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STATEMENT OF CLAIMANT FORM
(07) FOR 39-16948
OTHER USES¹

UPPER SALT RIVER WATERSHED
SUPERIOR COURT OF MARICOPA COUNTY

For Departmental Use Only

File No. _____
Date Filed _____
WFN# _____

11/14/2012

108951

1. Claimant Name: White Mountain Apache Tribe

Claimant Address: 201 East Walnut Street City Whiteriver
State: AZ Zip Code 85941 Telephone 928-338-2500

2. Basis of Claim:

- A. Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. Appropriation Right acquired after June 12, 1919. Application No. _____ Permit No. _____, or Certificate of Water Right No. _____
- C. Decreed water right. Principal litigants, court, date and case no. _____
- D. Right to withdraw groundwater. Grandfathered Right No. _____
- E. Other, describe: Indian and federal reserved and aboriginal reserved water rights to surface water and groundwater for historic, present and future use

3. Claimed Priority Date: Time Immemorial (month/day/year)

4. Use: See Attachments 1 and 2

- A. Municipal
- B. Commercial or Industrial
- C. Mining
- D. Stockwatering other than from a stockpond
- E. Recreation, Fish & Wildlife
- F. Other, describe: Hydropower
Mineral

Canyon, Cibecue, Carizzo Creeks and all tributaries, springs and lakes; and White, Black and Salt Rivers and all tributaries and springs and lakes not listed above; Coconino, Pinetop-Lakeside and all other aquifers and groundwater.

5. Source of Water:

- A. Stream: name _____, tributary to _____
- B. Spring: name _____, tributary to _____
- C. Lake or Reservoir: name _____, tributary to _____
- D. Groundwater. See Attachments 1 and 2

See Attachment 3, 2000-amended US Upper Salt River Claim, incorporated by reference herein

6. Legal description of the Point of Diversion: (attach additional sheet if required)

1/4, 1/4, 1/4, Section _____, Township _____ N/S, Range _____ E/W
Maps and legal descriptions are available separately

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: See Irrigation, domestic and stockpond forms prepared separately.

8. Means of Diversion:

- A. Instream pump.
- B. Gravity flow into a ditch, canal or pipeline.
- C. Well: Arizona Department of Water Resources Well Registration No. 55- State registration not applicable to VMAT
- D. Other, describe: dams

¹ See Instructions for explanation of uses in this category

9. Means of Conveyance:

- A. Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: _____
- B. Other, describe: impoundments and wells

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

County _____ Section _____ Township _____ Range _____
 Legal Subdivision _____
 Maps are available separately _____ N/S _____ E/W
 _____ N/S _____ E/W

11. Claimed Right: 133 plus evaporation rates cubic-foot per second

- A. Maximum Flow Rate: _____ gallons per minute
- _____ Arizona miner's inches

B. Annual Volume of Water Use: 86,217 acre-feet

C. Storage Right: 167,557 acre-feet **Multi-purpose reservoirs**

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s) place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant Ronnie Lupe
Ronnie Lupe, Chairman, White Mountain Apache Tribe

14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? During normal business hours, contact technical consultant
Watson Engineering, Inc., 4452 Fox View Loop, Helena, MT, 59602, 406-449-3785

15. Additional comments: _____

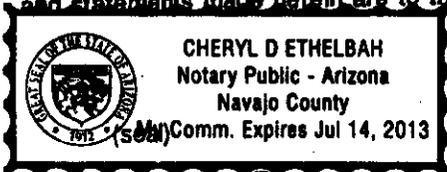
(attach additional sheet if required)

16. Attach Filing Fee to Form. Mail form(s) and filing fee(s) to:

AZ DEPT OF WATER RESOURCES
ADJUDICATIONS
PO BOX 36020
PHOENIX AZ 85067-6020

17. Notarized Statement:

I (We), _____
the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my (our) knowledge and belief true, correct and complete.



07-14-2013
My Commission Expires

Cheryl D Ethelbah
Notary Public

or, _____
Authorized Personnel of the Department of Water Resources

ATTACHMENT 1

EVAPORATION FROM RESERVOIRS, LAKES AND POWER SITES

| Watershed | Existing Recreation Lake | Maximum Surface Acres | Annual Gross Lake Elev. (ft) | Annual Lake Evaporation (in) | Annual Prec. (in.) | Net Lake Evap. (in.) | Pre-Lake Runoff (in.) | Lake Evaporation | |
|----------------------|--------------------------|-----------------------|------------------------------|------------------------------|--------------------|----------------------|-----------------------|------------------|----------|
| | | | | | | | | (in.) | (af/yr) |
| Black River | | | | | | | | | |
| | Drift Fence | 17.58 | 8,970 | 31.63 | 28.15 | 3.48 | 5.46 | 8.94 | 13.10 |
| | Georges Basin | 71.28 | 5,556 | 51.60 | 21.46 | 30.15 | 5.50 | 35.64 | 211.70 |
| | Hurricane | 19.56 | 8,942 | 31.81 | 28.10 | 3.72 | 5.46 | 9.18 | 14.96 |
| | Nash Creek | 59.40 | 5,792 | 50.35 | 21.92 | 28.43 | 5.49 | 33.93 | 167.94 |
| | Pacheta | 62.20 | 8,073 | 37.27 | 26.39 | 10.88 | 5.47 | 16.35 | 84.77 |
| | Reservation | 303.76 | 9,037 | 31.20 | 28.28 | 2.92 | 5.46 | 8.38 | 212.08 |
| | Tonto | 85.02 | 7,698 | 39.55 | 25.66 | 13.89 | 5.47 | 19.37 | 137.22 |
| | Subtotal | 618.80 | | | | | | | 841.77 |
| White River | | | | | | | | | |
| | A-1 | 24.29 | 8,845 | 32.44 | 27.91 | 4.53 | 5.46 | 9.99 | 20.21 |
| | Bog Tank | 15.15 | 8,182 | 36.60 | 26.61 | 10.00 | 5.47 | 15.47 | 19.52 |
| | Christmas Tree | 49.26 | 8,220 | 36.37 | 26.68 | 9.69 | 5.47 | 15.16 | 62.22 |
| | Cyclone | 37.47 | 8,147 | 36.82 | 26.54 | 10.28 | 5.47 | 15.75 | 49.19 |
| | Earl Park | 51.63 | 8,247 | 36.20 | 26.73 | 9.47 | 5.47 | 14.94 | 64.26 |
| | Hawley Lake | 268.06 | 8,175 | 36.65 | 26.59 | 10.06 | 5.47 | 15.52 | 346.79 |
| | Horseshoe Cienega | 118.17 | 8,167 | 36.70 | 26.58 | 10.12 | 5.47 | 15.59 | 153.53 |
| | Shush-Be-Tou | 16.71 | 7,808 | 38.89 | 25.87 | 13.02 | 5.47 | 18.49 | 25.74 |
| | Shush-Be-Zahze | 18.83 | 7,898 | 38.34 | 26.05 | 12.29 | 5.47 | 17.77 | 27.88 |
| | Sunrise | 809.12 | 9,134 | 30.57 | 28.47 | 2.10 | 5.46 | 7.56 | 509.58 |
| | Subtotal | 1,408.69 | | | | | | | 1,278.94 |
| | Total | 2,027.5 | -- | -- | -- | -- | -- | -- | 2,120.7 |
| Watershed | Future Recreation Lake | Maximum Surface Acres | Annual Gross Lake Elev. (ft) | Annual Lake Evaporation (in) | Annual Prec. (in.) | Net Lake Evap. (in.) | Pre-Lake Runoff (in.) | Lake Depletion | |
| | | | | | | | | (in.) | (af/yr) |
| Black River | | | | | | | | | |
| | Butterfly Creek | 17 | 8,100 | 37.11 | 26.45 | 10.66 | 5.47 | 16.13 | 22.85 |
| | Drift Fence | 28 | 8,900 | 32.08 | 28.01 | 4.07 | 5.46 | 9.53 | 22.23 |
| | Drift Fence, East | 17 | 8,900 | 32.08 | 28.01 | 4.07 | 5.46 | 9.53 | 13.50 |
| | ESS No. 1 | 41 | 7,400 | 41.32 | 25.07 | 16.25 | 5.47 | 21.72 | 74.22 |
| | ESS No. 3 | 20 | 7,300 | 41.91 | 24.88 | 17.03 | 5.47 | 22.51 | 37.51 |
| | Hurricane, Lower | 18 | 8,600 | 33.99 | 27.43 | 6.57 | 5.46 | 12.03 | 18.04 |
| | Maverick | 40 | 7,500 | 40.73 | 25.27 | 15.46 | 5.47 | 20.93 | 69.78 |
| | Odart | 204 | 8,000 | 37.72 | 26.25 | 11.47 | 5.47 | 16.94 | 287.96 |
| | Odart, Lower | 26 | 7,900 | 38.33 | 26.05 | 12.28 | 5.47 | 17.74 | 38.45 |
| | Pacheta, No. 1 | 240 | 8,900 | 32.08 | 28.01 | 4.07 | 5.46 | 9.53 | 190.52 |
| | Pacheta, No. 2 | 36 | 8,500 | 34.62 | 27.23 | 7.39 | 5.46 | 12.86 | 38.57 |
| | Pacheta, No. 3 | 26 | 7,300 | 41.91 | 24.88 | 17.03 | 5.47 | 22.51 | 48.77 |
| | Pacheta, Upper | 17 | 9,000 | 31.44 | 28.21 | 3.23 | 5.46 | 8.69 | 12.30 |
| | Paddy | 29 | 7,700 | 39.54 | 25.66 | 13.88 | 5.47 | 19.35 | 46.75 |
| | Pair-O-Dice, Lower | 40 | 7,300 | 41.91 | 24.88 | 17.03 | 5.47 | 22.51 | 75.03 |
| | Reservation Creek No. 2 | 82 | 8,900 | 32.08 | 28.01 | 4.07 | 5.46 | 9.53 | 65.10 |
| | Reservation, Upper | 80 | 9,200 | 30.14 | 28.60 | 1.54 | 5.45 | 6.99 | 46.62 |
| | Tonto No. 1 | 68 | 7,800 | 38.94 | 25.86 | 13.08 | 5.47 | 18.55 | 105.10 |
| | Subtotal | 1,029.00 | | | | | | | 1,213.28 |
| Carrizo Creek | | | | | | | | | |
| | Sawmill | 34 | 6,600 | 45.93 | 23.50 | 22.42 | 5.48 | 27.90 | 79.06 |

ATTACHMENT 1

EVAPORATION FROM RESERVOIRS, LAKES AND POWER SITES

| Future Recreation Lake | | Maximum Surface Acres | Elev. (ft) | Annual Gross Lake Evaporation (in) | Annual Prec. (in.) | Net Lake Evap. (in.) | Pre-Lake Runoff (in.) | Lake Depletion (in.) (af/yr) | |
|---------------------------------------|------------------------|-----------------------|------------|------------------------------------|--------------------|----------------------|-----------------------|------------------------------|----------|
| White River | | | | | | | | | |
| | Becker Creek | 48 | 9,000 | 31.44 | 28.21 | 3.23 | 5.46 | 8.69 | 34.74 |
| | Big Diamond | 22 | 8,600 | 33.99 | 27.43 | 6.57 | 5.46 | 12.03 | 22.05 |
| | Bog, Lower No. 4 | 22 | 7,800 | 38.94 | 25.86 | 13.08 | 5.47 | 18.55 | 34.00 |
| | Bull Cienega | 19 | 6,840 | 44.57 | 23.98 | 20.60 | 5.48 | 26.07 | 41.28 |
| | Coyote | 48 | 7,900 | 38.33 | 26.05 | 12.28 | 5.47 | 17.74 | 70.98 |
| | Earl No. 2 | 39 | 8,600 | 33.99 | 27.43 | 6.57 | 5.46 | 12.03 | 39.09 |
| | Haystack Cienega | 692 | 7,600 | 40.14 | 25.46 | 14.67 | 5.47 | 20.14 | 1,161.52 |
| | Horseshoe, Upper No. 2 | 25 | 8,500 | 34.62 | 27.23 | 7.39 | 5.46 | 12.86 | 26.78 |
| | Lofer Cienega | 123 | 7,900 | 38.33 | 26.05 | 12.28 | 5.47 | 17.74 | 181.88 |
| | North Fork | 46 | 7,900 | 38.33 | 26.05 | 12.28 | 5.47 | 17.74 | 68.02 |
| | Paradise Park | 26 | 8,300 | 35.87 | 26.84 | 9.04 | 5.46 | 14.50 | 31.42 |
| | Sheep Cienega | 60 | 8,800 | 32.72 | 27.82 | 4.91 | 5.46 | 10.36 | 51.82 |
| | Smith Creek | 48 | 9,900 | 25.48 | 29.97 | -4.49 | 5.45 | 0.96 | 3.83 |
| | Subtotal | 1,218.00 | | | | | | | 1,767.42 |
| | Total | 2,281.00 | -- | -- | -- | -- | -- | | 3,059.77 |
| Future Multi-Purpose Reservoir | | Maximum Surface Acres | Elev. (ft) | Annual Gross Lake Evaporation (in) | Annual Prec. (in.) | Net Lake Evap. (in.) | Pre-Lake Runoff (in.) | Lake Depletion (in.) (af/yr) | |
| Stream | | | | | | | | | |
| NF White River | Miner Flat | 159 | 6,062 | 48.90 | 22.45 | 26.45 | 5.49 | 31.94 | 424 |
| Bonito Creek | Bonito Creek | 890 | 6,360 | 47.27 | 23.03 | 24.23 | 5.48 | 29.72 | 2,204 |
| Bear Canyon | Bear Canyon | 315 | 5,460 | 52.11 | 21.27 | 30.84 | 5.49 | 36.33 | 954 |
| Canyon Day | White River | 300 | 5,100 | 53.96 | 20.56 | 33.40 | 5.49 | 38.89 | 972 |
| Cibecue | Salt Wash | 182 | 5,220 | 53.35 | 20.80 | 32.55 | 5.49 | 38.04 | 577 |
| | Total | 1,846 | -- | -- | -- | -- | -- | | 5,131 |
| Power Sites | | Maximum Surface Acres | Elev. (ft) | Annual Gross Lake Evaporation (in) | Annual Prec. (in.) | Net Lake Evap. (in.) | Pre-Lake Runoff (in.) | Lake Depletion (in.) (af/yr) | |
| Stream | | | | | | | | | |
| Black River | Lower Black River | 1,220 | 6,400 | 43.94 | 19 | 24.94 | 0 | 24.94 | 2,536 |
| Black River | Black River Pumps | 1,806 | 6,300 | 43.94 | 19 | 24.94 | 0 | 24.94 | 3,753 |
| Salt River | Carrizo | 4,515 | 4,400 | 55.38 | 16 | 39.38 | 0 | 39.38 | 14,818 |
| Salt River | Knob | 443 | 4,040 | 56.93 | 16 | 40.928 | 0 | 40.93 | 1,511 |
| Salt River | Walnut Canyon | 215 | 3,820 | 57.89 | 16 | 41.892 | 0 | 41.89 | 751 |
| Salt River | Gleason Flat | 2,192 | 2,985 | 61.67 | 16 | 45.665 | 0 | 45.67 | 8,340 |
| | Total | 10,390 | | | | | | | 31,707 |

ATTACHMENT 2

REMAINING OTHER CLAIMS AFTER RESERVOIR, LAKE AND POWER SITE EVAPORATION

| Component/Activity | Watershed/Stream | Units | Number | Diversion (af/year) |
|------------------------------|------------------------|--------------|---------|------------------------|
| Recreation | North Fork White River | | | |
| NW Corner to Sunrise | | | | |
| Distance | | miles | 45 | |
| Average Width of Development | | miles | 5 | |
| Total Area of Development | | | | |
| | | square miles | 225 | |
| | | acres | 144,000 | |
| Vacation Housing Density | | units/ac | 0.20 | |
| Full Year | | units/ac | 0.10 | |
| Seasonal | | units/ac | 0.10 | |
| Households | | | 28,800 | |
| Full Year | | units | 14,400 | |
| Seasonal | | units | 14,400 | |
| Water Withdrawal per Tap | | | | |
| Full Year | | | | |
| Daily | | gpd/unit | | 191 |
| Days | | days | 365 | |
| Annual | | af/y | | 3,074 |
| Seasonal | | | | |
| Daily | | gpd | | 191 |
| Days | | days | 120 | |
| Annual | | af/y | | 1,011 |
| Golf Courses | | | | |
| Number | | courses | 5 | |
| Holes per Course | | | 18 | |
| Watered Acres per course | | | 65 | |
| Water Requirement per course | | af/y | | 200 |
| Total Water Requirement | | af/y | | 1,001 |
| Commercial | | | | |
| Full Year Household Taps | | units | 14,400 | |
| Persons per Household Tap | | p/unit | 1.30 | |
| Total Full Year Population | | persons | 18,757 | |
| Commercial Per Capita | | gpcd | | 33.50 |
| Daily | | gallons | | 628,348 |
| Annual | | af/y | | 704 |
| Subtotal | | af/y | | 5,790 |

ATTACHMENT 2

REMAINING OTHER CLAIMS AFTER RESERVOIR, LAKE AND POWER SITE EVAPORATION

| Component/Activity | Watershed/Stream | Units | Number | Diversion (af/year) |
|--|-------------------|-------|--------|------------------------|
| Livestock | | | | |
| Watering at all Stock Ponds, Springs, Stearns and Livestock wells | Canyon Creek | AU's | 1,500 | 30 |
| | Cibecue Creek | AU's | 2,750 | 55 |
| | Carrizo Creek | AU's | 4,250 | 86 |
| | White River | AU's | 5,500 | 111 |
| | Black River | AU's | 6,500 | 131 |
| | Salt River | AU's | 500 | 10 |
| Subtotal | | AU's | 21,000 | 423 |
| Sunrise Ski Area | | | | |
| Resort | North Fork of the | | | |
| Snowmaking Groundwater and Surface Water | White River | acres | 1,000 | 2,000 |
| Mineral and Industrial | | | | |
| Mineral | Fort Apache Res | -- | -- | 5,000 |
| FATCO Sawmill | North Fork WR | -- | -- | 8,000 |
| Cibecue Sawmill | Cibecue Creek | -- | -- | 2,000 |
| Subtotal | | | | 15,000 |
| Fish Hatcheries | | | | |
| Williams Creek | North Fork WR | -- | -- | 12,914 |
| Alchesay | North Fork WR | -- | -- | 4,843 |
| Cibecue | Cibecue Creek | -- | -- | 3,228 |
| Subtotal | | | | 20,985 |
| Total | | | | 44,199 |

STATEMENT OF CLAIMANT FORM

ATTACHMENT 3
FOR

For Departmental Use Only

File No. _____
Date Filed _____
Well No. _____

OTHER USES¹
AMENDMENT

SUPERIOR COURT OF MARICOPA COUNTY

1. Claimant Name: United States for the benefit of White Mountain Apache Tribe
Claimant Address: P.O. Box 10 City Phoenix
State: AZ Zip Code 85001 Telephone (602) 379-6789

2. Basis of Claim:

- A. Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. Appropriation Right acquired after June 12, 1919. Application No. _____, Permit No. _____, or Certificate of Water Right No. _____
- C. Decreed water right. Principal litigants, court, date and case no. _____
- D. Right to withdraw groundwater. Grandfathered Right No. _____
- E. Other, describe: Federal reserved and aboriginal reserved water right (See Attached)

3. Claimed Priority Date: Time Immemorial (month/day/year)

4. Use:

- A. Municipal
- B. Commercial or Industrial
- C. Mining
- D. Stockwatering other than from a stockpond
- E. Recreation, Fish & Wildlife
- F. Other, describe: SEE ATTACHED Domestic, agricultural and other uses deemed beneficial by the White Mountain Apache Tribe

5. Source of Water:

- A. Stream: name SEE ATTACHED, tributary to _____
- B. Spring: name SEE ATTACHED, tributary to _____
- C. Lake or Reservoir: name SEE ATTACHED, tributary to _____
- D. Groundwater. SEE ATTACHED

6. Legal description of the Point of Diversion: (attach additional sheet if required) Fort Apache Indian Reservation
_____¹/₄, _____¹/₄, _____¹/₄, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. Instream pump.
- B. Gravity flow into a ditch, canal or pipeline.
- C. Well: Arizona Department of Water Resources Well Registration No. 55-_____
- D. Other, describe: wells on lands owned for the benefit of the White Mountain Apache Tribe

¹ See Instructions for explanation of uses in this category

9. Means of Conveyance:

ATTACHMENT 3

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

B. Other, describe: groundwater pumping

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

County Fort Apache Indian Reservation

| Legal Subdivision | Section | Township | Range |
|-------------------|---------|-----------|-----------|
| _____ | _____ | _____ N/S | _____ E/W |
| _____ | _____ | _____ N/S | _____ E/W |

11. Claimed Right:

- A. Maximum Flow Rate: SEE ATTACHED cubic-feet per second
 gallons per minute
 Arizona miner's inches
- B. Annual Volume of Water Use: _____ acre-feet
- C. Storage Right: _____ acre-feet

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s) place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant Larry W. Welch

14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? No

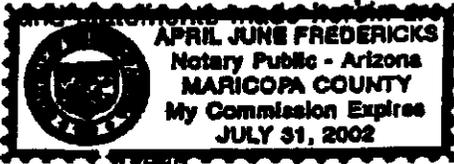
15. Additional comments: _____

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

17. Notarized Statement:

I (We), Larry W. Welch
the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained
in this claim is true and correct to the best of my (our) knowledge and belief true, correct and complete.



Larry W. Welch

July 31, 2002
My Commission Expires

April June Fredericks
Notary Public

or, _____
Authorized Personnel of the Department of Water Resources

**ATTACHMENT
STATEMENT OF CLAIMANT FORM FOR OTHER USES/AMENDMENT
SUPERIOR COURT OF MARICOPA COUNTY
BY THE UNITED STATES AS TRUSTEE FOR
WHITE MOUNTAIN APACHE TRIBE AND
THE FORT APACHE INDIAN RESERVATION**

The United States as trustee for the White Mountain Apache Tribe (Tribe) and the Fort Apache Indian Reservation (Reservation) submits this Amendment to the Statement of Claims filed previously in this proceeding on January 5, 1985, and November 27, 1985. This is in addition to and not a substitute for claims previously filed by the United States as trustee for the Tribe and the Reservation.

A. Legal Basis for the Amended Claim

In December 1999, the Arizona Supreme Court issued an opinion holding that: "Federal reserved rights extend to groundwater to the extent groundwater is necessary to accomplish the purpose of a reservation. Holders of federal reserved rights enjoy greater protection from groundwater pumping than do holders of state law rights to the extent that greater protection may be necessary to maintain sufficient water to accomplish the purpose of a reservation." *In Re The General Adjudication Of All Rights To Use Water In The Gila River System and Source*, 195 Ariz. 411, 989 P.2d 739 (Ariz.Sup.Ct. 1999) (*en banc*). The White Mountain Apache Indians have an unbroken chain of aboriginal title and priority rights to the transbasin aquifer sources described herein, to pump or otherwise extract water therefrom and to sustain the base flow of the springs and streams on the Reservation without diminishment from off-Reservation pumping.

B. Factual Basis for the Amended Claim

Technical work completed recently by the United States indicates the following. The Reservation comprises lands which lie in the Salt River Basin and the Little Colorado River Basin, and groundwater within the Coconino Aquifer ("C" Aquifer) system is continuous beneath the surface water divide between the Little Colorado River Basin and the Salt River Basin on and in the vicinity of the Reservation. Groundwater in the C Aquifer on the Reservation flows in a southerly direction and discharges to springs and Reservation streams within the Salt River Basin. Groundwater in the C Aquifer on the Reservation also flows in a northerly direction and discharges to springs and streams within the Little Colorado River Basin.

The Pinetop-Lakeside Aquifer¹ overlies the C Aquifer along and north of the Mogollon Rim on and off the Reservation. Groundwater in the Pinetop-Lakeside Aquifer is recharged on and off the Reservation and discharges into Silver Creek and the Little Colorado River in the Little Colorado River Basin, and into the North and East Forks of the White River, Carrizo Creek, and the Black River in the Salt River Basin.

C. Nature of the Amended Claim

The United States as trustee for the Tribe and the Reservation amends the water rights claims to include:

1. All groundwater underneath and outside the Reservation from the transbasin Coconino Aquifer, Pinetop-Lakeside Aquifer and other aquifers by pumping and extraction for all beneficial

¹As defined by the Arizona Department of Water Resources in the Hydrographic Survey Report for the Silver Creek Watershed, November 30, 1990, and including the volcanic aquifer on the Reservation, and the White Mountains, Springerville and Basalt Aquifers as defined by Larry J. Mann and E.A. Nemecek in "Geohydrology and Water Use in Southern Apache County, Arizona" (Arizona Department of Water Resources, Phoenix, Bulletin 1, 1983).

uses to accomplish the purpose of the Reservation;

2. All groundwater underneath and outside the Reservation which sustains Reservation wells and the base flow of springs and streams which arise on, border, or flow through the Reservation without diminishment from off-Reservation pumping; and

3. All groundwater underneath and outside the Reservation, in conjunction with surface water in the Gila River Basin, to satisfy the Statement of Claims previously filed by the United States for the benefit of the Tribe and the Reservation in the Gila River Stream Adjudication, pending in the Maricopa County Superior Court, and as may be subsequently amended.

D. Priority Date for the Amended Claim

The White Mountain Apache Indians have occupied the area of their present Reservation and adjacent lands for many hundreds of years. See *San Carlos Apache Tribe of Arizona, White Mountain Apache Tribe of Arizona, and Western Apache Indians, et al. v. United States*, No. 22-D, 21 Indian Claims Commission 189 (June 27, 1969). Accordingly, this amended water rights claim is based on a priority date of time immemorial.

E. Protective Filing

The United States as trustee for the Tribe and the Reservation makes this amended water rights claim in furtherance of Federal law, the recent Arizona Supreme Court ruling on Issues 4 and 5 respecting groundwater rights, the aboriginal reserved rights of the Tribe, and upon the best available technical information currently in the possession of the United States. Significant on and off-Reservation work needs to be done in order to refine the nature and extent of this amended water right claim. This amended claim may be subsequently amended. A parallel amended claim has been filed by the United States as trustee for the Tribe and the Reservation in the Little

Colorado River Adjudication currently pending in the Superior Court of Arizona in Apache County.

Barry Welch
Acting Regional Director, Western Regional Office
Bureau of Indian Affairs

9/28/00
Date

I, Barry W Welch, the claimant named in this claim, do hereby certify under penalty of perjury, that the information contained and the statements made herein are to the best of my knowledge and belief true, correct and complete.

Barry Welch

July 31, 2002
My commission expires

April June Fredericks
Notary Public

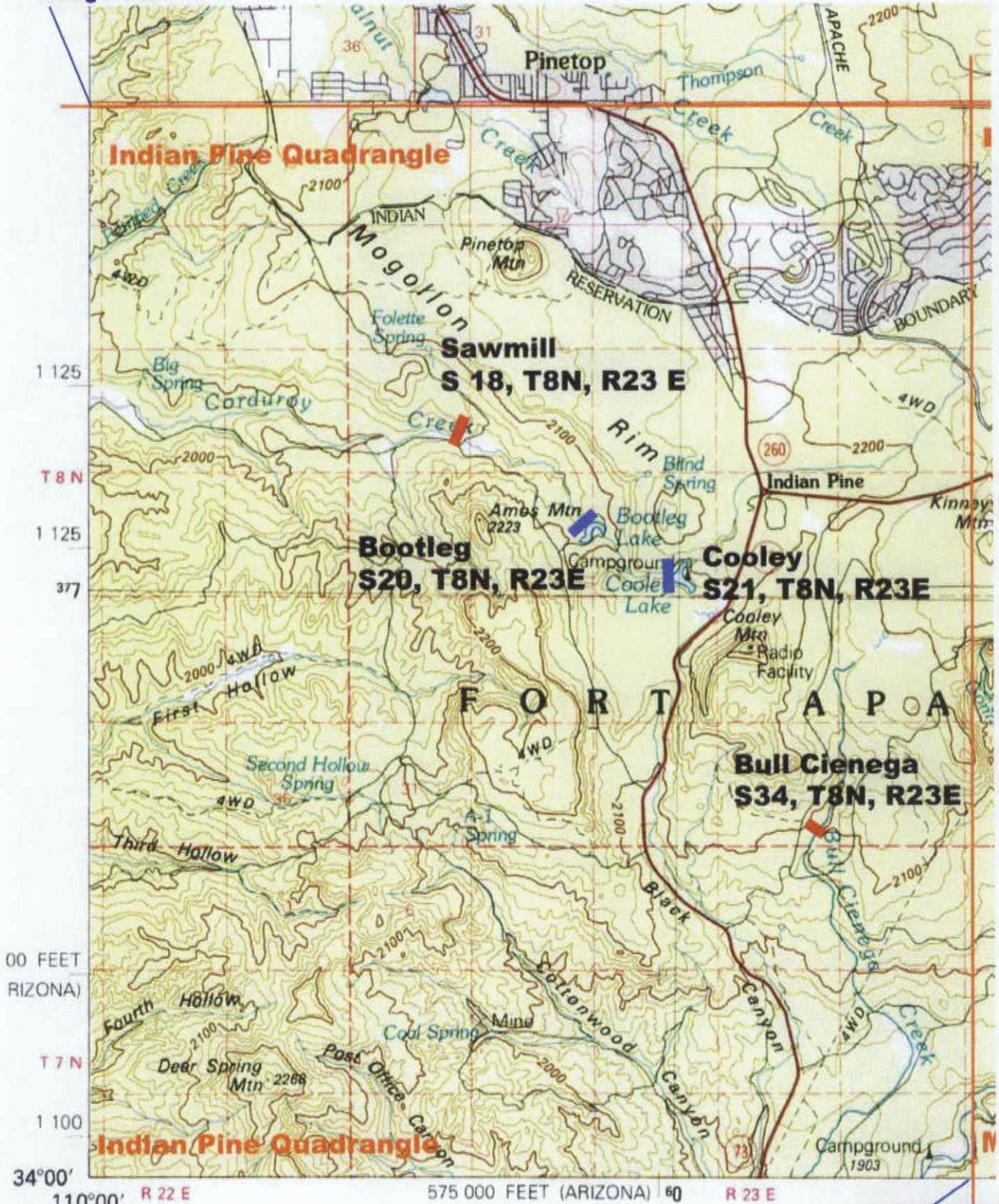


**MAPS IN SUPPORT OF OTHER USES
WHITE MOUNTAIN APACHE TRIBE
UPPER SALT RIVER WATERSHED**

Existing and Future Recreation Lakes (11 Pages)
Fish Hatcheries (3 Pages)
Sawmills (2 Pages)
Power Reserves (5 Pages)
Recreation Homes and Snowmaking Map (1 Page)

EXISTING AND FUTURE RECREATION LAKES
 UPPER SALT RIVER WATERSHED
 IN SUPPORT OF ATTACHMENT 1, "OTHER USES" FORM, QUESTIONS 4E AND 10

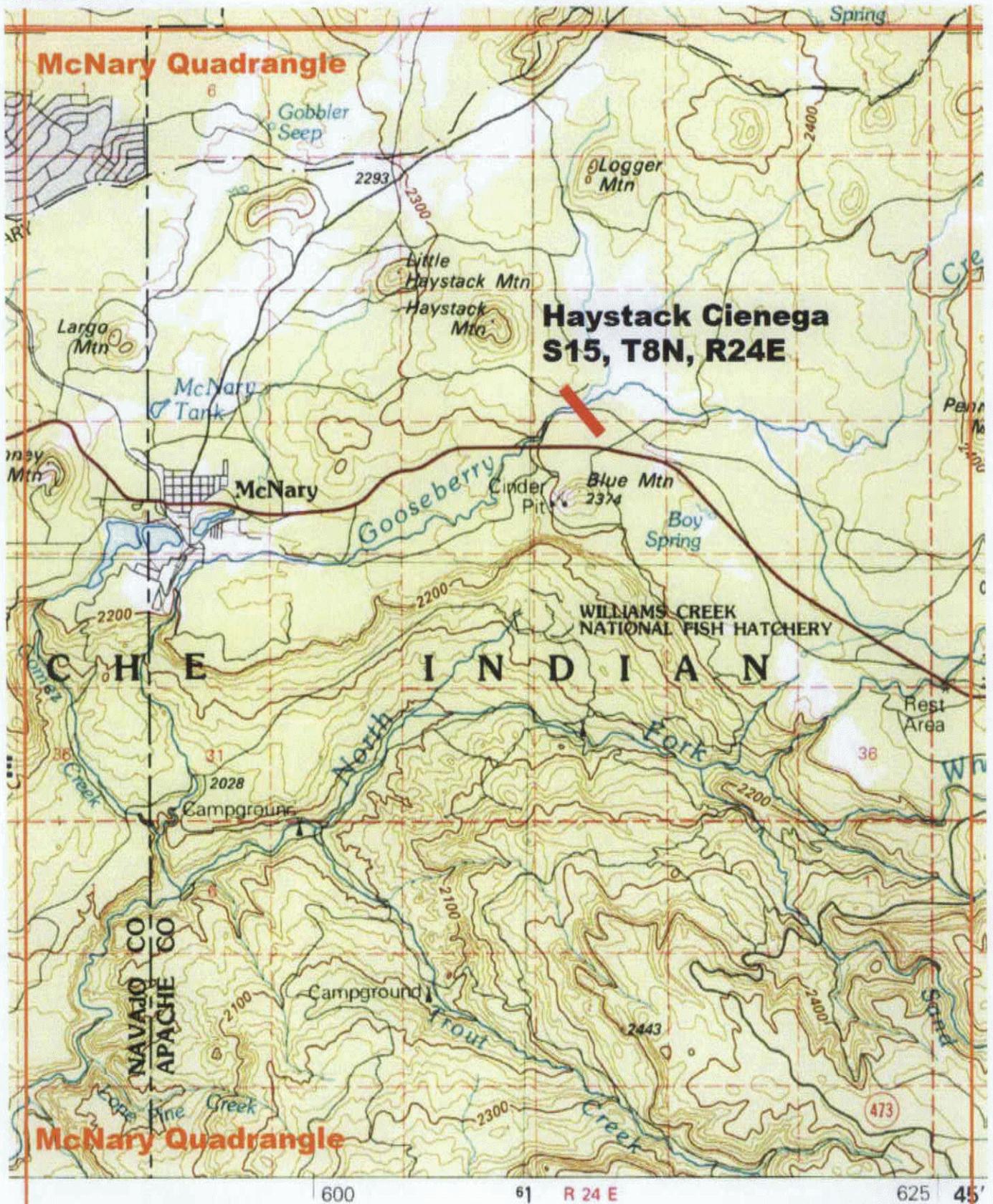
110Deg 00' 00" West
 34Deg 07' 30" North



Existing Lakes ——— Blue Line ———
 Future Lakes ——— Red Line ———

EXISTING AND FUTURE RECREATION LAKES
UPPER SALT RIVER WATERSHED
IN SUPPORT OF ATTACHMENT 1, "OTHER USES" FORM, QUESTIONS 4E AND 10

110Deg 52' 30" West
34Deg 07' 30" North



Existing Lakes ————
Future Lakes ————

110Deg 45' 00" West
34Deg 00' 00" North

EXISTING AND FUTURE RECREATION LAKES
 UPPER SALT RIVER WATERSHED
 IN SUPPORT OF ATTACHMENT 1, "OTHER USES" FORM, QUESTIONS 4E AND 10

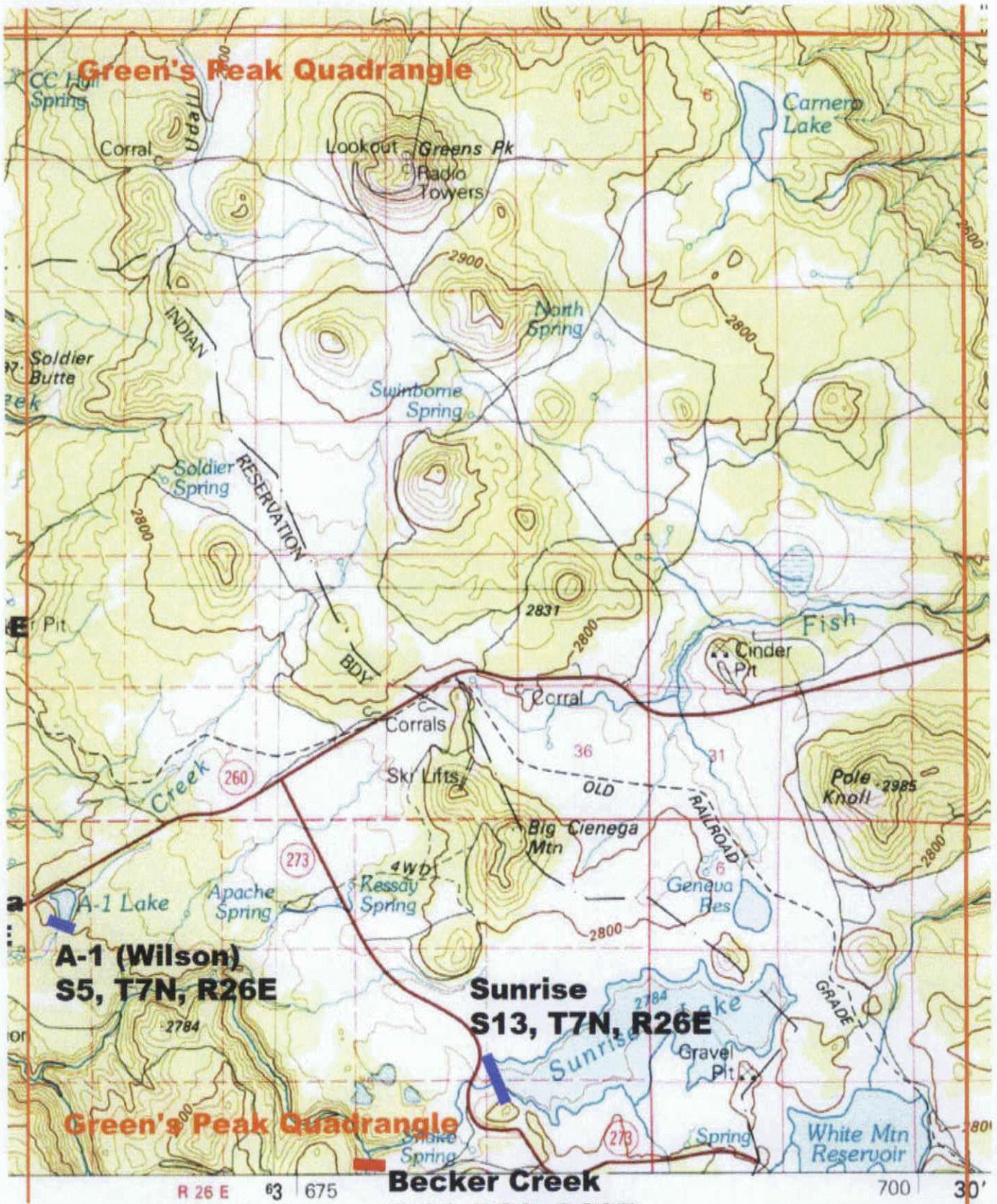
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110Deg 37' 30" West
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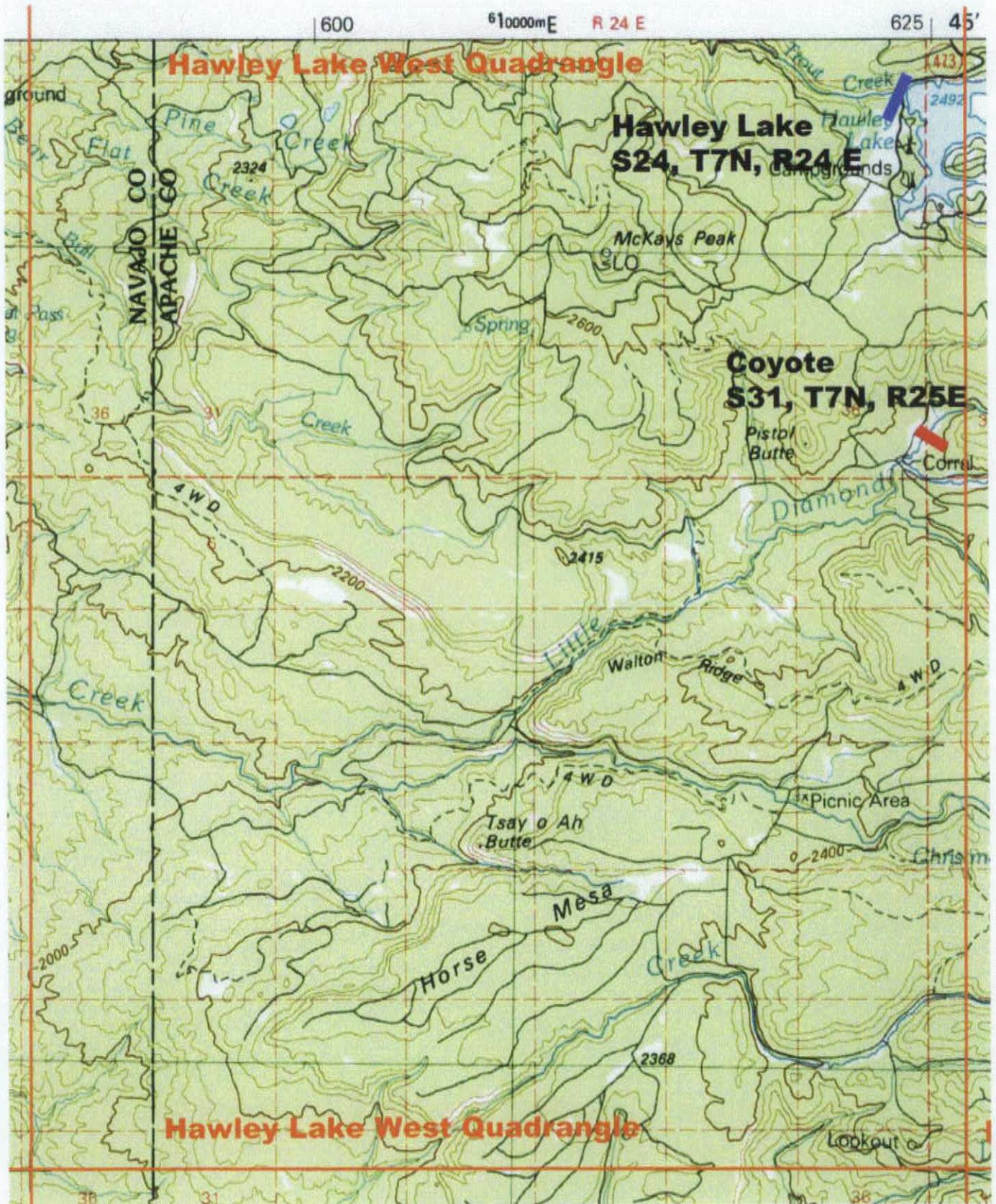
EXISTING AND FUTURE RECREATION LAKES
 UPPER SALT RIVER WATERSHED
 IN SUPPORT OF ATTACHMENT 1, "OTHER USES" FORM, QUESTIONS 4E AND 10

110Deg 37' 30" West
 34Deg 07' 30" North



EXISTING AND FUTURE RECREATION LAKES
 UPPER SALT RIVER WATERSHED
 IN SUPPORT OF ATTACHMENT 1, "OTHER USES" FORM, QUESTIONS 4E AND 10

110Deg 30' 00" West
 34Deg 07' 30" North



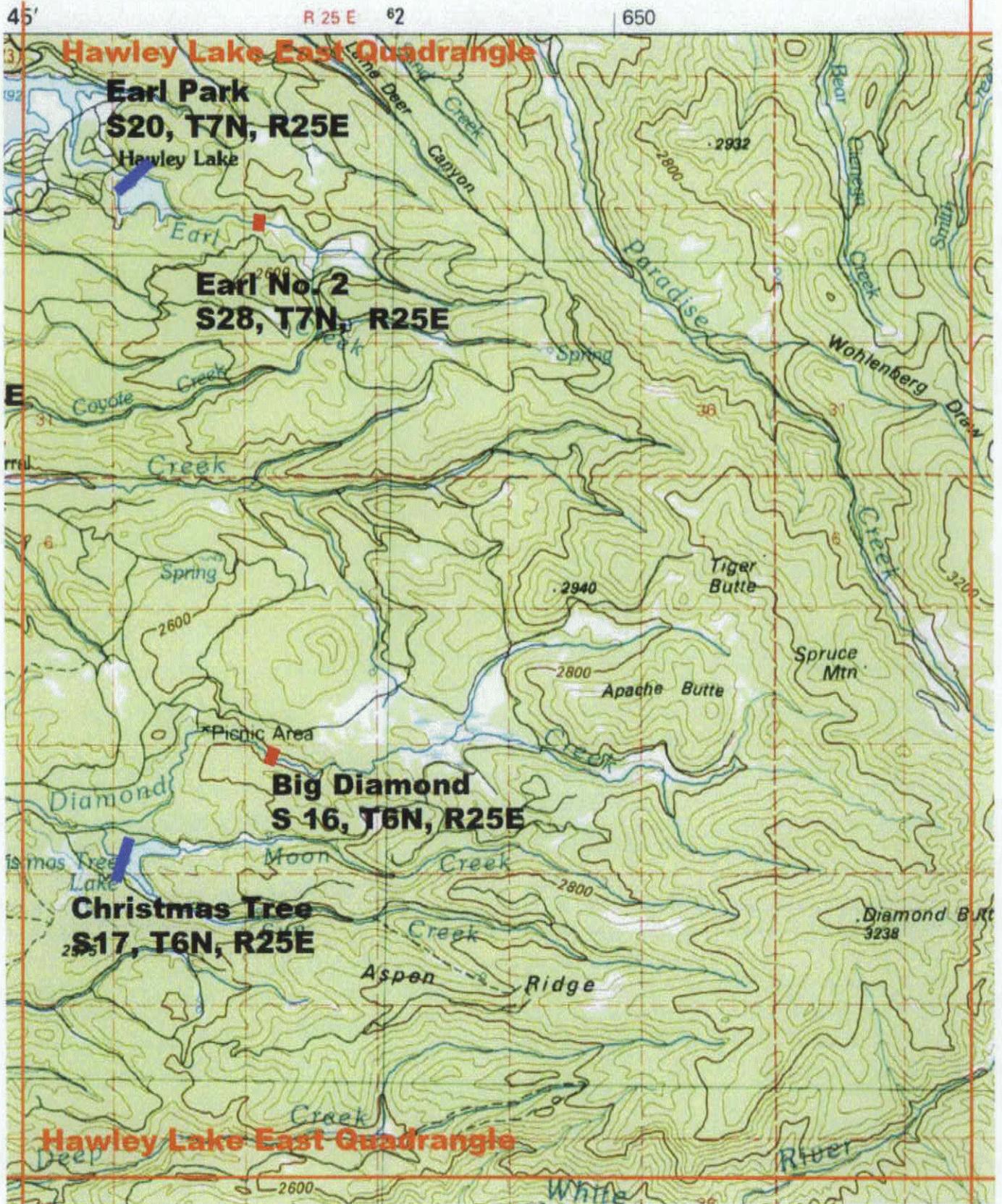
Existing Lakes ———

Future Lakes ———

110Deg 00' 00" West
 34Deg 07' 30" North

EXISTING AND FUTURE RECREATION LAKES
 UPPER SALT RIVER WATERSHED
 IN SUPPORT OF ATTACHMENT 1, "OTHER USES" FORM, QUESTIONS 4E AND 10

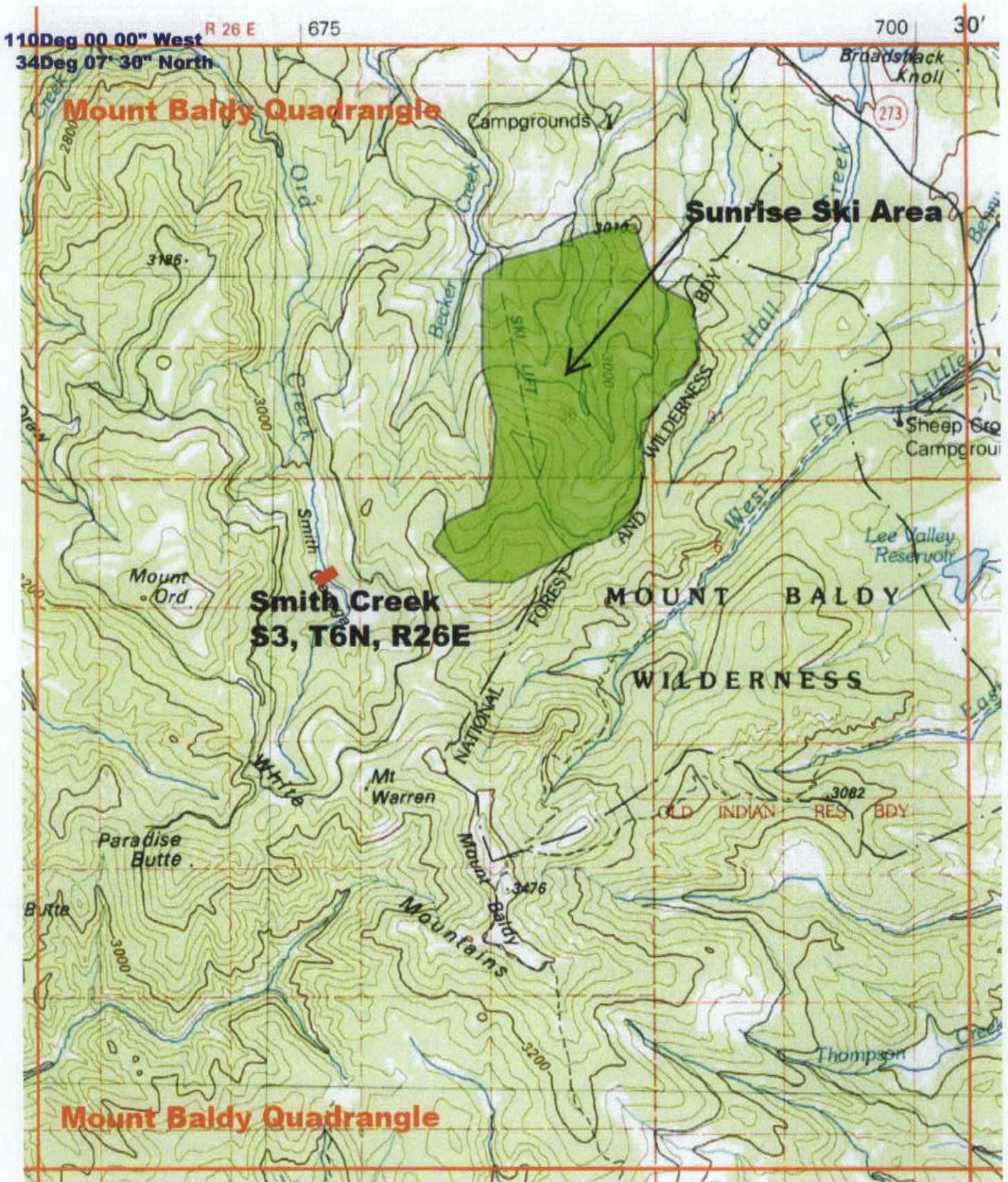
110Deg 00 00" West
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Existing Lakes —
 Future Lakes —

110Deg 00 00" West
 34Deg 07' 30" North

EXISTING AND FUTURE RECREATION LAKES
 UPPER SALT RIVER WATERSHED
 IN SUPPORT OF ATTACHMENT 1, "OTHER USES" FORM, QUESTIONS 4E AND 10



- Existing Lakes ————
- Future Lakes ————
- Snowmaking ————

EXISTING AND FUTURE RECREATION LAKES
UPPER SALT RIVER WATERSHED
IN SUPPORT OF ATTACHMENT 1, "OTHER USES" FORM, QUESTIONS 4E AND 10

110Deg 00 00" West
34Deg 07' 30" North

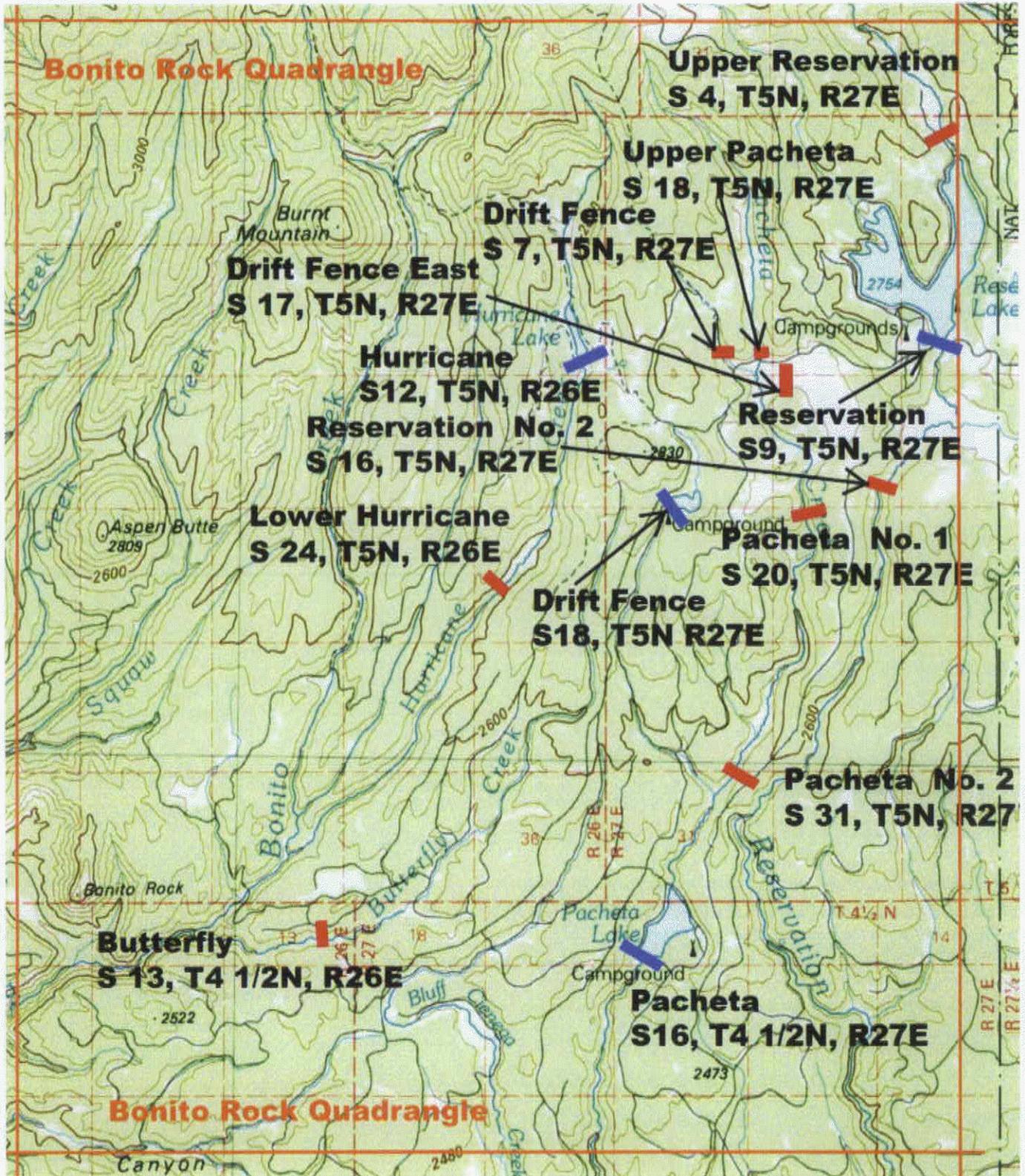


Existing Lakes ————
Future Lakes ————

110Deg 00 00" West
34Deg 07' 30" North

EXISTING AND FUTURE RECREATION LAKES
 UPPER SALT RIVER WATERSHED
 IN SUPPORT OF ATTACHMENT 1, "OTHER USES" FORM, QUESTIONS 4E AND 10

110Deg 00 00" West
 34Deg 07' 30" North

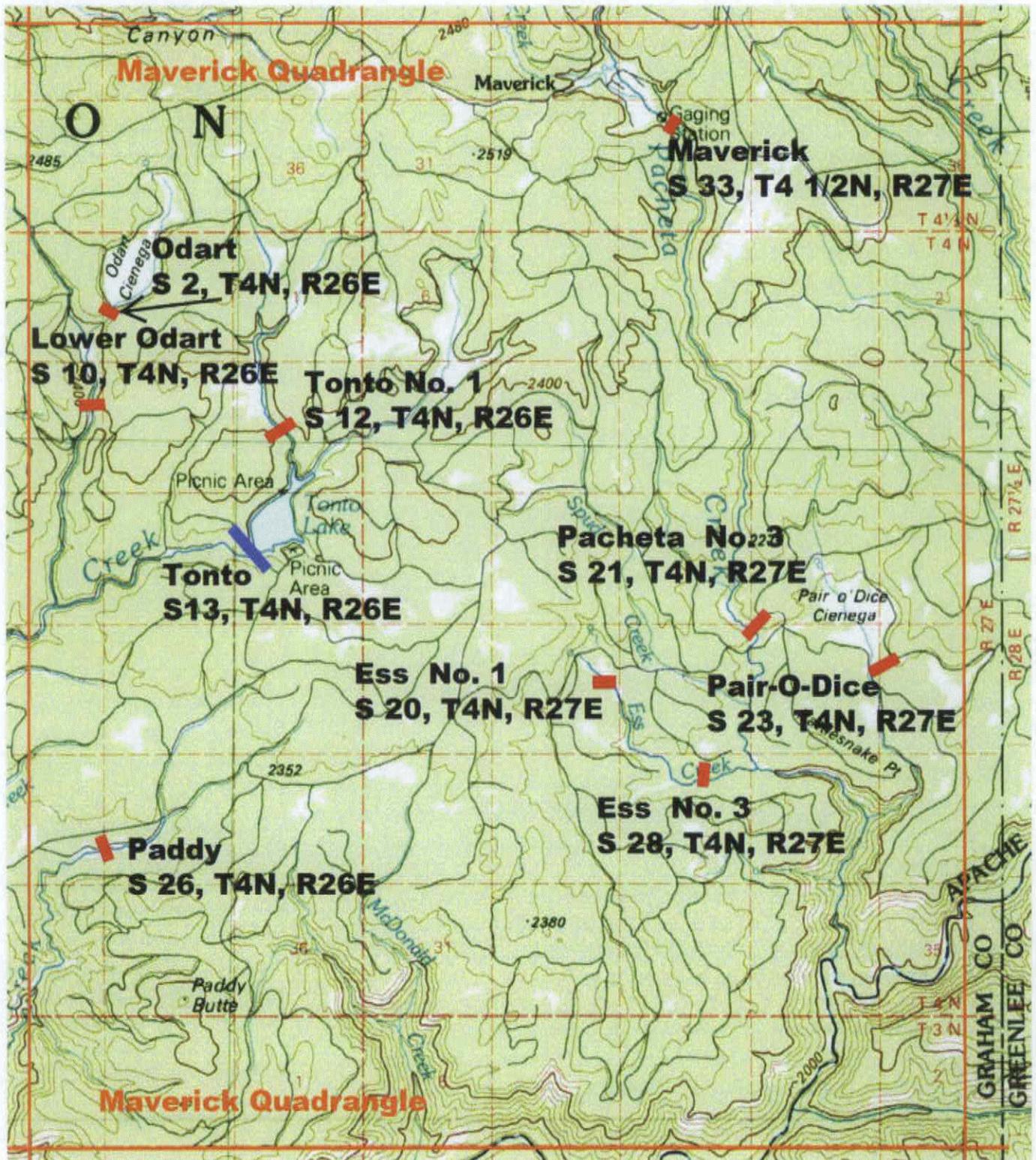


Existing Lakes —
 Future Lakes —

110Deg 00 00" West
 34Deg 07' 30" North

EXISTING AND FUTURE RECREATION LAKES
 UPPER SALT RIVER WATERSHED
 IN SUPPORT OF ATTACHMENT 1, "OTHER USES" FORM, QUESTIONS 4E AND 10

110Deg 00 00" West
 34Deg 07' 30" North

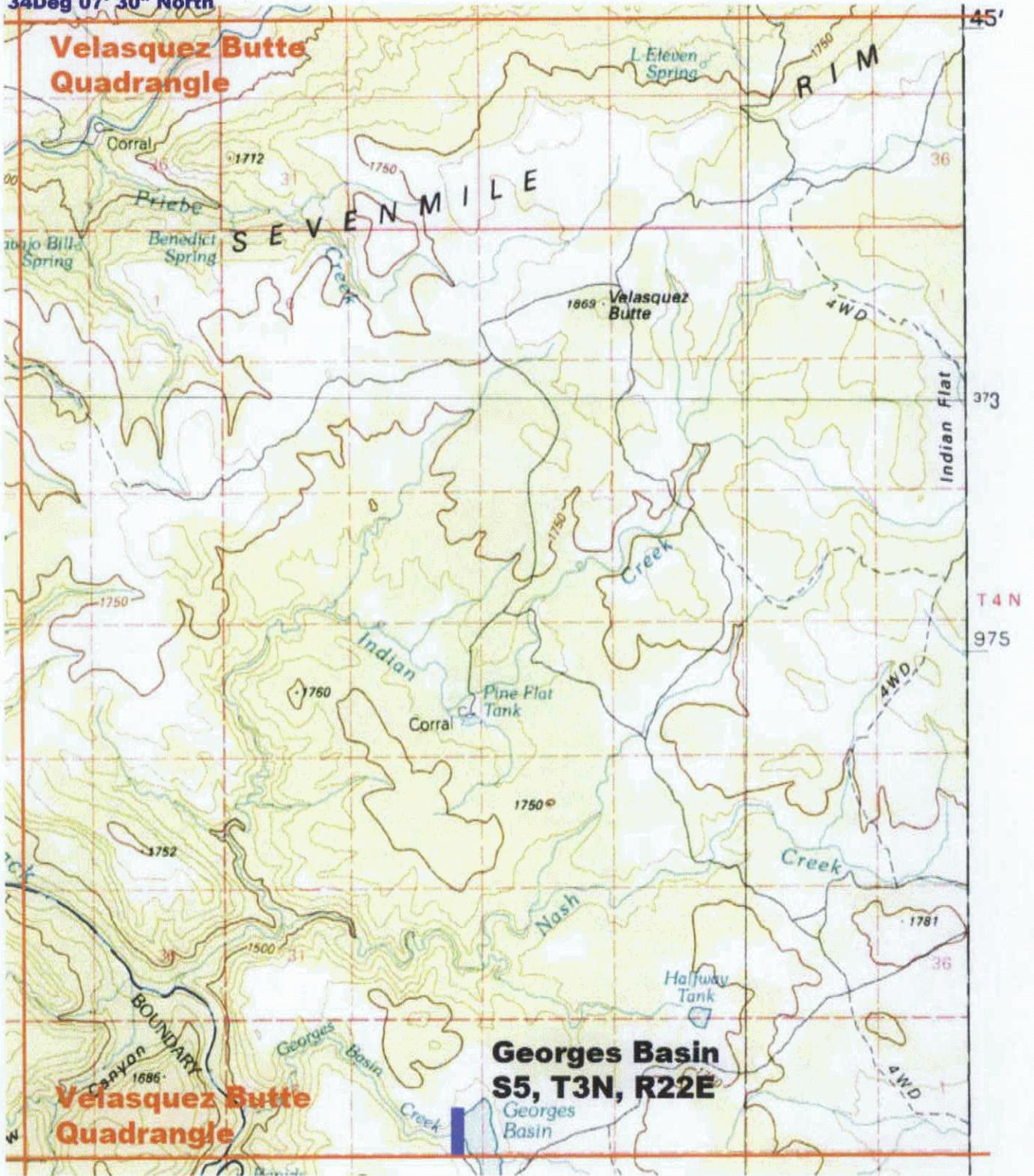


Existing Lakes ————
 Future Lakes ————

110Deg 00 00" West
 34Deg 07' 30" North

EXISTING AND FUTURE RECREATION LAKES
 UPPER SALT RIVER WATERSHED
 IN SUPPORT OF ATTACHMENT 1, "OTHER USES" FORM, QUESTIONS 4E AND 10

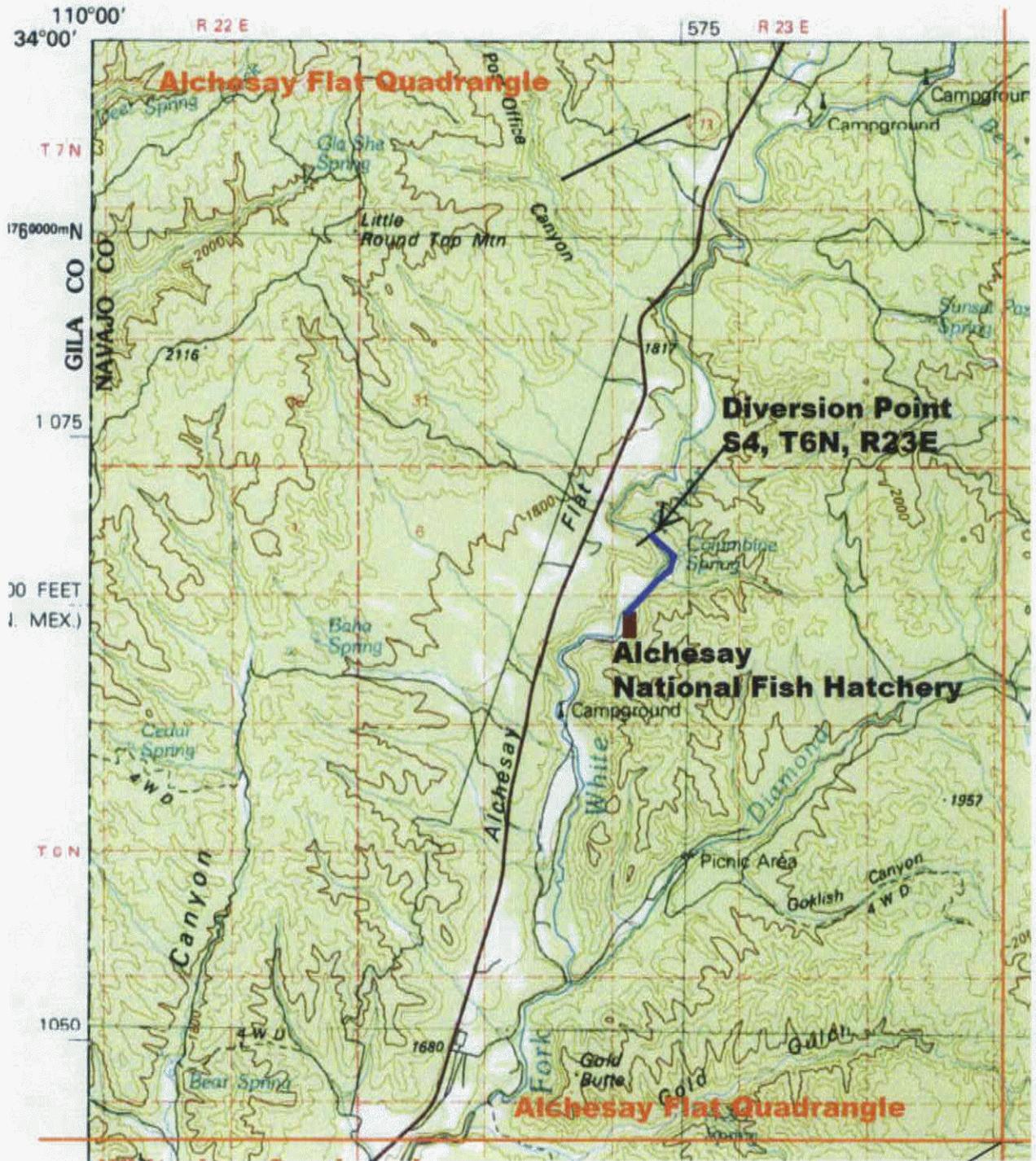
110Deg 00 00" West
 34Deg 07' 30" North



Existing Lakes ————
 Future Lakes ————

110Deg 00 00" West
 34Deg 07' 30" North

FISH HATCHERIES
UPPER SALT RIVER WATERSHED
IN SUPPORT OF "OTHER USES" FORM, ATTACHMENT 2, AND QUESTIONS 4.E., 6, 10 AND 12

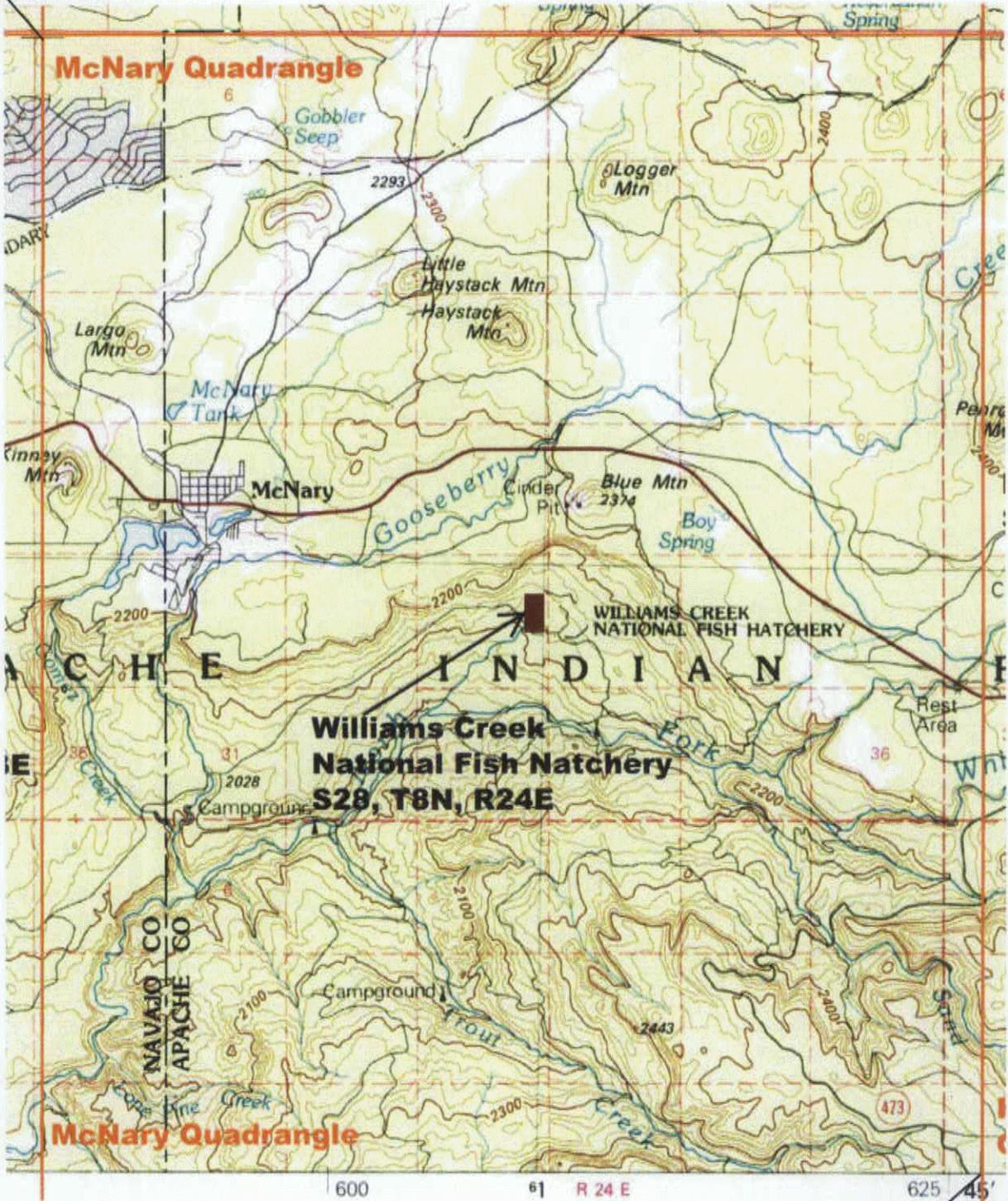


33Deg 52' 30" North
109Deg 52' 30" West

FISH HATCHERIES
UPPER SALT RIVER WATERSHED

IN SUPPORT OF "OTHER USES" FORM, ATTACHMENT 2, AND QUESTIONS 4.E., 6, 10 AND 12

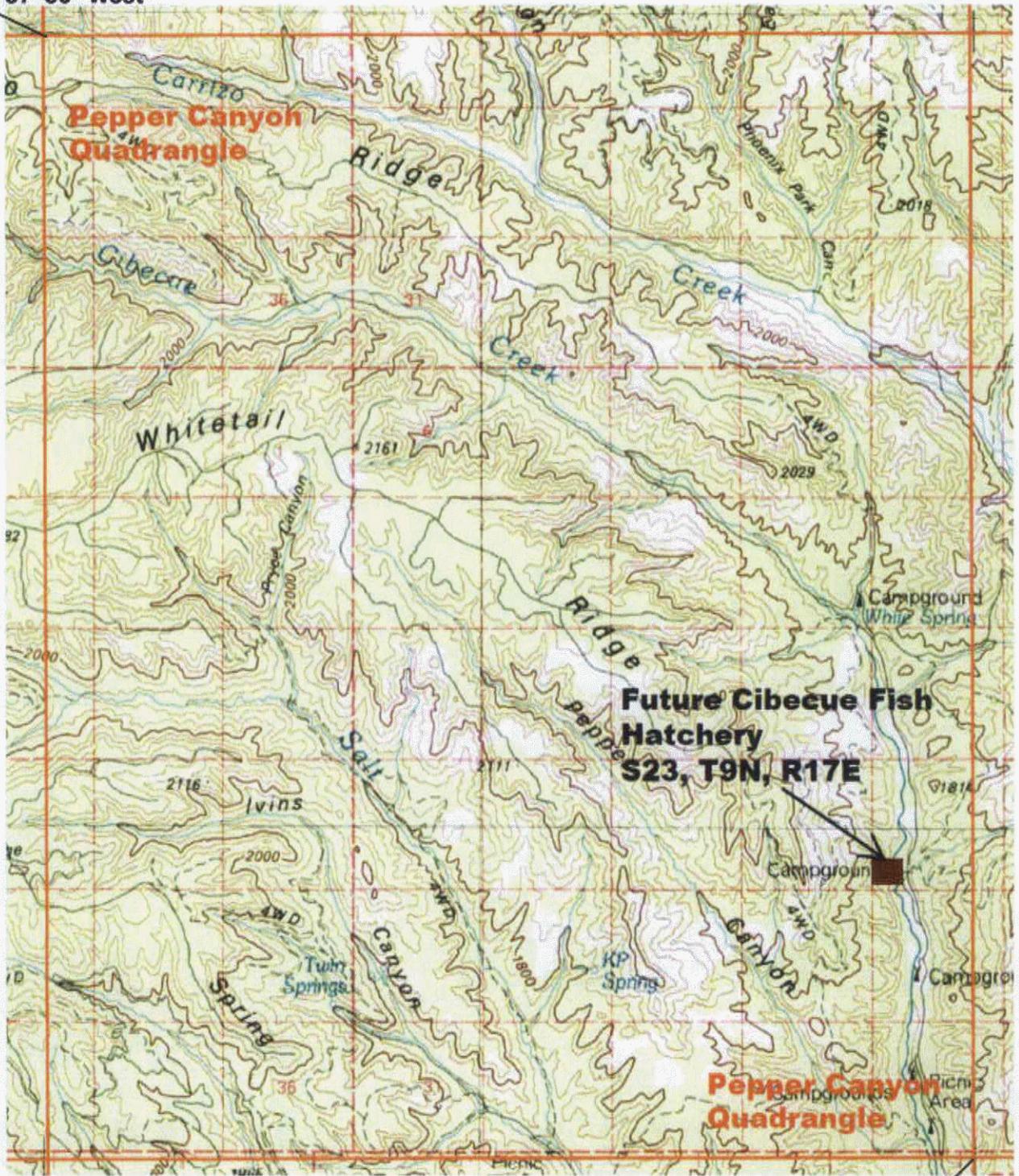
34Deg 07' 30" North
109Deg 52' 30" West



34Deg 00' 00" North
109Deg 45' 00" West

FISH HATCHERIES
UPPER SALT RIVER WATERSHED
IN SUPPORT OF "OTHER USES" FORM, ATTACHMENT 2, AND QUESTIONS 4.E., 6, 10 AND 12

34Deg 15' 00" North
110Deg 37' 30" West



34Deg 07' 30" North
110Deg 30' 00" West

SAWMILLS

UPPER SALT RIVER WATERSHED

IN SUPPORT OF "OTHER USES" FORM, ATTACHMENT 2,
MINERAL AND INDUSTRIAL USES, AND QUESTIONS 4.B, 6, 10 AND 12

33Deg 52' 30" North
110Deg 00' 00" West



33Deg 45' 00" North
109Deg 52' 30" West

SAWMILLS
UPPER SALT RIVER WATERSHED
IN SUPPORT OF "OTHER USES" FORM, ATTACHMENT 2,
MINERAL AND INDUSTRIAL USES, AND QUESTIONS 4.B, 6, 10 AND 12

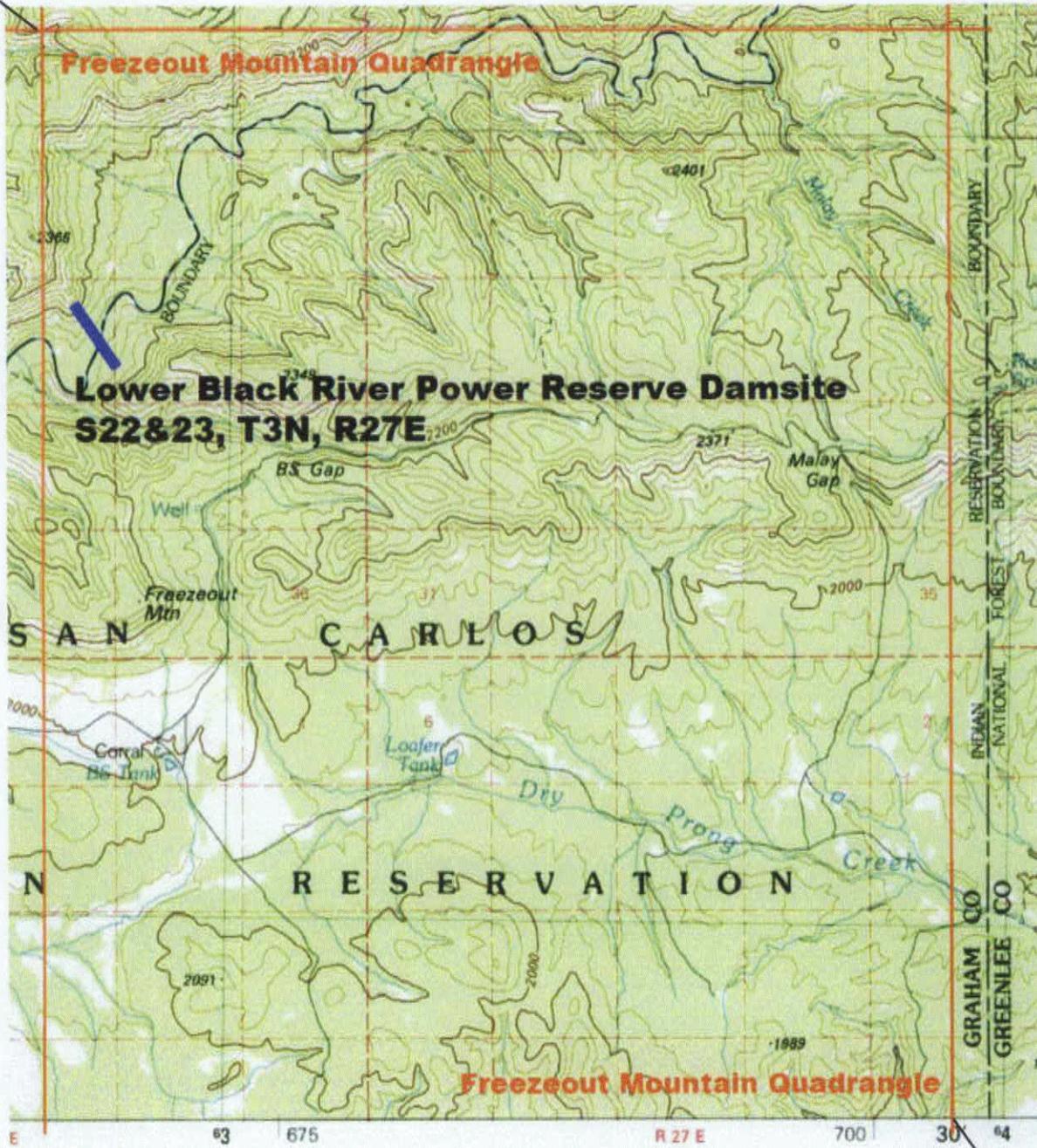
34Deg 07' 30" North
110Deg 30' 00" West



34Deg 00' 00" North
110Deg 22' 30" West

37 Deg 37' 30"N
109 Deg 37' 30"W

POWER RESERVE DAMSITES
UPPER SALT RIVER WATERSHED
IN SUPPORT OF "OTHER USES" FORM, QUESTIONS 4.F., 6 AND 12



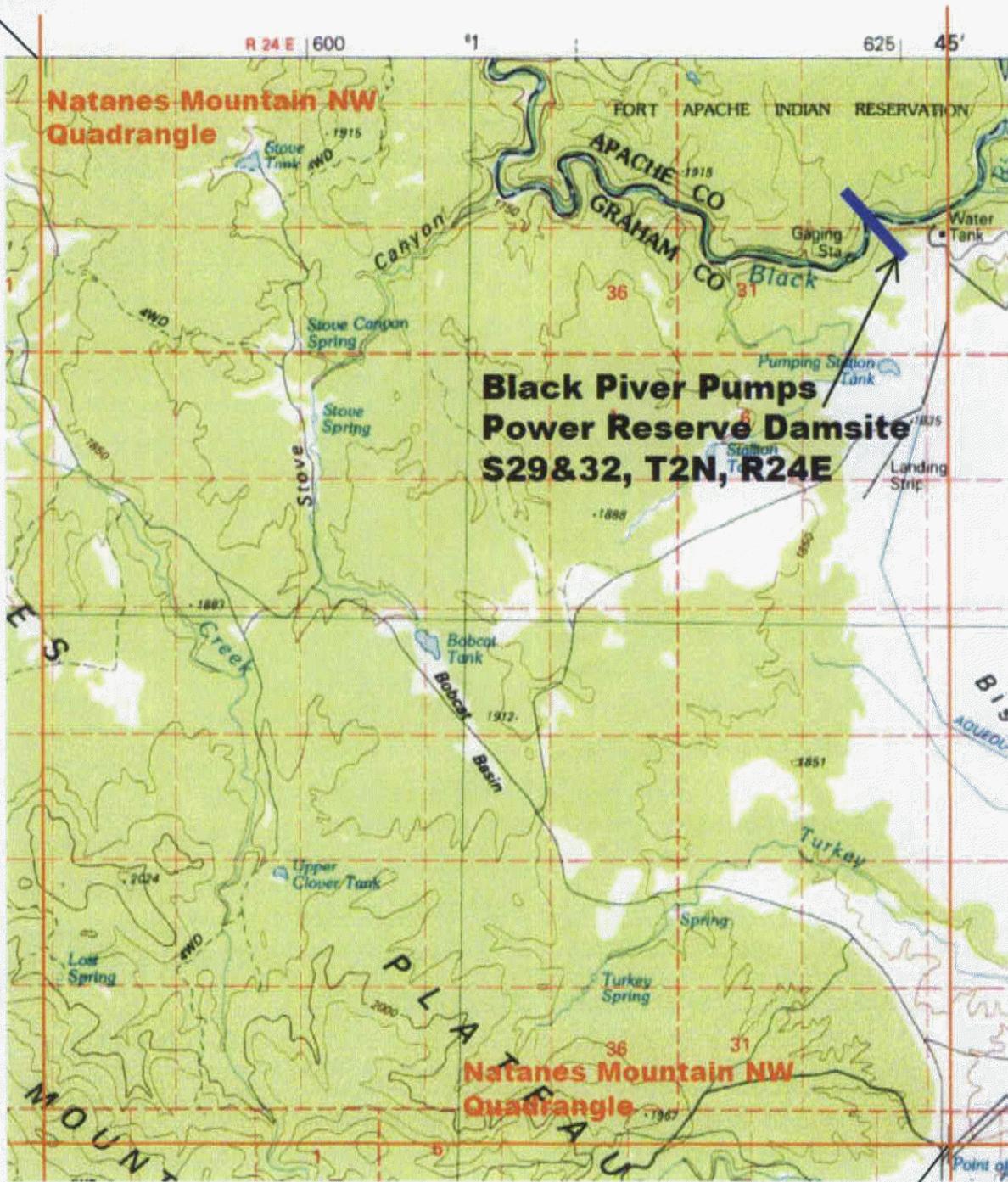
37 Deg 30' 00"N
109 Deg 30' 00"W

(Damsites and claims are shared between White Mountain Apache and San Carlos Apache Tribes).

POWER RESERVE DAMSITES
UPPER SALT RIVER WATERSHED

IN SUPPORT OF "OTHER USES" FORM, QUESTIONS 4.F., 6 AND 12

33 Deg 37' 30"N
110 Deg 00' 00"W



33 Deg 30' 00"N
109 Deg 52' 30"W

(Damsites and claims are shared between White Mountain Apache and San Carlos Apache Tribes).

33 Deg 52' 30"N
110 Deg 22' 30"W

**POWER RESERVE DAMSITES
UPPER SALT RIVER WATERSHED
IN SUPPORT OF "OTHER USES" FORM, QUESTIONS 4.F., 6 AND 12**



33 Deg 45' 00"N
110 Deg 15' 00"W

(Damsites and claims are shared between White Mountain Apache and San Carlos Apache Tribes).

33 Deg 52' 30"N
110 Deg 30' 00"W

**POWER RESERVE DAMSITES
UPPER SALT RIVER WATERSHED
IN SUPPORT OF "OTHER USES" FORM, QUESTIONS 4.F., 6 AND 12**



33 Deg 45' 00"N
110 Deg 22' 30"W

(Damsites and claims are shared between White Mountain Apache and San Carlos Apache Tribes).

33 Deg 45' 00"N
110 Deg 45' 00"W

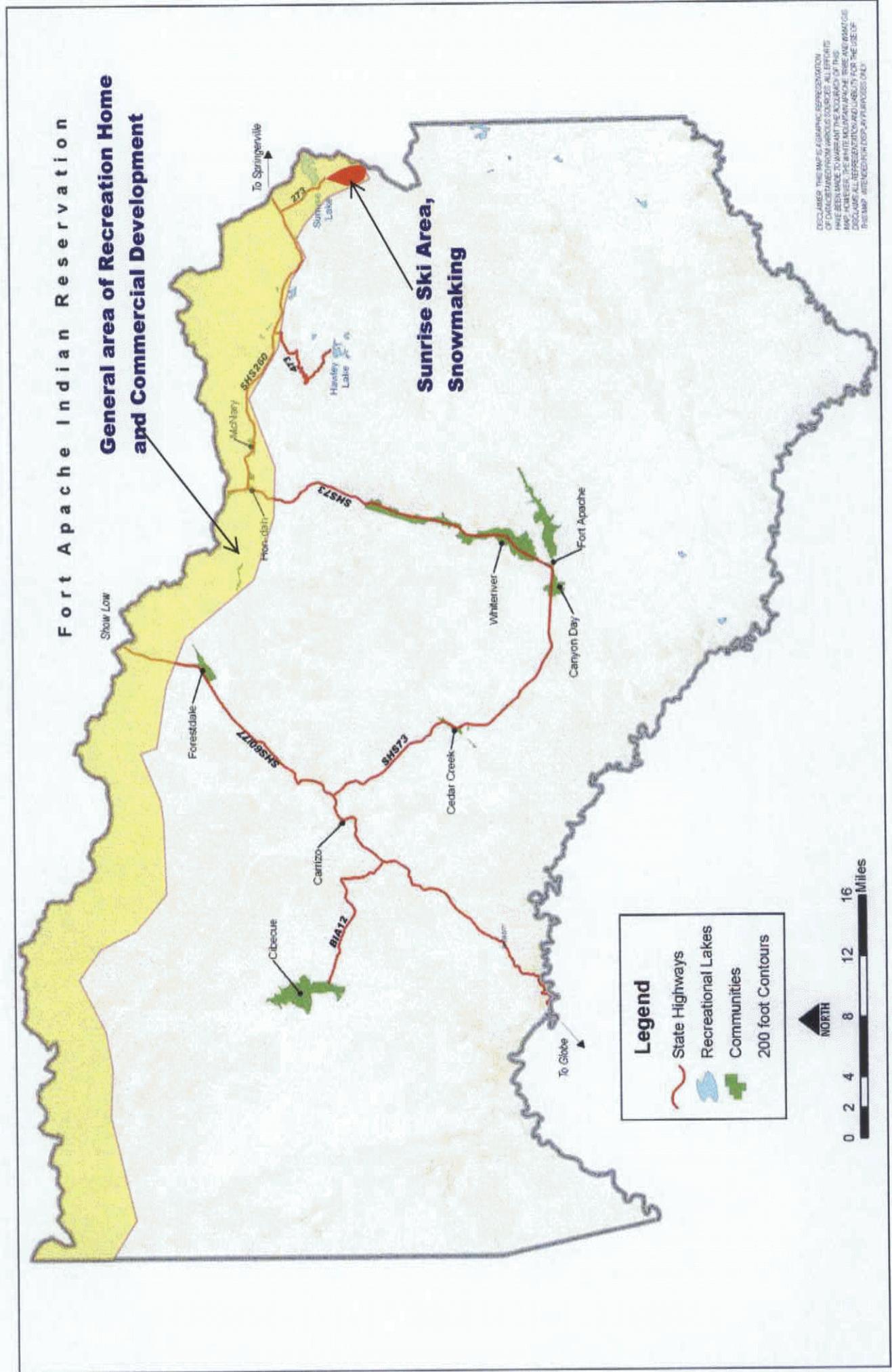
POWER RESERVE DAMSITES
UPPER SALT RIVER WATERSHED
IN SUPPORT OF "OTHER USES" FORM, QUESTIONS 4.F., 6 AND 12



33 Deg 37' 30"N
110 Deg 37' 30"W

(Damsites and claims are shared between White Mountain Apache and San Carlos Apache Tribes).

RECREATION HOMES AND SNOWMAKING
 UPPER SALT RIVER WATERSHED
 IN SUPPORT OF "OTHER USES" CLAIM FORM, QUESTION 5.



LAW OFFICE OF ROBERT C. BRAUCHLI, P.C.

Attorney at Law

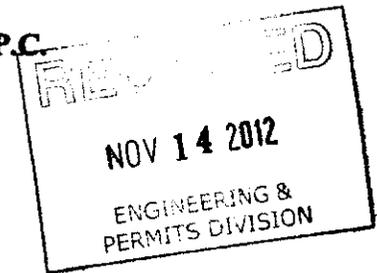
P.O. Box 64607

Tucson, Arizona 85728

(520) 299-8300

Facsimile (520) 299-8302

Email: rcbrauchli@rbrauchlilaw.com



November 13, 2012

Ms. Ana M. Marquez
Adjudication Unit
Arizona Department of Water Resources
3550 N. Central Avenue
Phoenix, Arizona 85012

Re: Statements of Claimant White Mountain Apache Tribe in the Little Colorado River and Upper Salt (Gila) General Stream Adjudications

Dear Ms. Marquez,

Enclosed are the following Statement of Claimant (SOC) forms signed before a notary by Tribal Chairman Ronnie Lupe of the White Mountain Apache Tribe on behalf of the White Mountain Apache Tribe:

I. Little Colorado River Watershed Adjudication-Superior Court of Apache County

A. Domestic Use. Attachment 1 is in response to SOC 4 and Attachment 2 is in response to SOC 5. B. Attachment 3 is in response to SOC 9.

B. Other Uses. Attachment 1 is in response to SOC 5. Attachment 2 is in response to SOC 6., 9., and 10. Attachment 3 is in response to SOC 11.

II. Upper Salt River Watershed-Superior Court of Maricopa County

A. Domestic Use. Attachments 1 and 3 are in response to SOC 4. Attachment 2 is in response to SOC 5. A. and B. Attachment 3 is in response to SOC 4 and 9.

B. Other Uses. Attachments 1 and 2 are in response to SOC 4 and 5. Attachment 3 is in response to SOC 5.

C. Stock Pond Use. Attachment 1 is in response to SOC 5 and 7.

D. Irrigation Use. Attachment 1 is in response to SOC 8 (historic irrigation). Attachment 2 is in response to SOC 8 (future irrigation).

III. MAPS.

Within the next several weeks, the WMAT will file the following list of maps to supplement the enclosed Statement of Claims and will identify the SOC and corresponding number in the SOC that the map applies to:

| | |
|--|---|
| 1. Upper Salt River | |
| A. Domestic Use | |
| 1 | Reservation-wide map of communities |
| 2 | Map showing existing community wells for all communities, Miner Flat well field and diversion point on North Fork |
| 3 | Map of 2 McNary wells on off-reservation trust lands |
| B. Other Uses | |
| 1 | Existing Lakes |
| 2 | Future Lakes (15 sites) |
| 3 | Power Sites |
| 4 | Sunrise Snowmaking |
| 5 | FATCO and Cibecue Sawmills |
| 6 | Alchesay and Williams Creek NFH's |
| 7 | Recreation Zone along North Boundary |
| C. Stock Pond Use (671 Sites) | |
| D. Irrigation Use | |
| 1 | Historic |
| 2 | Future |
| 2. Little Colorado River (Groundwater only) | |
| A. Domestic Use | |
| 1 | Map of Hon Dah and McNary Communities |
| 2 | Map of 2 McNary wells on off-reservation trust lands |
| B. Other Uses | |
| 1 | Sunrise Snowmaking |
| 2 | Recreation Zone along North Boundary |

In regards to the power sites (Upper Salt. Other Uses) we may substitute legal descriptions for maps. If you need any additional information please advise.

Sincerely yours,



Robert C. Brauchli
Water Rights Counsel
White Mountain Apache Tribe