

ARIZONA STATE LAND DEPARTMENT  
1624 West Adams  
Phoenix, Arizona 85007

Amended filing for Ft. Apache Indian  
Reservation as permitted by Judge  
Goodfarb in open court 12/21/84.

(Leave Blank)

STATEMENT OF CLAIMANT )  
DEPT. OF )  
WATER RESOURCES )  
DIVISION )  
THE MATTER OF DETERMINATION OF )  
TITLE RIGHTS TO THE USE OF )  
WATERS OF THE SAN CARLOS RIVER AND ITS )  
TRIBUTARY WATERSHED ABOVE GRANITE )  
DAM, EXCLUDING THE VERDE RIVER )  
AND ITS TRIBUTARY WATERSHED. )

File No. 39-12168  
Filed: 11-29-85 at \_\_\_\_\_ M  
(date) (time)

State Land Department has enclosed with the accompanying Notice this form on which claimant shall present as required, the particulars of his claim of right to the subject waters. All applicable portions must be completed. A separate Statement of claimant must be submitted for each source or point of diversion of public water unless these waters are commingled prior to use. A map published by the United States Geological Survey or a map of equal standard shall be submitted with this Statement showing on the face of the map the particulars of point of diversion, place of use and other pertinent information.

Name or type. If more space is required, use explanatory at end of form, or attachment.)

United States of America, Bureau of Indian Affairs on behalf of the

Name of Claimant: White Mountain Apache Tribe.  
(Last) (First) (M.I.)

3030 N. Central, P.O. Box 7007, Phoenix, AZ 85011 241-2310  
(Address, City, State, Zip) (Telephone No.)

State the nature of the right or use on which claim is based: (indicate, and attach supporting documentation)

- A. Right to surface water initiated by beneficial use prior to June 12, 1919.  
Indicate registry number if previously submitted under Water Rights Registration Act \_\_\_\_\_.
- B. Court Decreed Water Right. Cite Title and Date of Case \_\_\_\_\_  
Cause No. \_\_\_\_\_ County \_\_\_\_\_.
- C. Application for Permit to Appropriate Water filed. State Land Department  
Application No. \_\_\_\_\_, Permit No. \_\_\_\_\_, Certificate of  
Water Right No. \_\_\_\_\_.
- D. Claim of Water Right for a Stockpond. State Land Department Application  
No. \_\_\_\_\_.
- E.  Other. Describe: Federal reserved water right (see attached)

A. Date of initiation of right: Time Immemorial.  
(Month/Day/Year)

B. Date water first used for beneficial purposes: \_\_\_\_\_  
(Month/Day/Year)

Purpose, annual amount and annual period of use:

Purpose	Amount	Month/Day	Month/Day
Irrigation	Pages <u>1-2</u> ac.ft./gallons	From <u>Jan. 1</u> to	<u>Dec. 31</u>
Domestic	Pages <u>8-9</u> ac.ft./gallons	From <u>"</u> to	<u>"</u>
Stockwater	Page <u>5</u> ac.ft./gallons	From <u>"</u> to	<u>"</u>
Municipal	Pages <u>8-9</u> ac.ft./gallons	From <u>"</u> to	<u>"</u>
Power	Page <u>10</u> ac.ft./gallons	From <u>"</u> to	<u>"</u>
Mining	Page <u>10</u> ac.ft./gallons	From <u>"</u> to	<u>"</u>
Recreation	Pages <u>5-9</u> ac.ft./gallons	From <u>"</u> to	<u>"</u>
Wildlife	Page <u>10</u> ac.ft./gallons	From <u>"</u> to	<u>"</u>
Other Uses	Page <u>9</u> ac.ft./gallons	From <u>"</u> to	<u>"</u>

A.(1) If for irrigation purposes, describe place of use: (also indicate on map)

Township (N/S) Range (E/W) Section Legal Subdivision No. of Acres  
(see attached) \_\_\_\_\_  
\_\_\_\_\_

(2) If land reclaimed over period of years, indicate schedule and amount of land reclaimed first and each subsequent year(s): \_\_\_\_\_  
\_\_\_\_\_

5. A. (3) Indicate kind of crops cultivated: \_\_\_\_\_  
 Character of soil: \_\_\_\_\_
- B. If for domestic purposes, number of persons: Pages 8-9, or families: \_\_\_\_\_
- C. If for stockwater purposes, number and kind of stock watered: \_\_\_\_\_  
 See page 5
- D. If for municipal purposes; population to be served, and estimate of future requirements: See Pages 8-9
- E. If for power purposes, describe type of plant and capacity: See Page 10
- F. If for mining purposes, describe purpose of use, location and character of the mine(s) to be served: See Page 10
- G. If for recreational purposes, describe: See Pages 5-9
- H. If for wildlife purposes, including fish, describe: See Page 10
- I. If for other purposes, describe: See Page 9
6. A. Direct source of public water diverted: (see attached) tributary to \_\_\_\_\_ on the \_\_\_\_\_ watershed. •
- B. Point of Diversion (indicate on map): \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , Section \_\_\_\_\_, Township \_\_\_\_\_ (N/S), Range \_\_\_\_\_ (E/W), Gila and Salt River Base and Meridian, County \_\_\_\_\_. Ownership \_\_\_\_\_
- C. Place of use (indicate on map): \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , Section \_\_\_\_\_, Township \_\_\_\_\_ (N/S), Range \_\_\_\_\_ (E/W), Gila and Salt River Base and Meridian, County \_\_\_\_\_. Ownership \_\_\_\_\_
7. State all other sources of water supply not described in Question 6 of this form.
- A. Type of Source: Groundwater where needed
- B. Location of Source (indicate on map): \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , Section \_\_\_\_\_, Township \_\_\_\_\_ (N/S), Range \_\_\_\_\_ (E/W), Gila and Salt River Base and Meridian, County \_\_\_\_\_. Ownership \_\_\_\_\_
- C. If other source is well, list following:
- (1) Date well construction began: \_\_\_\_\_; Date well placed in use: \_\_\_\_\_ (Month/Day/Year)
- (2) Location (10 acre subdivision) (indicate on map): \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , Section \_\_\_\_\_, Township \_\_\_\_\_ (N/S), Range \_\_\_\_\_ (E/W), Gila and Salt River Base Meridian, County of \_\_\_\_\_
- (3) State Land Department Intent to Drill, File No. \_\_\_\_\_, or Application for Permit No. \_\_\_\_\_
- (4) State whether free flowing or pump: \_\_\_\_\_. If pump, list type of pump and capacity: \_\_\_\_\_
- (5) Casing depth \_\_\_\_\_ ft. Total well depth \_\_\_\_\_ ft. Diameter of casing \_\_\_\_\_ inches.
- (6) Depth to water: \_\_\_\_\_ ft. (Static Level)
- (7) Annual amount pumped, or otherwise extracted: \_\_\_\_\_ Ac.Ft./Gallons
- (8) State purpose of use: \_\_\_\_\_
- (9) Indicate annual period of use: \_\_\_\_\_ to \_\_\_\_\_ (Month/Day) (Month/Day)
8. Water storage reservoir and/or diverting works:
- A. Location (indicate on map): \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , Section \_\_\_\_\_, Township \_\_\_\_\_ (N/S), Range \_\_\_\_\_ (E/W), Gila and Salt River Base and Meridian, County \_\_\_\_\_. Ownership \_\_\_\_\_
- B. Name of storage reservoir and/or diverting works (if known): \_\_\_\_\_
- C. Maximum capacity: \_\_\_\_\_ Ac.Ft.
- D. Maximum depth of water: \_\_\_\_\_ ft.

- E. (1) Year construction began: \_\_\_\_\_.  
 (2) Year construction completed: \_\_\_\_\_.  
 (3) Date water first stored: \_\_\_\_\_ (Month/Year).

- F. If dam, list following:  
 (1) Construction material: \_\_\_\_\_  
 (2) Maximum Length: Top \_\_\_\_\_ ft.; Bottom \_\_\_\_\_ ft.  
 (3) Maximum Width: Top \_\_\_\_\_ ft.; Bottom \_\_\_\_\_ ft.  
 (4) Maximum Height: \_\_\_\_\_ ft.

G. If diverting works, describe: \_\_\_\_\_  
 \_\_\_\_\_



Distribution works:

- A. If ditch or canal:  
 (1) Date construction began: \_\_\_\_\_  
     (Month/Day/Year)  
 Date construction completed: \_\_\_\_\_  
     (Month/Day/Year)  
 (2) Length of ditch or canal to first place of use: \_\_\_\_\_ ft., total  
 length of ditch or canal: \_\_\_\_\_ ft.  
 (3) Top width: \_\_\_\_\_ ft.; Bottom width: \_\_\_\_\_ ft.  
 (4) Grade (slope) of ditch: \_\_\_\_\_  
 (5) If ditch or canal owned and/or operated by an association or company or  
 such other entity, list name of association or company or such other  
 entity: \_\_\_\_\_

- B. If pipeline:  
 (1) Type: \_\_\_\_\_ (i.e., aluminum, steel, etc.)  
 (2) Diameter: \_\_\_\_\_ inches.  
 (3) Length of pipeline to first place of use: \_\_\_\_\_ ft. and total  
 length of pipeline: \_\_\_\_\_ ft.  
 (4) Grade (slope) of pipeline: \_\_\_\_\_

C. If other, describe: \_\_\_\_\_  
 \_\_\_\_\_

Enlargement(s) of storage reservoir and/or diverting and/or distributing works.

- A. Date begun: \_\_\_\_\_  
     (Month/Day/Year)  
 Date completed: \_\_\_\_\_  
     (Month/Day/Year)  
 B. Describe details of enlargement(s): \_\_\_\_\_  
 \_\_\_\_\_  
 C. Dimensions of works as originally constructed and as enlarged: \_\_\_\_\_  
 \_\_\_\_\_

Explanatory

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- E. (1) Year construction began: \_\_\_\_\_.
- (2) Year construction completed: \_\_\_\_\_.
- (3) Date water first stored: \_\_\_\_\_ (Month/Year).

- F. If dam, list following:
  - (1) Construction material: \_\_\_\_\_.
  - (2) Maximum Length: Top \_\_\_\_\_ ft.; Bottom \_\_\_\_\_ ft.
  - (3) Maximum Width: Top \_\_\_\_\_ ft.; Bottom \_\_\_\_\_ ft.
  - (4) Maximum Height: \_\_\_\_\_ ft.

G. If diverting works, describe: \_\_\_\_\_

9. Distribution works:

A. If ditch or canal:

- (1) Date construction began: \_\_\_\_\_  
(Month/Day/Year)
- Date construction completed: \_\_\_\_\_  
(Month/Day/Year)

(2) Length of ditch or canal to first place of use: \_\_\_\_\_ ft., total length of ditch or canal: \_\_\_\_\_ ft.

(3) Top width: \_\_\_\_\_ ft.; Bottom width: \_\_\_\_\_ ft.

(4) Grade (slope) of ditch: \_\_\_\_\_.

(5) If ditch or canal owned and/or operated by an association or company or such other entity, list name of association or company or such other entity: \_\_\_\_\_.

B. If pipeline:

(1) Type: \_\_\_\_\_ (i.e., aluminum, steel, etc.)

(2) Diameter: \_\_\_\_\_ inches.

(3) Length of pipeline to first place of use: \_\_\_\_\_ ft. and total length of pipeline: \_\_\_\_\_ ft.

(4) Grade (slope) of pipeline: \_\_\_\_\_.

C. If other, describe: \_\_\_\_\_

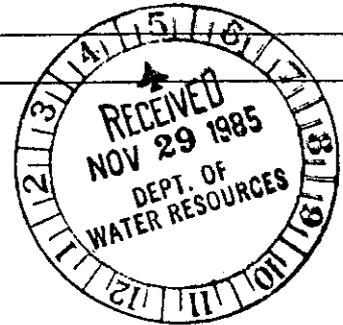
10. Enlargement(s) of storage reservoir and/or diverting and/or distributing works.

A. Date begun: \_\_\_\_\_  
(Month/Day/Year)

Date completed: \_\_\_\_\_  
(Month/Day/Year)

B. Describe details of enlargement(s): \_\_\_\_\_

C. Dimensions of works as originally constructed and as enlarged: \_\_\_\_\_



Explanatory

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



1 order to refine existing data. Such refinement may necessitate the  
2 amendment of this claim sometime in the future in order to reflect  
3 updated information.

4  
5 C. Payment of fees

6 In addition to filing fees paid on January 4, 1985, the United  
7 States is herewith tendering additional fees in support of this  
8 claim, as required by A.R.S. §45-254(F). However, this suit was not  
9 instituted by the United States. Rather, the United States was  
10 required to participate in order to protect its rights to use water  
11 against the interests of other parties. Jurisdiction over the  
12 United States in this case is governed by the McCarran Amendment, 43  
13 U.S.C. §666 (1952). United States v. Superior Court, 144 Az 265,  
14 697 P.2d 658 (1985). The McCarran Amendment provides in part that  
15 "no judgment for costs shall be entered against the United States in  
16 any such suit." This proviso restates and reinforces the common law  
17 rule that, in absence of a statute directly authorizing it, courts  
18 could not give judgment against the United States for costs and  
19 expenses.<sup>1/</sup>

20  
21 1/ In 1966, Congress, by enactment of Public Law 89-507, waived the  
22 government's sovereign immunity from a judgment of costs and  
23 expenses insofar as that immunity was based on common law principles  
24 rather than on a statutory prohibition. Act of July 18, 1966, 80  
25 Stat. 308, as amended 28 U.S.C. §2412. However, the 1966 waiver  
26 does not apply to cases, such as this case, where the immunity from  
a judgment for costs is "specifically provided for by statute." 28  
U.S.C. §2412(a).





1 The McCarran Amendment constitutes a waiver of the sovereign  
2 immunity of the United States by permitting [redacted] joined as a  
3 defendant in a suit quantifying water rights. Colorado River Water  
4 Conservation District v. United States 424 U.S. 800 (1976); Arizona  
5 v. San Carlos Apache Tribe, 463 U.S. 545 (1983). In Block v. North  
6 Dakota, 461 U.S. 273 (1983), the Supreme Court repeated the familiar  
7 rule of construction of statutes which waive federal sovereign  
8 immunity:

9  
10 The basic rule of federal sovereign immunity is that the  
11 United States cannot be sued at all without the consent of  
12 Congress. A necessary corollary of this rule is that when  
13 Congress attaches conditions to legislation waiving the  
14 sovereign immunity of the United States, those conditions  
15 must be strictly observed, and exceptions thereto are not  
16 to be lightly implied. (Citations omitted.) Id. at 287.

17  
18 The Court went on to hold that there is no reason why the federal  
19 sovereignty rule should not be applied to states. Id. at 288-289.  
20 And in Aycrigg v. United States, 124 F.Supp. 416, 418 (N.D. Cal.  
21 1954) the Court held that the rule of strict construction of the  
22 sovereign immunity waiver was applied to costs "with especial  
23 rigor."

24 The United States intends to seek recovery of all filing fees  
25 tendered in this case as well as other legitimate costs associated  
26 with this litigation after final judgment has been rendered.

FORT APACHE RESERVATION  
Salt River Basin

Irrigation Related Claims

Description of Water Use

Diversion for irrigation of crops, evaporation from three storage reservoirs, and first time filling of each storage reservoirs.

Location of Water Use

Future irrigable areas, numbered 1 through 9, are distributed throughout the Reservation and presented in Exhibit F.A.1. Historic irrigable land claims, identified by number 1 through 35, are presented in Exhibit F.A.2.

Source, Acreage and Estimated Annual Water Demand

Table F.A.1. documents the individual irrigable areas, approximate acreage, and estimated annual water requirements. Evaporation losses as well as first time reservoir filling requirements for the irrigation reservoirs are also presented in this table.

In addition to the lands identified in Table F.A.1., claims are also made for future partial service irrigation development throughout the Reservation. Such claims are unidentified at present.



Table F.A.1  
FORT APACHE INDIAN RESERVATION  
IRRIGATION RELATED CLAIMS

HKM SHEET SITE		SITE NAME	TOTAL CLAIM	ANNUAL DIVERSION
No.	No.		ACREAGE	(AC-FT)
<u>FUTURE LANDS</u>				
1	1	Canyon Day/Amos Wash	6,175	11,120
2	2	Amos Wash Extension	754	1,697
3	3	Whiteriver Mesa	1,082	1,949
4&5	4	Bonito Prairie/Bonito Prairie Extension	9,808	17,663
6	5	Gleason Flat	301	892
7	6	Black River	149	470
8	7	Upper Cibecue East	963	2,602
9	8	Upper Cibecue West	1,438	2,590
10	9	Alchesay Flat	1,444	4,906

HISTORIC LANDS

1	1	Chediski Farms Area	36	177
1	2	Canyon Creek/Oak Creek Area	52	255
2	5	Upper Cibecue/White Springs Area	55	240
3&4	7	Cibecue Creek Area	740	3,598
5	8	Upper Carrizo/Rolland-Ethelbah/A-4 Area	109	535
5	9	Carrizo Creek/Blue Springs Area	94	459
6	10	Cedar Creek Area	165	810
7	11	Lower Carrizo/Limestone Area	159	780
7	12	Corduroy Creek/Amos Sawmill Area	13	47
7	13	Corduroy Creek/Amos Ranch Area	68	265
7	15	Limestone Canyon/Bill Gatewood Area	15	68
8	16	White River/N.Fk. & Diamond Creek Areas	429	2,089
9	17	White River/East Fork Area	985	4,830
10	18	Canyon Day Area	126	610
10	24	Canyon Day/Amos Wash Area	809	2,482
11	20	Turkey Creek Area	42	164
12	26	East Fork Cedar Creek	107	525
12	27	Forestdale	348	1,708
12	28	Corduroy Creek	24	118
13	30	First Holow	32	124
13	34	Bull Cienega	36	140
13	35	North Fork White River	16	62
<b>TOTALS</b>			<b>26,574</b>	<b>63,975</b>

IRRIGATION STORAGE REQUIREMENTS

STORAGE SITE	ESTIMATED ANNUAL EVAPORATION LOSSES (AF)	FIRST TIME FILLING REQUIREMENTS (AF)
1. Bonito Creek	1310	56,000
2. N.F. White River	1300	18,200
3. Cibecue Creek	400	7,800
<b>TOTALS</b>	<b>3010</b>	<b>82,000</b>

3M036.288/0750A

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FORT APACHE RESERVATION

Non-Irrigation Use

Stockwater and Wildlife

Water claimed for consumption by livestock and wildlife and evaporation from stock ponds, tanks, troughs, etc. is presented under Items I. and II.A. of Table F.A.2. Locations of use are distributed throughout the Reservation. A first time filing for all future stock ponds is also claimed.

Recreational Lakes

Water is claimed for evaporation from existing and potential recreational lakes. Individual claims by site, their legal descriptions, and sources of supply are defined in Item II.B. of Table F.A.2. A one time filling for all potential recreational lakes is also claimed.

Domestic/Municipal/Recreational

Domestic use is claimed for community and recreational areas. Light industry within these service areas is included in the claim. Pertinent information is delineated in Item III. of Table F.A.2.

Industrial

Water is claimed for present and future industrial uses as per Item IV. of Table F.A.2.

Fish Hatcheries

Diversions are claimed for the Williams Creek and Alchesey Fish Hatcheries. See Item V. of Table F.A.2.



*Preliminary*

Mineral

A claim is made for 20,000 AF to develop the mineral resources of the Reservation. See Item VI. of Table F.A.2.

Power

Water is claimed for consumption by evaporation from hydropower storage reservoirs. There is also non-consumptive diversion and storage of water for hydroelectric power generation. See Item VII. of Table F.A.2. A first time filling for all potential hydropower sites is also claimed.



Table F.A.2.  
NON-IRRIGATION WATER CLAIMS

Fort Apache Indian Reservation, Arizona

Item	Location	Source	Water Claimed (AF/Yr)	Description
<b>I. LIVESTOCK/WILDLIFE</b>				
Entire Reservation				
A. Total for Item I - Livestock Requirements		Wells, springs, ponds, streams	490 AF	(Consumption)
<b>II. IMPOUNDMENTS</b>				
Entire Reservation				
A. Stock Ponds		Surface runoff, wells, springs	6,900 AF	(Evaporation Loss)
B. Recreational Lakes				
1. Existing Sites				
	Sec.	I(N)	R(E)	
Wilson	5	7	26	56 (Evaporation Loss)
Bog Tank	35	8	25	30 (Evaporation Loss)
Bootleg	20	8	23	30 (Evaporation Loss)
Christmas Tree	17	6	25	103 (Evaporation Loss)
Obbley	21	8	23	30 (Evaporation Loss)
Drift Fence	19	5	27	39 (Evaporation Loss)
Trib. of Black River				
Earl Park	20	7	25	118 (Evaporation Loss)
Georges Basin	5	3	22	293 (Evaporation Loss)
Hawley	24	7	24	650 (Evaporation Loss)
Trib. of N. Fk. White River				
Horseshoe	3	7	25	303 (Evaporation Loss)
Cienega	12	5	26	44 (Evaporation Loss)
Trib. of Big Bonito Cr.				



NON-IRRIGATION WATER CLAIMS

Fort Apache Indian Reservation, Arizona

Item	Location	Source	Water Claimed (AF/Yr)	Description
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II. IMPOUNDMENTS (continued)

B. Recreational Lakes

1. Existing Sites	Sec.	T(N)	R(E)	Source	Water Claimed (AF/Yr)	Description
Nash Creek	30	4	23	Nash Cr., Trib. of Black River	247	(Evaporation Loss)
Pacheta Reservation	16	4.5	27	Pacheta Cr., Trib. of Black River	170	(Evaporation Loss)
Sand (Cyclone)	9	5	27	Reservation Cr., Trib. of Black River	653	(Evaporation Loss)
	8	7	25	Lame Deer Canyon & Sand Cr., Trib. of N. Fk. White River	93	(Evaporation Loss)
Shus-h-Be-Zahze	29	8	25	Bog Cr., Trib. of N. Fk. White River	39	(Evaporation Loss)
Shus-h-Be-Tou	29	8	25	Bog Cr., Trib. of N. Fk. White River	47	(Evaporation Loss)
Sunrise	12	7	26	Snake Cr., Trib. of N. Fk. White River	2,051	(Evaporation Loss)
Tonto	13	4	26	Tonto Cr., Trib. of Big Bonito Cr.	219	(Evaporation Loss)
				Subtotal	5,215 AF	

2. Potential Sites

Becker Creek	14,23	7	26	Becker Cr., Trib. of Snake Cr.	120	(Evaporation Loss)
Big Diamond	16	6	25	Diamond Cr., Trib. of N. Fk. White River	57	(Evaporation Loss)
Bog, Lower No. 4	30	8	25	Bog Cr., Trib. of N. Fk. White River	60	(Evaporation Loss)
Bull Cienega	34	8	23	Bull Cienega Cr., Trib. of N. Fk. White Riv.	57	(Evaporation Loss)
Butterfly Creek	35/18	5/4.5	26/27	Butterfly Cr., Trib. of Big Bonito Cr.	44	(Evaporation Loss)
Coyote	31	7	25	Coyote Cr., Trib. of Little Diamond Cr.	128	(Evaporation Loss)
Drift Fence Enl.	19	5	27	Unnamed Trib. of Pacheta Cr.	70	(Evaporation Loss)



1/ Approximate location listed.

NON-IRRIGATION WATER CLAIMS

Fort Apache Indian Reservation, Arizona

Item	Location	Source	Water Claimed (AF/Yr)	Description
<b>II. IMPOUNDMENTS (continued)</b>				
<b>B. Recreational Lakes</b>				
<b>2. Potential Sites<sup>1/</sup></b>				
	<u>Sec.</u>	<u>T(N)</u>	<u>R(E)</u>	
Drift Fence, E.	17	5	27	(Evaporation Loss)
Earl No. 2	28	7	25	(Evaporation Loss)
Ess No. 1	20	4	27	(Evaporation Loss)
Haystack Cienega	15	8	24	(Evaporation Loss)
Ess No. 3	28	4	27	(Evaporation Loss)
Horseshoe,				
Upper No. 2	31	8	26	(Evaporation Loss)
Hurricane, Lower	24	5	26	(Evaporation Loss)
Lofer Cienega	35	5	25	(Evaporation Loss)
Maverick	28	4,5	27	(Evaporation Loss)
North Fork	4	7	25	(Evaporation Loss)
Odart	2	4	26	(Evaporation Loss)
Odart, Lower	10	4	26	(Evaporation Loss)
Pacheta No. 1	20	5	27	(Evaporation Loss)
Pacheta No. 2	30,31	5	27	(Evaporation Loss)
Pacheta No. 3	16,21,22	4	27	(Evaporation Loss)
Pacheta, Upper	18	5	27	(Evaporation Loss)
			42.5	(Evaporation Loss)
			101	(Evaporation Loss)
			112	(Evaporation Loss)
			1840	(Evaporation Loss)
			55	(Evaporation Loss)
			65	(Evaporation Loss)
			47	(Evaporation Loss)
			327	(Evaporation Loss)
			113	(Evaporation Loss)
			122	(Evaporation Loss)
			544	(Evaporation Loss)
			69	(Evaporation Loss)
			600	(Evaporation Loss)
			93	(Evaporation Loss)
			71	(Evaporation Loss)
			42.5	(Evaporation Loss)



<sup>1/</sup> Approximate location listed.

NON-IRRIGATION WATER CLAIMS

Fort Apache Indian Reservation, Arizona

Item	Location	Source	Water Claimed (AF/Yr)	Description
<b>II. IMPOUNDMENTS (continued)</b>				
<b>B. Recreational Lakes</b>				
<b>2. Potential Sites<sup>1/</sup></b>				
	<u>Sec.</u>	<u>I(N)</u>	<u>R(E)</u>	
Paddy Pair-0-Dice, Lower	26,27	4	26	Paddy Cr., Trib. of Black River (Evaporation Loss) 77
Paradise Park Reservation Cr.	22,23 10,15	4 7	27 25	Milk Cr., Trib. of Pacheta Creek (Evaporation Loss) 110 Paradise Cr., Trib. of N. Fk., White River (Evaporation Loss) 67
No. 2 Reservation,	16	5	27	Reservation Cr., Trib. of Black River (Evaporation Loss) 205
Upper Sawmill	4 17,18	5 8	27 23	Reservation Cr., Trib. of Black River (Evaporation Loss) 194 Corduroy Cr., Trib. of Carrizo Creek (Evaporation Loss) 102
Sheep Cienega	7,8	7	26	Unnamed Trib. of N. Fk. White River (Evaporation Loss) 150
Smith Creek	3	6	26	Ord Creek, Trib. of N. Fk. White River (Evaporation Loss) 112
Tonto No. 1	12	4	26	Tonto Creek, Trib. of Big Bonito Creek (Evaporation Loss) 181
C. Total of Item II - Impoundments				5,978 AF
				<u>18,093 AF<sup>2/</sup></u>

**III. DOMESTIC/MUNICIPAL/RECREATIONAL**

A. Community Areas <sup>3/</sup>	Whiteriver	Community & Private Wells, Spring	3,380	(Demand)
	Cibecue	Community & Private Wells	960	(Demand)
	Canyon Day	Community & Private Wells	280	(Demand)
	Cedar Creek	Community & Private Wells	260	(Demand)
	North Fork	Community & Private Wells	190	(Demand)

<sup>1/</sup> Location is approximate.  
<sup>2/</sup> Also claimed is approximately 43,500 AF required for initial filling of future recreational and stock reservoirs.  
<sup>3/</sup> Figures based upon population projections to year 2040.



NON-IRRIGATION WATER CLAIMS

Fort Apache Indian Reservation, Arizona

Item	Location	Source	Water Claimed (AF/Yr)	Description
<b>III. DOMESTIC/MUNICIPAL/RECREATIONAL (continued)</b>				
<b>A. Community Areas (continued) 1/</b>				
	East Fork & Sevenmile Carrizo McNary Ft. Apache	Community & Private Wells Community & Private Wells Community & Private Wells Community & Private Wells	330 160 160 40	(Demand) (Demand) (Demand) (Demand)
	<b>B. Recreational Areas</b>	Hawley Lake Hon-Dah Sunrise Campgrounds	180 180 180 30	(Demand) (Demand) (Demand) (Demand)
	<b>C. Total Item III - Domestic/Municipal/Recreational Needs</b>		<u>6,330 AF</u>	
<b>IV. INDUSTRIAL</b>				
	<b>A. FATCO Sawmills</b>	Whiteriver Cibeque	8,065	
	<b>B. McNary Sawmill</b>	McNary	960	
	<b>C. Miscellaneous Uses</b>		<u>5,000</u>	
	<b>D. Total Item IV - Industrial Needs</b>		<u>14,025 AF</u>	

1/ Figures based upon projection to year 2040.



NON-IRRIGATION WATER CLAIMS

Fort Apache Indian Reservation, Arizona

Preliminary

Item	Location	Source	Water Claimed (AF/Yr)	Description
<b>V. FISH HATCHERIES</b>				
<b>A. Fish Hatcheries</b>				
1.	Williams Cr. 34°03'50"N, 109°48'16"W	Spring on hatchery grounds	3,264	(Diversion Only)
2.	Alchesey 33°56'49"N, 109°55'24"W	Alchesey Springs & North Fk. White River	9,170	(Diversion Only)
<b>B. Total Item V - Miscellaneous Uses</b>			<u>12,434 AF</u>	
<b>VI. MINERAL USES<sup>2/</sup></b>				
<b>A. Entire Reservation</b>			20,000 AF	
<b>A. Total for Item VI. - Mineral Uses</b>			<u>20,000 AF</u>	
<b>VII. POWER USES</b>				
A.	Lower Black River T3N, R26E, Secs. 22, 23	Black River	5,000 <sup>3</sup>	Evaporation
B.	Black River Pumps T2N, R25E, Secs. 29, 32	Black River	7,400 <sup>3</sup>	Evaporation
C.	Carrizo T5N, R19E, Secs. 28, 33	Salt River	18,600 <sup>3</sup>	Evaporation
D.	Knob T5N, R18E, Sec 24 and			
	T5N, R19E, Sec. 19	Salt River	2,700 <sup>3</sup>	Evaporation
E.	Walnut Canyon T5N, R18E, Sec. 28	Salt River	1,800 <sup>3</sup>	Evaporation
F.	Gleason Flat T4-1/2N, R16E, Sec. 29	Salt River	9,000 <sup>4</sup>	Evaporation
<b>G. Total for Item VII. - Power Uses</b>			<u>44,500<sup>5</sup></u>	
<b>VIII. TOTAL NON-IRRIGATION CLAIMS (Items I. thru VII.)</b>			<u>115,872 AF</u>	



- 1/ Diversion dam on N. Fk. White River serves as an alternative emergency source of water. Dam is about 100 yards downstream from Alchesey Spring.
- 2/ There are numerous commercially rated mineral resources on the Reservation, including the following: iron, manganese, asbestos, uranium, gypsum, limestone, clay, shale, coal, oil and gas.
- 3/ These sites are on a common boundary between the Fort Apache and San Carlos Reservation. These are, therefore, joint claims.
- 4/ This site is claimed only for the Fort Apache Indian Reservation.
- 5/ There is a first time filling requirement for these sites of approximately one million acre-feet. Of this, 850,000 acre-feet is a joint claim between the Fort Apache and San Carlos Reservations.