

JUN 6 2016

DOCKETED BY: \_\_\_\_\_

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

2016 MAY 25 PM 3:12

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

NO. 6417

ANGELA M. SNELL, CLERK  
APACHE CO SUPERIOR COURT

OBJECTION TO THE FINAL  
HYDROGRAPHIC SURVEY REPORT RECEIVED  
FOR THE HOPI RESERVATION  
(Deadline to file: June 15, 2016)

JUN 13 2016

LEGAL  
DEPT OF WATER RESOUR

OBJECTOR

Name FOWLER, CHELSEY R. & LYNDA J.  
FOWLER, LINDA SLADE, FOWLER FAMILY LIVING TRUST  
Address 10301 E. EDNA PLACE, TUCSON, AZ 85748  
Telephone No. (520) 721-0706  
Statement of Claimant No. 39- 89215

STATEMENT OF OBJECTION

The water right attributes described in Chapter 5 of the Final Hopi Hydrographic Survey Report are listed below. I object to one or more of the proposed water right attributes for the factual and/or legal reasons stated below. A description of the evidence to support those reasons is also provided:

1. Type of Use STOCKPOND USE
2. Legal Basis DECEED WATER RIGHT, PRINCIPAL LITIGANTS, COURT, DATE AND CASE No.:  
MORFEL DECREE - RIGHTS DOWN WATER CANYON
3. Water Sources STREAM, WASH, OR ARROYO: NAME WATER CANYON  
TRIBUTARY TO LITTLE COLORADO  
\* DITCH FROM NATURAL CHANNEL FLOW
4. Point of Diversion LEGAL DESCRIPTION: NE 1/4, SECTION 21, TOWNSHIP 3N,  
RANGE 29E
5. Place of Use COUNTY: APACHE  
AND ALSO USED AS HOLDING TANK FOR IRRIGATION WATER ON OTHER  
RIGHTS (WATER CANYON)
6. Date of Priority 1877 - 1920 (VARIES)
7. Quantity of Water Use APPROX. 1 ACRE FEET

ATTACH ANY ADDITIONAL COMMENTS, INFORMATION OR DOCUMENTATION

VERIFICATION

STATE OF Arizona  
County of Maricopa

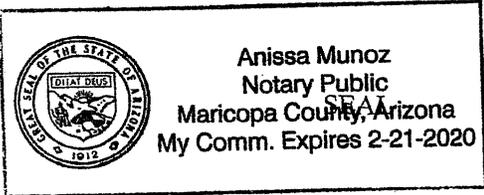
I declare under penalty of perjury that I am a claimant or the duly authorized representative of a claimant. I have read the Statement of Objection and verify, swear, and affirm that the information contained is true based on my personal knowledge, or is believed to be true based on information and belief.

Signature of Objector or Representative

Lyndee Fowler  
Name 10300 East Edna Place

Address J. Tucson, Arizona 85748

SUBSCRIBED AND SWORN to before me this 21<sup>st</sup> day of MAY, 2016.



Anissa Munoz  
Notary Public for the State of Arizona  
My Commission Expires 02/21/2020

CERTIFICATE OF SERVICE

On this 21<sup>st</sup> day of May, 2016, I hereby certify that the **original** Objection and two copies were filed with:

Clerk of the Superior Court  
Apache County  
70 West Third South  
St. Johns, AZ 85936

On this 21<sup>st</sup> day of May, 2016, I further certify that a true and correct copy of this Objection was sent by first class mail to:

Joseph P. Mentor, Jr.  
Bill Aloe  
Mentor Law Group, PLLC  
315 Fifth Avenue South, Suite 1000  
Seattle, Washington 98104  
Counsel for the Hopi Tribe

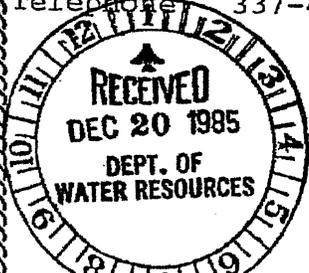
Vanessa Boyd Willard  
Indian Recourses Section, ENRD  
United States Department of Justice  
Denver Field Office  
999 18<sup>th</sup> South Terrace, Suite 370  
Denver, Colorado 80202  
Counsel for the United States

DAVID A. BROWN  
Attorney at Law  
P. Box 1890  
St. Johns, AZ 85936  
Telephone 337-4225

STATEMENT OF CLAIMANT FORM  
FOR  
STOCKPOND USE

For Departmental Use Only

File No. 39- 89215  
Date Filed: 12-20-85  
WFN:



LITTLE COLORADO RIVER WATERSHED ADJUDICATION  
SUPERIOR COURT OF APACHE COUNTY

1. Claimant Name: Chelcey R. and Lynda Slade Fowler  
Claimant Address: 8516 Evangeline NE City Albuquerque  
State: New Mexico Zip Code 87111 Telephone 505-292-0201
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.  Right acquired through the 1977 Stockponds Registration Act. Claim No. \_\_\_\_\_
  - D.  Decreed water right. Principal litigants, court, date and case no.: Norviel Decree  
Rights down Water Canyon
  - E.  Other, describe: \_\_\_\_\_
3. Claimed Priority Date: 1877-1920 (month/day/year)
4. Source of Water:
  - A. Stream, wash or arroyo: name Water Canyon, tributary to Little Colorado
  - B. Is water supplied from a source other than natural channel flow into the stockpond?  
 Yes,  No If yes, describe: Ditch from natural channel flow
5. Legal description of the location of the stockpond: (attach additional sheet if required)  
1/4, 1/4, NE 1/4, Section 21, Township 8 N/S, Range 29 E/W
6. If there are other uses supplied by the stockpond or its water source, describe: This pond also used as holding tank for irrigation water on other rights (Water Canyon) filed by Claimants.
7. Description of the Stockpond:
  - A. Name or other designation: Water Canyon Road Stockpond
  - B. Dam specifications:
    - 1) Date construction began, unknown, and ended unknown
    - 2) Height, 5 ft. (approx.)
    - 3) Does dam have an outlet structure other than spillway?  Yes  No Ditch
  - C. Reservoir behind dam:
    - 1) Date water first stored: 1877-1920 (month/day/year)
    - 2) Maximum length: ? ft.
    - 3) Maximum width: ? ft.
    - 4) Maximum depth of water at spillway crest: 2 ft.
    - 5) Maximum storage volume at spillway crest: 1 Acre-Feet

9. Number and kind of livestock or wildlife watered by this stockpond:  
50 head, for 12 months per year.

9. Attach photographs, maps or sketches necessary to show the location of the stockpond(s) and any conveyance system and other point(s) of diversion.

10. It may be necessary for a representative from the Department of Water Resources to inspect the stockpond and diversion. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant \_\_\_\_\_

11. 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? Please contact attorney

12. Additional comments: Pond filled by ditch which originates at a point on Water Canyon Creek in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$  of Section 21, T8N, R29E. Claimant has also filed claims on Reservoir and Flood Water Rights which flow down Water Canyon.

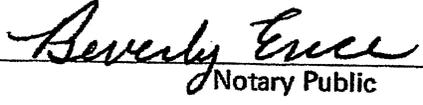
(attach additional sheet if required)

13. Attach Filing Fee to Form. Mail form(s) and fee(s) to: Department of Water Resources, P.O. Box 2920, Phoenix, AZ 85062.

14. Notarized Statement:  
I (We), DAVID A. BROWN, attorney for  
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.

(seal)

  
\_\_\_\_\_  
DAVID A. BROWN

  
\_\_\_\_\_  
Beverly Euce  
Notary Public

My Commission Expires:

My Commission Expires December 9, 1999.

or, \_\_\_\_\_  
Authorized Personnel of the Department of Water Resources

CHELCEY R & LYNDY SLADE FOWLER  
 8516 EVANGELINE NE  
 ALBUQUERQUE NM 87111

STATE OF ARIZONA  
 DEPARTMENT OF WATER RESOURCES  
 WATER RIGHTS ADMINISTRATION  
 99 EAST VIRGINIA  
 PHOENIX, ARIZONA 85004

RECEIPT

KIND ENTRY	FILE REFERENCE NO
39	89211
	THRU
39	89219

FUND SOURCE	ACCOUNT NO.			INT. ACCT.	ITEM DESCRIPTION	RATE	\$ AMOUNT
	AGENCY	CHAPTER	DIV.				
					FILING FEE FOR STATEMENT OF CLAIMANT		
					LITTLE COLORADO ADJUDICATION (9)		180.00
						WAITER PAYMENT	
						GUESTS 1	
						CHK NO 1088	
						L-COLO 180.00	
						TAX 0.00	
						TOTL 180.00	
						ADJ.CHEK 180.00	

CHECK 1088

3/31/86 im

TOTAL

# 208 A	12:40
\$	180.00