

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

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

CO

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- 56 - ADBB - 1
(please insert no.)

OBJECTOR INFORMATION

Objector's Name: Apache-Sitgreaves National Forests
 Objector's Address: P.O. Box. 640
Springerville, AZ 85938
 Objector's Telephone No.: (602) 333-4301
 Objector's Watershed File Report No. (if the Objector's claimed water rights are located within the Silver Creek Watershed):
033- 56 - 002 -

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
- 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)
- 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 above; please attach supporting information and additional pages as necessary):

CATEGORY NUMBER
2

SP001 Morgan Wash Tank is at least partially on National Forest land and is used by permittee on WFR 33-56-002.

I hereby make this Objection on this 6th day of March, 1991.

Douglas K. [Signature]
Signature of Objector

FOR: Apache-Sitgreaves National Forests
(If in a representative capacity)

STATE OF Arizona

COUNTY OF Apache

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.

Douglas K. [Signature]
Signature of Objector

SUBSCRIBED AND SWORN to before me this 6th day of March, 1991.

(SEAL)

Marsha K. [Signature]
Notary Public for the State of Arizona
Residing at Springerville, AZ
My commission expires ~~My Commission Expires March 5, 1993~~

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 _____ day of _____, 199____, postage prepaid and addressed as follows:

Name: _____
Address: _____

(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.

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

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

COPY

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- - - - -
(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
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10. I object to the EXPLANATION provided for the claimed water right(s)
- X 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 attached Salt River Project Objections to the Hydrographic Survey

Report for the Silver Creek Watershed Volume 1: General Assessment.

I hereby make this objection on this 24th day of May, 1991.

David C. Roberts

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. Roberts

Signature of Objector

SUBSCRIBED AND SWORN to before me this 24th day of May, 1991.



Linda Jepperson

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 ___ day of ___, 199__ postage prepaid and addressed as follows:

Name: _____

Address: _____

(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.

6417-033-02984

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

APACHE CO. SUPERIOR COURT
FILED

NO. _____ DOCKETED

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

MAY 28 1991
No. 6417
AT 6 O'CLOCK P.M.
RICHARD D. LUCKE, CLERK
DEPUTY

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 - 056 - ADBB - 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

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Please check appropriate box(es)


- 1. I object to the description of Land Ownership
- 2. I object to the description of Applicable Filings and Decrees
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- 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 28 day of May, 1991.



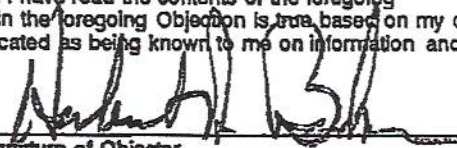
Signature of Objector

FOR: United States of America
(If in a representative capacity)

STATE OF New Mexico } VERIFICATION

COUNTY OF Bernalillo } (Must be completed by Objector)

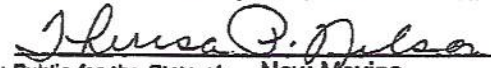
I declare under penalty of perjury that I am a claimant in this proceeding; that I have read the contents of the foregoing Objection and know the contents thereof; and that the information contained in the foregoing Objection is true based on my own personal knowledge, except for those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.



Signature of Objector

SUBSCRIBED AND SWORN to before me this 28 day of May, 1991.

{SEAL}


Notary Public for the State of New Mexico
Residing at San Mateo Albuquerque
My commission expires 10/2/93


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:

03356ADBB001

EVANS, ET AL
1415 RIM DRIVE
FLAGSTAFF AZ 86001



(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 - 056 - ADBB - 001

1. The lower small reservoir (SR5) is used by others as a point of diversion for delivering water supplies for irrigation use off the property, but no documentation is presented that any other person has the legal right to divert water off this property.
2. There is no indication in the historic record that the individuals who filed the notices of water rights cited as support for this claim ever initiated the water use claimed in the notices. In addition, the notices of water rights 10-0091383, 10-0091430, 10-0091458, and 10-0092015 are for lands located outside of the locations identified for this watershed file number. The applicability of 10-0092002 to this watershed file number is also questionable. The county filing contained no places of use within the watershed filing area. These notices of water rights should not be used to confirm either water use or an early priority date.

Adjudication filing 39-80946 is for water storage in two lakes while there are five springs on the property. There are no claims made for the other three facilities, so no water right can be awarded for them.

The landowner's uses are for stockponds and small reservoirs. ADWR identifies that they were mostly built around 1950. These facilities should legally have had a water right permit before they were constructed. Only SP1 has been registered with the State of Arizona, so no other facility is entitled to a water right.

There is no valid water right foundation for the small reservoirs and stockponds. There are no valid water right permits for the small reservoirs to support the adjudication claim. The pre-adjudication filing (36-66961) claims a 1900 priority date for facilities built much later.

There is no agreement that describes how Evans' facilities are incorporated into the irrigation of U.S. Forest Service land.

3. There is no indication in the historic record that the individuals who filed the notices of water rights cited as support for this claim ever initiated the water use claimed in the notices. In addition, the notices of water rights 10-0091383, 10-0091430, 10-0091458, and 10-0092015 are for lands located outside of the locations identified for this watershed file number. The applicability of 10-0092002 to this watershed file number is also questionable. The county filing contained no places of use within the watershed filing area. These notices of water rights should not be used to confirm either water use or an early priority date.

The adjudication filings list only two out of the five lakes. Based on the dates of apparent first use established by ADWR, pre-adjudication filings should have been based on post-1919 water right permits, rather than filing 36-66961.

4. The claimed sources of supply are not supported by historic use.

WFR #:

033 - 056 - ADBB - 001

Diversion DO1 is not part of the service area and appurtenant water delivery facilities associated with this claimant.

5. There is no irrigation use on this property. Filing 39-91644 is for irrigation on adjacent Forest Service land.
6. Reservoir SR5 provides no irrigation water to Evans. This use is associated with adjacent Forest Service land.

With the exception of small reservoir SR4, all storage facilities were built around 1950 and the priority date should be the date permits are obtained for each facility.

Claimed storage rights are not clear as to multiple fillings of each facility.
8. There is no indication in the historic record that the individuals who filed the notices of water rights cited as support for this claim ever initiated the water use claimed in the notices. In addition, the notices of water rights 10-0091383, 10-0091430, 10-0091458, and 10-0092015 are for lands located outside of the locations identified for this watershed file number. The applicability of 10-0092002 to this watershed file number is also questionable. The county filing contained no places of use within the watershed filing area. These notices of water rights should not be used to confirm either water use or an early priority date.

The claimant should have obtained water right permits for SR1 to SR2 rather than file pre-adjudication filing 36-80946 since the facilities were not built until about 1950. These facilities have no legal foundation. Except for perhaps SR4, the Notices of Appropriation of Record are not applicable to water uses on this property.

Priority dates should be the date of the water right permits which must still be obtained for these storage facilities.
9. The total volume of storage must not exceed the 44 acre-feet claimed for all facilities.
10. There is no indication in the historic record that the individuals who filed the notices of water rights cited as support for this claim ever initiated the water use claimed in the notices. In addition, the notices of water rights 10-0091383, 10-0091430, 10-0091458, and 10-0092015 are for lands located outside of the locations identified for this watershed file number. The applicability of 10-0092002 to this watershed file number is also questionable. The county filing contained no places of use within the watershed filing area. These notices of water rights should not be used to confirm either water use or an early priority date.

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.



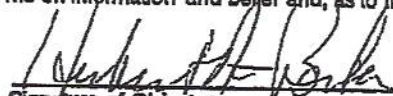
Signature of Objector

FOR: UNITED STATES OF AMERICA

(If in a representative capacity)

STATE OF New Mexico } VERIFICATION
COUNTY OF Bernalillo } (Must be completed by Objector)

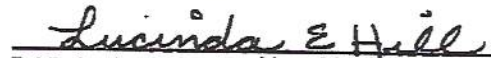
I declare under penalty of perjury that I am a claimant in this proceeding; that I have read the contents of the foregoing Objection and know the contents thereof; and that the information contained in the foregoing Objection is true based on my own personal knowledge, except for those portions of the Objection which are indicated as being known to me on information and belief and, as to those portions, I believe them to be true.



Signature of Objector

SUBSCRIBED AND SWORN to before me this 28th day of May, 1991.

{SEAL}



Notary Public for the State of New Mexico
Residing at Albuquerque
My commission expires 7-21-92


CERTIFICATE OF MAILING

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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:

03356ADBB001

Name: EVANS, ET AL
Address: 1415 RIM DRIVE
FLAGSTAFF AZ 86001



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

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6417-033-0676

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

APACHE CO. SUPERIOR COURT
FILED
NO. 6417 DOCKETED

MAY 28 1991

AT 9 O'CLOCK 4 M.
RICHARD D. LUPKE, CLERK
DEPUTY

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

No. 6417

RECOMMENDED FORM
FOR OBJECTIONS TO THE
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This objection is directed to Watershed File Report No. 033-56-ADBB-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

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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. Zlat

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. Zlat

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: EVANS, ET AL.
Address: 1415 RIM DRIVE
FLAGSTAFF, AZ 86001

David C. Zlat

(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, particularly notices of appropriation, are the evidentiary foundation for the date of priority associated with a water right. Where a notice of appropriation and a Water Rights Registration Act filing have been matched to the same PWR but suggest different dates of priority, the date evidenced by the notice should form the basis for the apparent date of first use, unless sufficient historic evidence indicates a contrary date. Further, where two or more notices of appropriation have been matched to the same PWR but suggest different dates of priority, the date evidenced by the oldest notice should form the basis for the apparent date of first use, unless sufficient historic evidence indicates a contrary date.

The Watershed File Report fails to articulate sufficient historic evidence to refute the priority date evidenced by the oldest notice of appropriation matched to this PWR. In the absence of such evidence, the apparent date of first use assigned to this PWR should be the date evidenced by the oldest notice. (This objection applies to: SR005.)

* * * *

WFR CATEGORY 8 - PWR SUMMARY (continued)

The Salt River Project objects to the absence of an apparent date of first use for this domestic Potential Water Right (PWR). Previous filings, where available, are the evidentiary foundation for the date of priority associated with any appropriative right, including domestic uses. This domestic PWR has been matched to a notice of appropriation and a Water Rights Registration Act (WRRRA) filing. However, the WRRRA filing claims a different priority date than that evidenced by the notice. In such a situation, the date evidenced by the notice should form the basis for the apparent date of first use, unless sufficient historic evidence indicates a contrary date.

The Watershed File Report fails to articulate sufficient historic evidence to refute the priority date evidenced by the notice of appropriation matched to this domestic PWR. In the absence of such evidence, the apparent date of first use assigned to this PWR should be the date evidenced by the notice. (This objection applies to: DM001.)

* * * *

The Salt River Project objects to the apparent date of first use assigned to this Potential Water Right (PWR). Previous filings, particularly notices of appropriation, are the evidentiary foundation for the date of priority associated with a water right. Where a notice of appropriation and a Water Rights Registration Act filing have been matched to the same PWR but suggest different dates of priority, the date evidenced by the notice should form the basis for the apparent date of first use, unless sufficient historic evidence indicates a contrary date. Further, where two or more notices of appropriation have been matched to the same PWR but suggest different dates of priority, the date evidenced by the oldest notice should form the basis for the apparent date of first use, unless sufficient historic evidence indicates a contrary date.

The Watershed File Report fails to articulate sufficient historic evidence to refute the priority date evidenced by the oldest notice of appropriation matched to this PWR. In the absence of such evidence, the apparent date of first use assigned to this PWR should be the date evidenced by the oldest notice. (This objection applies to: SR004, SW001 and SW002.)

* * * *

WFR CATEGORY 8 - PWR SUMMARY (continued)

The Salt River Project objects to the apparent date of first use assigned to this Potential Water Right (PWR). Previous filings, in this case, filings made pursuant to the Water Rights Registration Act (WRRRA), are the evidentiary foundation for the priority date associated with a water right. The Watershed File Report fails to set forth sufficient historic evidence to refute the date of priority claimed in the WRRRA filing matched to this PWR. In the absence of such evidence, the apparent date of first use for this PWR should be the date claimed in the WRRRA filing. (This objection applies to: SR001, SR002 and SR003.)

* * * *

The Salt River Project objects to the weight placed upon aerial photography in determining the apparent date of first use for this Potential Water Right (PWR). Where DWR concludes that no use exists on a parcel as of a given photo date, it does not follow that a claimant either had no water right to start with or abandoned that right by nonuse. Scattered photos over a fifty-year time span may reflect occasional periods of nonuse but should not be interpreted by DWR to refute the priority date or dates evidenced by a claimant's previous filings. (This objection applies to: SR001, SR002, SR003 and SR005.)

WFR CATEGORY 9 - QUANTITIES OF USE

The Salt River Project objects to the lack of specificity of the quantity of use assigned to this storage Potential Water Right (PWR). The Watershed File Report fails to indicate whether the volumetric quantity assigned to this PWR implies a continuous fill, one fill per year, or one fill only. Unless evidence from previous filings, or other sufficient historic evidence, indicates a clear intention to the contrary, the quantity of use assigned to a storage PWR should be sufficient to permit continuous filling of the storage reservoir. (This objection applies to: SR001, SR002, SR003, SR004 and SR005.)

* * * *

WFR CATEGORY 9 - QUANTITIES OF USE (continued)

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: DM001, SW001 and SW002.)

* * * *

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: DM001.)

033-56-ADBB-001
39-89960

2. The claimant failed to file for a water right under the terms of the Arizona Surface Water Act (1974). Thus, the claimant has not complied with the legally enacted procedures for surface water use and the claim should be denied.
8. The Arizona Department of Water Resources (ADWR) assigned this claim a potential water right despite the claimants failure to file for the right to use surface water as required by the Arizona Surface Water Act (1974). ADWR should rescind the potential water right assigned to this claim.

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

COPY

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- - - - -
(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)
8. I object to the PWR (POTENTIAL WATER RIGHT) SUMMARY of the claimed water right(s)
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)
- X 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 attached Salt River Project Objections to the Hydrographic Survey Report for the Silver Creek Watershed Volume 1: General Assessment.

I hereby make this objection on this 24th day of May, 1991.

David C. Roberts

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. Roberts

Signature of Objector

SUBSCRIBED AND SWORN to before me this 24th day of May, 1991.



Linda Jepperson

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 _____ day of _____, 199_ postage prepaid and addressed as follows:

Name: _____
Address: _____

(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.

APACHE CO. SUPERIOR COURT
FILED
NO. 454 DOCKETED
MAY 28 1991
AT 4:50 P.M.
RICHARD D. LUPKE, CLERK
DL, DEPUTY

1 Stanley M. Pollack (S.B. No. 011046)
Navajo Nation Department of Justice
2 P.O. Drawer 2010
Window Rock, AZ 86515
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7 Jeanne S. Whiteing
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8 1136 Pearl Street, Suite 203
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9 Attorneys for THE SAN JUAN
SOUTHERN PAIUTE TRIBE

10

11

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

12

IN AND FOR THE COUNTY OF APACHE

13

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

No. 6417

16

17

18

19

) JOINDER AND CONCURRENCE OF
) 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
) FOR THE SILVER CREEK
) WATERSHED

20

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

24

Statement of Claimant Numbers: Not Applicable.

25

Date of Filing: May 29, 1991.

26

Number of Pages: 2 (Excluding Exhibit).

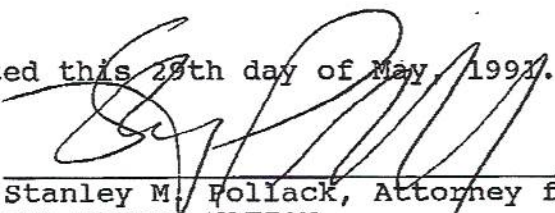
27

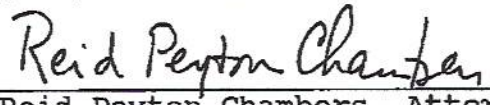
28

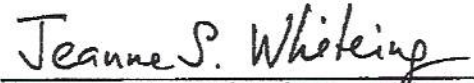
THE NAVAJO NATION, THE HOPI TRIBE, and THE SAN JUAN
SOUTHERN PAIUTE TRIBE join in, concur with, and adopt the

1 Statements of Objection for all Watershed File Reports submitted
2 by the United States, as though each Tribe had submitted said
3 objection on its own behalf.

4 Respectfully submitted this 29th day of May, 1997.

5
6 
7 Stanley M. Follack, Attorney for
8 THE NAVAJO NATION
9 Navajo Nation Department of Justice
10 P.O. Drawer 2010
11 Window Rock, AZ 86515
12 (602) 871-6931

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14 Reid Peyton Chambers, Attorney for
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21 Jeanne S. Whiteing, Attorney for
22 THE SAN JUAN SOUTHERN PAIUTE TRIBE
23 Whiteing & Thompson
24 1136 Pearl Street, Suite 203
25 Boulder, CO 80302
26 (303) 444-2549

27
28 Copies of the foregoing were
served upon each claimant to
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 States.

