which reads as follows: "The eight ponds cover approximately 1.4 surface acres." Change to read: "The nine ponds cover approximately 1 surface acre."

(Recent measurements of the fish rearing ponds indicate a maximum of approximately one surface acre when all the ponds are full.)

11. Other Objections - Narrative for Silver Springs Fish Hatchery (WRF # 033-51-DAB-1), Volume I, page 275

Lines 9-12 read:

"The rearing ponds were originally constructed in the early 1950's and have since been renovated by the Arizona Game and Fish. In 1976, the hatchery resumed operations and is currently being used to grow trout fingerlings to catchable size for stocking in the White Mountain area."

Please amend to read as follows:

The rearing ponds were originally constructed in the early 50's. Game and Fish records indicate that the hatchery has operated continuously since it was completed in 1955. The hatchery was privately owned until 1978 when purchased by the State. It was remodeled in 1979 and has been operated by Game and Fish since that time.

5938A.38

6417-033- 0640

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

IN RE THE GENERAL ADJUDICATION OF ALL RIGHT TO USE WATER IN THE LITTLE COLORADO RIVER SYSTEM AND SOURCE

No. 6417

	APACHE CO. SUPER	RIOR COURT
•••	FILED)
NO.		DOCKFTED E

1.1AY 2 & 1991



RECOMMENDED FORM
FOR OBJECTIONS TO THE
Hydrographic Survey Report for the
Silver Creek Watershed

Please file a separate objection for each watershed file report. Objections to information contained in Volumes 1 & 2 can be stated on one objection form. Objections must be written. Use of this form is suggested. Objections must be received on or before May 29, 1991.

	OBJECTOR	(Please insert no.)
01.2 - 4 - 5		
Objector's Name:		River Project
Objector's Address:	Post	Office Box 52025
		nix, Arizona 85072-2025
Objector's Telephone No:		236-2210
		d water rights are located within the Silver Creek Water-
Objector's Watershed File Report No. (If the	Objector's claime	
Objector's Watershed File Report No. (If the shed): 033	Objector's claimed	
Objector's Watershed File Report No. (If the shed): 033 Or Objector's Statement of Claimant No. (if	Objector's claimed	d water rights are located within the Silver Creek Water-

STATEMENT OF THE OBJECTION

The following are the main categories of the typical watershed file report (not all watershed file reports have all these categories). Please check the category(ies) of the watershed file report to which you object, and state the reason for the objection on the following page.

- 1. I object to the description of LAND OWNERSHIP
- 2. I object to the description of APPLICABLE FILINGS AND DECREES
- 3. I object to the description of DWR's ANALYSIS OF FILINGS AND DECREES
- 4. I object to the description of the DIVERSIONS for the claimed water right(s)
- I object to the description of the USES for the claimed water right(s)
- 6. I object to the description of RESERVOIRS used for the claimed water right(s)
- 7. I object to the description of SHARED USES & DIVERSIONS for the claimed water right(s)
- 8. I object to the PWR (POTENTIAL WATER RIGHT) SUMMARY of the claimed water right(s)
- X 9. I object to the description of the QUANTITIES OF USE for the claimed water right(s)
 - 10. I object to the EXPLANATION provided for the claimed water right(s)
 - 11. Other Objections (please state volume number, page number and line number for each objection)

My reason for my objection is as follows (please number your objections to correspond to the lines listed above; please attach supporting information and additional pages as necessary). SEE ATTACHMENT 1 I hereby make this objection on this 15th day of May, 1991. FOR: Salt River Project (if in a representative capacity) STATE OF Arizona **VERIFICATION** COUNTY OF Maricopa (Must be completed by Objector) I declare under penalty of perjury that I am a claimant in this proceeding; that I have read the contents of the foregoing Objection and know the contents thereof; and that the information contained in the foregoing Objection is true based on my own personal knowledge, except for those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true. SUBSCRIBED AND SWORN to before me this 15th day of May, 19 OFFICIAL SEAL TERRY R. HOLMES Notary Public for the State of Arizona Notary Public - State of Arizona Residing at Maricopa County MARICOPA COUNTY My commission expires My Comm. Expires Sept. 24, 1992 CERTIFICATE OF MAILING (Must be completed if you object to another Claimant's watershed file report. Does not need to be completed if you file an Objection to your own watershed file report or to information contained in Volumes 1 or 2 of the Hydrographic Survey Report.) I hereby certify that a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct

copies thereof on the 28th day of May, 1991 postage prepaid and addressed as follows: ARIZONA GAME & FISH DEPT.

Address: 2222 W. GREENWAY RD.

PHOENIX, AZ 85023

(Signature of Objector or person mailing in Objector's behalf)

Objections must be filed with the Clerk of the Superior Court in and for Apache County, Apache County Courthouse, P.O. Box 365, St. Johns, AZ 85936, on or before May 29, 1991. This means that the Objection must be received at the Clerk's office no later than 5:00 p.m. on Wednesday, May 29, 1991.

ATTACHMENT 1

WFR CATEGORY 9 - QUANTITIES OF USE

The Salt River Project objects to the failure of DWR to assign a quantity of use to this Potential Water Right (PWR). All water rights subject to the court's jurisdiction must be quantified in accordance with A.R.S. 45-257(B). This PWR is no exception. (This objection applies to: ID001.)

* * * *

The Salt River Project objects to the failure of DWR to calculate a diversion rate for this Potential Water Right (PWR). All PWRs assigned a point or points of diversion should be assigned a separate diversion rate for each point of diversion. Diversion rates should be calculated at the point of diversion and should include transportation losses from the point of diversion to the place of use. (This objection applies to: ID001.)

3417-033-0329**0**

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

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO USE WATER IN THE LITTLE COLORADO RIVER SYSTEM AND SOURCE

APACHE CO. SUPERIOR COURT
FILED

No. 6417_{NO.}

NO. _____ DOCKETED

RECOMMENDED FORM
FOR OBJECTIONS TO THE
Hydrographic Survey Report for the
Silver Creek Watershed

	MAY 29 1991
AT_	O'CLOCK 1:45P. M.
- 112	RICHARD D. HUPKE, CLERK
In	SP DEPUTY

Please file a separate objection for each watershed file report. Objections to information contained in Volumes 1 & 2 can be stated on one objection form. Objections must be written. Use of this form is suggested. Objections must be received on or before May 29, 1991.

		received on or before May 29, 1991.
This	Objection	Is directed to Watershed File Report No. 033- 51 - DAB - 001
		OBJECTOR INFORMATION
Obje	ector's	Name: Arizona Game & Fish Commission
Obje	eclor's	Address: 2222 West Greenway Rd.
		Phoenix, Arizona 85023
Obje	ector's	Telephone No.: (602) 942-3000
Obje		Watershed File Report No .(if the Objector's claimed water rights are located within the Silver Creek Water-033-51 _ DAB - 001
Or C	Objecto	s Statement of Claimant No. (if the Objector's claimed water rights are located outside the Silver Creek Watershed): . 39
The	follow	STATEMENT OF THE OBJECTION ng are the main categories of the typical watershed file report (not all watershed file reports have all these cat
ego	ries). P	ease check the category(les) of the watershed file report to which you object, and state the reason for the objection wing page.
Pleas	se check	
appro	opriate b	
	1.	I object to the description of Land Ownership
	2.	I object to the description of Applicable Fillings and Decrees
	3.	I object to the description of DWR's Analysis of Fillings and Decrees
	4.	I object to the description of the Diversions for the claimed water right(s)
	5.	I object to the description of the Uses for the claimed water right(s)
	6.	I object to the description of Reservoirs used for the claimed water right(s)
	7.	I object to the description of Shared Uses & Diversions for the claimed water right(s)
	8.	I object to the PWR (Potential Water Right) Summary of the claimed water right(s)
	9.	I object to the description of Quantities of Use for the claimed water right(s)
	10.	I object to the Explanation provided for the claimed water right(s)
\mathbb{Z}	11.	Other Objections (please state volume number, page number and line number for each objection)

See	attachment
See	attachment
eby make	this Objection on this <u>03</u> day of <u>Mad</u> , 199]. Arizona Game & Fish Commi
	Signalure of Objector Duane L. Shroufe,
	Secretary to the Commission
	FOR:(II In a representative capacity)
UTV OF	<u>VERIFICATION</u> Maricopa (Must be completed by Objector) (Must be completed by Objector)
NTY OF _ lare unde ction and	1 1 11111111111111111111111111111111111
NTY OF lare undection and wn person belief and	(Must be completed by Objector) r penalty of perfury that I am a claimant in this proceeding; that I have read the contents of the foregrowth the contents thereof; and that the information contained in the foregoing Objection is true base at knowledge, except for those portions of the Objection which are indicated as being known to me on inform, as to those portions, I believe them to be true. Ariona Game Fish Commission Subscribed AND SWORN to before me this Secretary to the Commission Secretary to the Commission Notary Public for the State of Commission Residing at 2/02 W. March 2 199 My commission expires March 2 199 CERTIFICATE OF MAILING (Must be completed if you object to another Claimant's watershed file report. Does not need to be completed if you file an Objection to your own watershed file report or to information contained in Volumes 1 or 2 of the Hydrographic Survey Report.)
NTY OF _ lare undection and wn person pellet and ellet a	Maricopa (Must be completed by Objector) r penalty of perjury that I am a claimant in this proceeding; that I have read the contents of the foregener of the contents thereof; and that the information contained in the foregoing Objection is true base at knowledge, except for those portions of the Objection which are indicated as being known to me on inform at the same of the commission of the objector of the commission of the objector of the commission of the completed if you object to another Claimant's watershed file report. CERTIFICATE OF MAILING (Must be completed if you object to another Claimant's watershed file report.) That a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and contine day of, postage prepaid and addressed as follows:
NTY OF _ lare unde ction and wn person belief and	Maricopa (Must be completed by Objector) r penalty of perfury that I am a claimant in this proceeding; that I have read the contents of the foregoing Objection is true base all knowledge, except for those portions of the Objection which are indicated as being known to me on inform all knowledge, except for those portions of the Objection which are indicated as being known to me on inform at the indicated as being known to me on inform at the objection which are indicated as being known to me on inform at the objector of the commission of the objector of the commission of the commission of the objector of the commission of the commiss
NTY OF lare undection and wn person belief and the set of the reofers.	(Must be completed by Objector) If penalty of perjury that I am a claimant in this proceeding; that I have read the contents of the foregeneous thereof; and that the information contained in the foregoing Objection is true base at knowledge, except for those portions of the Objection which are indicated as being known to me on inform at the contents of the Objection which are indicated as being known to me on inform at the complete of the commission. Subscription of Objector Duane L. Shroufe, Secretary to the Commission Signature of Objector Duane L. Shroufe, Secretary to the Commission of the Completed if you object to another Claimant's watershed file report. Certificate Of Malling (Must be completed if you object to another Claimant's watershed file report of the information contained in Volumes 1 or 2 of the Hydrographic Survey Report.) That a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and contine day of, postage prepaid and addressed as follows:

ATTACHMENT to

RECOMMENDED FORM
FOR OBJECTIONS TO THE
Hydrographic Survey Report for the
Silver Creek Watershed

(Silver Springs Fish Hatchery) (033-51 - DAB - 001)

The reason for my objection is as follows:

CATEGORY NUMBER

· -- -- --

COMMENTS

10. EXPLANATION, USES AND RESERVOIRS Section ID1, third sentence, which reads as follows: "The eight ponds cover approximately 1.4 surface acres." Change to read: "The nine ponds cover approximately 1 surface acre."

(Recent measurements of the fish rearing ponds indicate a maximum of approximately one surface acre when all the ponds are full.)

11. Other Objections - Narrative for Silver Springs Fish Hatchery (WRF # 033-51-DAB-1), Volume I, page 275

Lines 9-12 read:

"The rearing ponds were originally constructed in the early 1950's and have since been renovated by the Arizona Game and Fish. In 1976, the hatchery resumed operations and is currently being used to grow trout fingerlings to catchable size for stocking in the White Mountain area."

Please amend to read as follows:

The rearing ponds were originally constructed in the early 50's. Game and Fish records indicate that the hatchery has operated continuously since it was completed in 1955. The hatchery was privately owned until 1978 when purchased by the State. It was remodeled in 1979 and has been operated by Game and Fish since that time.

5938A.38

GORY MBER () Se	ee attachment	
<u> </u>	ee attachment	
	ee accaciment	
ereby mal	ke this Objection on this <u>A</u>	d 3 day of May .199 . Arizona Game & Fish Commissi Signature of Objector roufe, Secretary to the Commission FOR: (If in a representative capacity)
ATE OF	Arizona	VERIEICATION
OUNTY Of eclare und dection and	id know the contents thereof;	VERIFICATION (Must be completed by Objector) In a claimant in this proceeding; that I have read the contents of the foregoing and that the information contained in the foregoing Objection is true based on a portions of the Objection which are indicated as being known to me on information ever them to be true. Ariona Game Fish Commission
OUNTY Of eclare und lection an	der penalty of perjury that I are id know the contents thereof; conal knowledge, except for those ind, as to those portions, I beli	(Must be completed by Objector) In a claimant in this proceeding; that I have read the contents of the foregoing and that the information contained in the foregoing Objection is true based or experience of the Objection which are indicated as being known to me on information ever them to be true. Arriona Game Fish Commission Signature of Objector Duane L. Shroufe, Secretary to the Commission ORN to before me this 22 day of 100 marks.
OUNTY Of eclare und lection an	der penalty of perjury that I are id know the contents thereof; conal knowledge, except for those ind, as to those portions, I beli	(Must be completed by Objector) In a claimant in this proceeding; that I have read the contents of the foregoing and that the information contained in the foregoing Objection is true based on a portions of the Objection which are indicated as being known to me on information ever them to be true. Ariona Game Fish Commission Signature of Objector Duane L. Shroufe, Secretary to the Commission PART to before me this 22 day of 10 feet the State of the Commission Secretary to the Commission
OUNTY Of lectare und plection and	der penalty of perjury that I amend know the contents thereof; onal knowledge, except for those nd, as to those portions, I believed. SUBSCRIBED AND SWO	(Must be completed by Objector) In a claimant in this proceeding; that I have read the contents of the foregoing and that the information contained in the foregoing Objection is true based on a portions of the Objection which are indicated as being known to me on information ever them to be true. Ar in the Game Fish Commission Signature of Objector Duane L. Shroufe, Secretary to the Commission Notary Public for the State of Commission Residing at 2/10 W. Warland W. Filed. My commission expires March = 1995
OUNTY Of eclare und jection and own perso d belief and	der penalty of perjury that I amend know the contents thereof; onal knowledge, except for those nd, as to those portions, I believed, as to those portions, I believed. SUBSCRIBED AND SWO (SEAL) (Must be completed if y Does not need to be confile report or to information Report.)	Must be completed by Objector) In a claimant in this proceeding; that I have read the contents of the foregoing and that the information contained in the foregoing Objection is true based or experience of the Objection which are indicated as being known to me on information ever them to be true. Ar in Grame Game Fish Commission ever them to be true. Ar in Grame Game Fish Commission Signature of Objector Duane L. Shroufe, Secretary to the Commission Notary Public for the State of Game Fish Notary Public for the State of Gam
OUNTY Of eclare und jection and own perso d belief and	der penalty of perjury that I are not know the contents thereof; onal knowledge, except for those not, as to those portions, I believed, as to those portions, I believed. SUBSCRIBED AND SWO (SEAL) (Must be completed if y Does not need to be confile report or to information Report.)	(Must be completed by Objector) In a claimant in this proceeding; that I have read the contents of the foregoing and that the information contained in the foregoing Objection is true based on contained that the information contained in the foregoing Objection is true based on contained to the contents of the foregoing Objection is true based on contained in Volumes 1 or 2 of the I lydrographic Survey Objection was served upon the following Claimant(s) by mailing true and correct in the contents of the following Claimant(s) by mailing true and correct in the contents of the following Claimant(s) by mailing true and correct in the contents of the following Claimant(s) by mailing true and correct in the contents of the conten
ereby cert pies there	der penalty of perjury that I are not know the contents thereof; onal knowledge, except for those not, as to those portions, I believed, as to those portions, I believed. SUBSCRIBED AND SWO (SEAL) (Must be completed if y Does not need to be confile report or to information Report.) ify that a copy of the foregoing of on theday of	In a claimant in this proceeding; that I have read the contents of the foregoing and that the information contained in the foregoing Objection is true based on a portions of the Objection which are indicated as being known to me on information eve them to be true. Ar tona Game Fish Commission Signature of Objector Duant L. Shroufe, Secretary to the Commission Notary Public for the State of Commission Notary Public for the State of Commission Residing at ZIOL W. Marker W1. Phase My commission expires March = 1995 CERTIFICATE OF MAILING you object to another Claimant's watershed file report. Impleted if you file an Objection to your own watershed on contained in Volumes 1 or 2 of the Hydrographic Survey Objection was served upon the following Claimant(s) by mailing true and correct 199, postage prepaid and addressed as follows:
ereby cert pies there ame:	der penalty of perjury that I are not know the contents thereof; onal knowledge, except for those not, as to those portions, I believed, as to those portions, I believed. SUBSCRIBED AND SWO (SEAL) (Must be completed if y Does not need to be confile report or to information Report.) ify that a copy of the foregoing of on theday of	(Must be completed by Objector) In a claimant in this proceeding; that I have read the contents of the foregoing and that the information contained in the foregoing Objection is true based on contained that the information contained in the foregoing Objection is true based on contained to the contents of the foregoing Objection is true based on contained in Volumes 1 or 2 of the I lydrographic Survey Objection was served upon the following Claimant(s) by mailing true and correct in the contents of the foreign and addressed as follows:
OUNTY Of leclare und pjection and own person d belief and	der penalty of perjury that I are not know the contents thereof; onal knowledge, except for those not, as to those portions, I believed, as to those portions, I believed. SUBSCRIBED AND SWO (SEAL) (Must be completed if y Does not need to be confile report or to information Report.) ify that a copy of the foregoing of on theday of	In a claimant in this proceeding; that I have read the contents of the foregoing and that the information contained in the foregoing Objection is true based on a portions of the Objection which are indicated as being known to me on information eve them to be true. Ariona Game Fish Commission Signature of Objector Duane L. Shroufe, Secretary to the Commission Notary Public for the State of Prince Williams of the State of Prince Williams of the Commission expires My commission expires March 3 1995 CERTIFICATE OF MAILING you object to another Claimant's watershed file report, or contained in Volumes 1 or 2 of the Hydrographic Survey Objection was served upon the following Claimant(s) by mailing true and correct 199, postage prepaid and addressed as follows:

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

APACHE CO. SUPERIOR COURT

FILED

MAY 28 1991

DOCKETED 🖂

IN RE THE GENERAL ADJUDICATION OF ALL RIGHT TO USE

WATER IN THE LITTLE COLORADO RIVER SYSTEM AND SOURCE

6. 4

RECOMMENDED FORM

FOR OBJECTIONS TO THE Hydrographic Survey Report for the Silver Creek Watershed

No. 6417

O'CLOCK

Please file a separate objection for each watershed file report. Objections to information contained in Volumes 1 & 2 can be stated on one objection form. Objections must be written. Use of this form is suggested. Objections must be received on or before May 20 1001

======================================
This objection is directed to Watershed File Report No. 033- <u>51-DAB -001</u> (Please insert no.)
OBJECTOR INFORMATION
Objector's Name: Objector's Address: Salt River Project Post Office Box 52025 Phoenix Arizona 85072 2025
Phoenix, Arizona 85072-2025 Objector's Telephone No: (602) 236-2210 Objector's Watershed File Report No. (If the Objector's claimed water rights are located within the Silver Creek Watershed):
033
Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the Silver Creek Watershed):
39- <u>82193 - 82206</u> 39- <u>87343</u>

STATEMENT OF THE OBJECTION

The following are the main categories of the typical watershed file report (not all watershed file reports have all these categories). Please check the category(ies) of the watershed file report to which you object, and state the reason for the objection on the following page.

- 1. I object to the description of LAND OWNERSHIP
- 2. I object to the description of APPLICABLE FILINGS AND DECREES
- 3. I object to the description of DWR's ANALYSIS OF FILINGS AND DECREES
- 4. I object to the description of the DIVERSIONS for the claimed water right(s)
- 5. I object to the description of the USES for the claimed water right(s)
- 6. I object to the description of RESERVOIRS used for the claimed water right(s)
- 7. I object to the description of SHARED USES & DIVERSIONS for the claimed water right(s)
- 8. I object to the PWR (POTENTIAL WATER RIGHT) SUMMARY of the claimed water right(s)
- X 9. I object to the description of the QUANTITIES OF USE for the claimed water right(s)
 - 10. I object to the EXPLANATION provided for the claimed water right(s)
 - 11. Other Objections (please state volume number, page number and line number for each objection)

Watershed File Report: 033-51-DAB -001 ARIZONA GAME & FISH DEPT.

PAGE: 2

I hereby make this objection on this <u>15th</u> day of <u>Ma</u>	ey, 1991. David C. Ritat
	Signature of Objector
	FOR: Salt River Project
	(if in a representative capacity)
COUNTY OF <u>Maricopa</u> (Must I declare under penalty of perjury that I am a claim Objection and know the contents thereof; and that the	RIFICATION t be completed by Objector) ant in this proceeding; that I have read the contents of the foregoing e information contained in the foregoing Objection is true based on of the Objection which are indicated as being known to me on information to be true Signature of Objector
SUBSCRIBED AND SWOI	RN to before me this 15th day of May, 1991. Luy Halines
TERRY R. HOLMES	Notary Public for the State of <u>Arizona</u>
Notary Public — State of Arizona MARICOPA COUNTY	Residing at Maricopa County
My Comm. Expires Sept. 24, 1992	My commission expires
======================================	
·	you object to another Claimant's watershed file report. mpleted if you file an Objection to your own watershed

(Signature of Objector or person mailing in Objector's behalf)

Objections must be filed with the Clerk of the Superior Court in and for Apache County, Apache County Courthouse, P.O. Box 365, St. Johns, AZ 85936, on or before May 29, 1991. This means that the Objection must be received at the Clerk's office no later than 5:00 p.m. on Wednesday, May 29, 1991.

PHOENIX, AZ 85023

ATTACHMENT 1

WFR CATEGORY 9 - QUANTITIES OF USE

The Salt River Project objects to the failure of DWR to assign a quantity of use to this Potential Water Right (PWR). All water rights subject to the court's jurisdiction must be quantified in accordance with A.R.S. 45-257(B). This PWR is no exception. (This objection applies to: ID001.)

* * * *

The Salt River Project objects to the failure of DWR to calculate a diversion rate for this Potential Water Right (PWR). All PWRs assigned a point or points of diversion should be assigned a separate diversion rate for each point of diversion. Diversion rates should be calculated at the point of diversion and should include transportation losses from the point of diversion to the place of use. (This objection applies to: ID001.)

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

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO USE WATER IN THE LITTLE COLORADO RIVER SYSTEM AND SOURCE

No. 6417

RECOMMENDED FORM FOR OBJECTIONS TO THE

Hydrographic Survey Report for the Silver Creek Watershed

Please file a separate objection for each watershed file report. Objections to information contained in Volumes 1 & 2 can be stated on one objection form. Objections must be written. Use of this form is suggested. Objections must be received on or before May 29, 1991.

This Objection is directed to Watershed File Report No.

033- 51 - DAB - 001

(please insert no.)

OBJECTOR INFORMATION

Objector's Name:

United States of America

Objector's Address:

P.O. Box 607, Albuquerque, New Mexico 87103

Objector's Telephone No.:

(505) 766 - 1060

Objector's Watershed File Report No. (if the Objector's claimed water rights are located within the Silver

Creek Watershed):

033- 42 - 088

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the Silver Creek Watershed):

39-

STATEMENT OF THE OBJECTION

The following are the main categories of the typical watershed file report (not all watershed file reports have all these categories). Please check the category(ies) of the watershed file report to which you object, and state the reason for the objection on the following page.

Please check appropriate box(es)

[] 1. I object to the description of Lar	d Ownership
---	-------------

- [xx] 2. I object to the description of Applicable Filings and Decrees
- [xx] 3. I object to the description of DWR's Analysis of Filings and Decrees
- [] 4. I object to the description of the Diversions for the claimed water right(s)
- [] 5. I object to the description of the Uses for the claimed water right(s)
- [] 6. I object to the description of Reservoirs used for the claimed water right(s)
- [] 7. I object to the description of Shared Uses & Diversions for the claimed water right(s)
- [xx] 8. I object to the PWR (Potential Water Right) Summary of the claimed water right(s)
- [xx] 9. I object to the description of Quantities of Use for the claimed water right(s)
- [] 10. I object to the Explanation provided for the claimed water right(s)
- [] 11. Other Objections (please state volume number, page number and line number for each objection)

The reason for my objection is as follows (please number your objections to correspond to the boxes checked and please attach supporting information and additional pages as necessary):

CATEGORY NUMBER

SEE ATTACHED SHEET(S)

I hereby make this Objection on this 28TH day of May, 1991.				
FOR: UNITED STATES OF AMERICA				
(If in a representative capacity)				
STATE OF New Mexico VERIFICATION COUNTY OF Bernallilo (Must be completed by Objector) I declare under penalty of perjury that I am a claimant in this proceeding; that I have read the contents of the foregoing Objection and know the contents thereof; and that the information contained in the foregoing Objection is true based on my own personal knowledge, except for those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.				
SUBSCRIBED AND SWORN to before me this28th_day of _May, 199_1.				
Notary Public for the State of New Mexico {SEAL} Residing at Albuquerque My commission expires 7-2-92				
CERTIFICATE OF MAILING (Must be completed if you object to another Claimant's watershed file report. Does not need to be completed if you file an Objection to your own watershed file report or to information contained in Volumes				

03351DAB 001

ARIZONA GAME & FISH DEPT. 2222 W. GREENWAY RD. PHOENIX AZ 85023

1 or 2 of the Hydrographic Survey Report.)

thereof on the 28th day of May, 1991, postage prepaid and addressed as follows:

(Signature of Objector or person mailing in Objector's behalf)

Objections must be filed with the Clerk of the Superior Court in and for Apache County, Apache County Courthouse, P.O. Box 365, St. Johns, AZ 85936, on or before May 29, 1991. This means that the Objection must be received at the Clerk's office no later than 5:00 p.m. on Wednesday, May 29, 1991.

I hereby certify that a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies

2. The use of water from this well or wells is challenged because the water withdrawn is sub-flow under state law and therefore must be administratively authorized or recognized in a judicial decree. Alternatively, the use is challenged because it interferes with downstream federal Indian rights and is contrary to state and federal law.

The amount of water identified by the claimant exceeds the normal quantity of water for a domestic claim established by the Arizona Department of Water Resources.

- 3. The use of water from this well or wells is challenged because the water withdrawn is sub-flow under state law and therefore must be administratively authorized or recognized in a judicial decree. Alternatively, the use is challenged because it interferes with downstream federal Indian rights and is contrary to state and federal law.
- 8. The use of water from this well or wells is challenged because the water withdrawn is sub-flow under state law and therefore must be administratively authorized or recognized in a judicial decree. Alternatively, the use is challenged because it interferes with downstream federal Indian rights and is contrary to state and federal law.
- 9. The use of water from this well or wells is challenged because the water withdrawn is sub-flow under state law and therefore must be administratively authorized or recognized in a judicial decree. Alternatively, the use is challenged because it interferes with downstream federal Indian rights and is contrary to state and federal law.

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

IN RE THE GENERAL ADJUDICATION OF ALL RIGHTS TO USE WATER IN THE LITTLE COLORADO RIVER SYSTEM AND SOURCE

No. 6417

RECOMMENDED FORM FOR OBJECTIONS TO THE

Hydrographic Survey Report for the Silver Creek Watershed

Please file a separate objection for each watershed file report. Objections to information contained in Volumes 1 & 2 can be stated on one objection form. Objections must be written. Use of this form is suggested. Objections must be received on or before May 29, 1991.

This Objection is directed to Watershed File Report No.

033-51 - DAB - 001

(please insert no.)

OBJECTOR INFORMATION

Objector's Name:

United States of America

Objector's Address:

P.O. Box 607, Albuquerque, New Mexico 87103

Objector's Telephone No.:

(505) 766 - 1060

Objector's Watershed File Report No. (if the Objector's claimed water rights are located within the Silver

Creek Watershed):

033- 42 - 088

Or Objector's Statement of Claimant No. (if the Objector's claimed water rights are located outside the Silver Creek Watershed):

39-

STATEMENT OF THE OBJECTION

The following are the main categories of the typical watershed file report (not all watershed file reports have all these categories). Please check the category(ies) of the watershed file report to which you object, and state the reason for the objection on the following page.

Please check appropriate box(es)

[]	1.	I object to the description of Land Ownership	
[xx]	2.	I object to the description of Applicable Filings and Decrees	
[]	3.	I object to the description of DWR's Analysis of Filings and Decrees	
[]	4.	I object to the description of the Diversions for the claimed water right(s)	
[xx]	5 .	I object to the description of the Uses for the claimed water right(s)	
[]	6.	I object to the description of Reservoirs used for the claimed water right(s)	
[]	7.	I object to the description of Shared Uses & Diversions for the claimed water right(s)	
[xx]	8.	I object to the PWR (Potential Water Right) Summary of the claimed water right(s)	
[xx]	9.	I object to the description of Quantities of Use for the claimed water right(s)	
[]	10.	I object to the Explanation provided for the claimed water right(s)	
[]	11.	Other Objections (please state volume number, page number and line number for each objection)	

The reason for my objection is as follows (please number your objections to correspond to the boxes checked and please attach supporting information and additional pages as necessary):

NUMBER

SEE ATTACHED SHEET(S)

I hereby make this Objection on this 28 day of	May , 199 1 . Signature of Objector
	FOR: United States of America
	(If in a representative capacity)
STATE OF New Mexico VERIFICATION Must be completed completed with the penalty of perjury that I am a claimant in this pobjection and know the contents thereof; and that the information of the Objection belief and, as to those portions, I believe them to be true.	ed by Objector)
SUBSCRIBED AND SWOR	RN to before me this 28 day of May 1991.
{SEAL}	Notary Public for the State of New Mexico Residing at Albuquerque My commission expires Color 3, 1993
CERTIFICAT	TE OF MAILING

(Must be completed if you object to another Claimant's watershed file report. Does not need to be completed if you file an Objection to your own watershed file report or to information contained in Volumes 1 or 2 of the Hydrographic Survey Report.)

I hereby certify that a copy of the foregoing Objection was served upon the following Claimant(s) by mailing true and correct copies thereof on the 28th day of May, 1991, postage prepaid and addressed as follows:

03351DAB 001

ARIZONA GAME & FISH DEPT. 2222 W. GREENWAY RD. PHOENIX AZ 85023

(Signature of Objector or person mailing in Objector's behalf)

Objections must be filed with the Clerk of the Superior Court in and for Apache County, Apache County Courthouse, P.O. Box 365, St. Johns, AZ 85936, on or before May 29, 1991. This means that the Objection must be received at the Clerk's office no later than 5:00 p.m. on Wednesday, May 29, 1991.

WFR #: 033-51-DAB-001

2. The historical record does not substantiate the claimed priority date. The date should be amended to reflect the date that water was first used beneficially.

This use of water is challenged because the only foundation for the claim is a pending application for a water right before ADWR. Accordingly, there is no legal basis for this claim and the claim should be dismissed or deferred by the court until the application has been processed by DWR.

There is no detailed legal description of the use area.

- 5. There is no detailed description of the claimed service areas so that a comparison can be made with the actual use areas.
- 8. Industrial/commercial claim ID1 has no applicable pre-adjudication filings. Without a valid water right period of record, this hatchery should not have resumed operation.
- 9. No storage capacity or surface area acreage is recommended for this potential water right. As such, no claim is made for ID1.





FELDING Time . Silver Cr. Hately

Stanley M. Pollack (S.B. No. 011046) Navajo Nation Department of Justice P.O. Drawer 2010 Window Rock, AZ 86515 Attorneys for THE NAVAJO NATION Reid Peyton Chambers Sonosky, Chambers, Sachse & Endreson 5 | 1250 Eye Street, N.W., Suite 1000 Washington, D.C. 20005 Attorneys for THE HOPI TRIBE Jeanne S. Whiteing Whiteing & Thompson 1136 Pearl Street, Suite 203 Boulder, CO 80302 Attorneys for THE SAN JUAN SOUTHERN PAIUTE TRIBE

NO. 4 SUPERIOR COURT DOCKETED ET MAY 2 8 1991

AT O'CLOCK 4.509 M.
RICHARD D. LUPKE, CLERK

FOR THE SILVER CREEK

WATERSHED

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF APACHE

IN RE THE GENERAL ADJUDICATION
OF ALL RIGHTS TO USE WATER IN
THE LITTLE COLORADO RIVER
SYSTEM AND SOURCE

THE NAVAJO NATION, THE
HOPI, TRIBE, THE SAN JUAN
SOUTHERN PAIUTE TRIBE WITH
ALL OBJECTIONS SUBMITTED
BY THE UNITED STATES TO THE
HYDROGRAPHIC SURVEY REPORT

19 20

21

22

23

24

25

26

27

28

10

11

12

13

15

16

17

18

<u>Descriptive Summary</u>: The Navajo Nation, the Hopi Tribe, and the San Juan Southern Paiute Tribe (Tribes) join in, concur with, and adopt the Statements of Objection for all Watershed File Reports submitted by the United States.

Statement of Claimant Numbers: Not Applicable.

Date of Filing: May 29, 1991.

Number of Pages: 2 (Excluding Exhibit).

THE NAVAJO NATION, THE HOPI TRIBE, and THE SAN JUAN SOUTHERN PAIUTE TRIBE join in, concur with, and adopt the

1 Statements of Objection for all Watershed File Reports submitted 2 by the United States, as though each Tribe had submitted said bbjection on its own behalf. Respectfully submitted this 28th day of 4 5 6 Stanley M./ Follack, Attorney for THE NAVAJO NATION Navajo Nation Department of Justice 7 P.O. Drawer 2010 8 Window Rock, AZ 86515 (602) 871-6931 9 10 Reid Peyton Chambers, Attorney for 11 THE HOPI TRIBE Sonosky, Chambers, Sachse & Endreson 12 1250 Eye Street, N.W., Suite 1000 Washington, D.C. 20005 13 (202) 682-0240 14 15 Jeanne S. Whiteing, Attorney for THE SAN JUAN SOUTHERN PAIUTE TRIBE 16 Whiteing & Thompson 1136 Pearl Street, Suite 203 17 Boulder, CO 80302 (303) 444-2549 18 Copies of the foregoing were served upon each claimant to 20 which an objection was filed by the United States. Service was made by attaching a copy of this pleading to the objections served on each claimant by the United State

23

24

25

26

27

28

2