

6417-022 0588

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. SUPERIOR COURT
FILED
NO. _____ DOCKETED

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

MAY 28 1991
AT 9 O'CLOCK A.M.
RICHARD D. LUPKE, CLERK
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.

=====
This objection is directed to Watershed File Report No. 033-51-____-001
(Please insert no.)
=====

OBJECTOR INFORMATION

Objector's Name: Salt River Project
Objector's Address: Post Office Box 52025
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- 82193 - 82206
39- 87343

=====
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)
- X 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.

David C. Pilate

Signature of Objector

FOR: Salt River Project
(if in a representative capacity)

STATE OF Arizona
COUNTY OF Maricopa

VERIFICATION

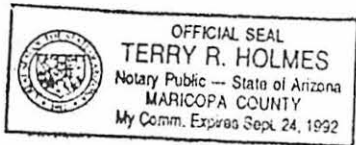
(Must be completed by Objector)

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.

David C. Pilate

Signature of Objector

SUBSCRIBED AND SWORN to before me this 15th day of May, 1991.



Terry R. Holmes

Notary Public for the State of Arizona

Residing at Maricopa County

My commission expires _____

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:

Name: FS - APACHE-SITGREAVES

Address: PO BOX 640
SPRINGEVI, AZ 85938

David C. Pilate

(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 8 - PWR SUMMARY

The Salt River Project objects to the apparent date of first use assigned to this Potential Water Right (PWR). Previous filings, including permits, are the evidentiary foundation for the priority date associated with a water right. This PWR has been matched to a permit only. The apparent date of first use for this PWR should be the priority date set forth in the permit, unless sufficient historic evidence indicates a contrary date. The Watershed File Report fails to articulate sufficient historic evidence to refute the priority date set forth in the permit matched to this PWR. In the absence of such evidence, the apparent date of first use assigned to this PWR should be the date set forth in the permit. (This objection applies to: SW002.)

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: SW002.)

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