

1 Kimberly R. Parks (Bar No. 032828)
2 Arizona Department of Water Resources
3 Legal Division
4 P.O. Box 36020
5 Phoenix, Arizona 85067
6 Telephone: 602-771-8472
7 Fax: 602-771-8687
8 krparks@azwater.gov

9
10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
11 **IN AND FOR THE COUNTY OF APACHE**
12

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

Civil Case No. CV 6417-300

17 **ARIZONA DEPARTMENT OF WATER
18 RESOURCES' NOTICE OF
19 PUBLICATION OF FINAL
20 HYDROGRAPHIC SURVEY REPORT
21 FOR CERTAIN WATER USES ON
22 THE NAVAJO RESERVATION AND
23 COMMENCEMENT OF OBJECTION
24 PERIOD**

(Special Master Susan Ward Harris)

25 **CONTESTED CASE NAME:** *In re Navajo Nation*

26 **DESCRIPTIVE SUMMARY:** The Arizona Department of Water Resources is filing its Final Hydrographic Survey Report (HSR) with the court concerning stockponds, stock and wildlife watering, and domestic, commercial, municipal, and industrial water uses for the Navajo Reservation in Arizona. Objections must be received by the court no later than **June 1, 2020.**

NUMBER OF PAGES: Six and three-page attachment

DATE OF FILING: December 2, 2019

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Section I. Purpose of Objection Notice

The Arizona Department of Water Resources (ADWR) is sending this notice to persons who are believed to be using water within the boundaries of the Navajo Reservation lands in Arizona and other interested parties. Persons receiving this notice have the opportunity to review the Final Hydrographic Survey Report (HSR) that ADWR is filing with the court presiding over the Little Colorado River (LCR) adjudication proceedings described at the following website at www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication.

The HSR concerns stockponds, stock and wildlife watering, and domestic, commercial, municipal, and industrial (collectively “DCMI”) water uses claimed by the Navajo Nation or claimed by the United States in its capacity as trustee for the Navajo Nation and allottees. A map of the boundaries of the Navajo Reservation in Arizona may be found at <https://new.azwater.gov/adjudications> (ADWR’s website).

ADWR is sending this Objection Notice to persons on the court-approved mailing list for the LCR adjudication, persons who filed a claim (known as a statement of claimant or SOC) for a water right on land within the boundaries of the Navajo Reservation, persons who have not filed an SOC for a water right but who are believed to be using water within the boundaries of the Navajo Reservation lands in Arizona, and to every other claimant in the LCR adjudication. Information regarding SOCs is described on ADWR’s website.

In the following sections, this Objection Notice describes the purpose of the HSR, how to object to the HSR, how to obtain or inspect copies of the HSR, and ADWR’s contact information. Also, enclosed with this Objection Notice is an Objection Form, which must be used by those persons who want to file an objection to the HSR. See Section III.

1 **Section II. Purpose of the HSR**

2 As requested by the court order filed in CV6417-300 on December 28, 2016,
3 ADWR prepared this HSR analyzing only the Navajo Nation’s and United States’ claims
4 for historic, present, and future stockponds, stock and wildlife watering, and DCMI water
5 uses within the Navajo Reservation lands. The HSR describes ADWR’s methodologies
6 for analyzing the claims and collecting data during its investigations. ADWR has also
7 proposed water right attributes for these claimed uses.

8 After objections to the HSR have been filed (see Section III), the court will conduct
9 proceedings to resolve objections to the HSR and to determine the attributes and
10 quantities of the water rights for the Navajo Nation. Future HSRs will address other types
11 of water uses being claimed by or on behalf of the Navajo Nation.

12
13 **Section III. Objections to the HSR**

14 Only persons who have filed a statement of claimant in the Little Colorado River
15 adjudication may file an objection to the HSR, but are not required to do so. An objection
16 must be made on a legal or factual basis to ADWR’s proposed water right attributes,
17 which are found in Chapter 5 of the HSR. Persons who object on a legal or factual basis
18 also may comment on other portions of the HSR. An objection must state in clear and
19 concise language the legal and/or factual reasons for the objection together with a brief
20 description of the evidence to support those reasons. Additional information or
21 documentation may be attached to the Objection Form.

22 The original and two copies of the Objection Form (including any attachments)
23 must be sent to the Clerk of the Apache County Superior Court at the address stated on the
24 Objection Form. Objections must be *received* by the court no later than **June 1, 2020**.
25 There is no filing fee for objections. Copies of the Objection Form and any attachments
26

1 must also be sent to counsel for the Navajo Nation and counsel for the United States.
2 Addresses for the Clerk of Apache County Superior Court, counsel for the Navajo Nation,
3 and counsel for the United States are included in the Objection Form.

4 Persons who file objections will be notified later of further court proceedings
5 concerning the HSR. ADWR will post copies of the objections filed with the court on
6 ADWR's website. Copies of the objections also may be obtained by contacting ADWR.
7 See Section V.

8 **IV. Copies of the HSR**

9 The HSR is being made available for downloading from ADWR's website, under
10 the Technical Reports section, at <https://new.azwater.gov/adjudications>. An electronic
11 version or a hard copy of the HSR may be purchased by contacting ADWR. See Section
12 V. Additional copies are available for inspection at the following locations:

13 Inspection Locations

14		
15	Arizona Department of Water Resources	Clerk of Apache County Superior Court
16	1110 W. Washington Street, Suite 310	70 West Third Street South
17	Phoenix, AZ 85007	St. Johns, AZ 85936
18	Clerk of Navajo County Superior Court	Clerk of Coconino County Superior Court
19	S. Highway 77	200 N. San Francisco Street
20	Navajo County Complex	Flagstaff, AZ 86001
20	Holbrook, AZ 86025	
21	Round Valley Public Library	Tuba City Public Library
22	367 N. Main Street	78 Main Street
22	Eagar, AZ 85925	Tuba City, AZ 86045
23	Hopi Public Library	Larson Memorial Public Library
24	Hopi Education Department	1595 E. Johnson Drive
25	One Main Street	Pinetop-Lakeside, AZ 86045
25	Kykotsmovi, AZ 86039	
26		

1 Flagstaff City/Coconino County Library
2 300 W. Aspen
3 Flagstaff, AZ 86001

Winslow Public Library
420 W. Gilmore
Winslow, AZ 86047

4 Rim Community Library
5 3404 Mustang Avenue
6 Heber, AZ 85928

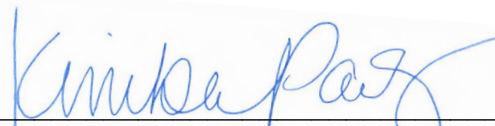
Show Low Public Library
181 N. 9th Street
Show Low, AZ 85901

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8 **V. ADWR's Contact Information**

9 Requests for copies of the HSR and Objections should be directed to ADWR at
10 602-771-8634, or 866-246-1414 (toll free). Due to the volume of calls that ADWR
11 receives, it may be necessary to leave a message. ADWR will respond to calls as quickly
12 as possible, which could take more than one business day. The deadline for objections to
13 be received by the court is **June 1, 2020**.

14 **DATED** this 2nd day of December, 2019.

15 ARIZONA DEPARTMENT OF WATER
16 RESOURCES

17 

18 Kimberly R. Parks, Deputy Counsel

19
20 ORIGINAL of the Objection Notice and two copies of the HSR sent by first-class mail on
21 December 2, 2019 to:

22 Clerk of the Apache County Superior Court
23 Attn: Water Case
24 P.O. Box 365
25 St. Johns, AZ 85936

26 COPIES of the Objection Notice and HSR sent by first-class mail on December 2, 2019,
to:

1 Judge Mark H. Brain
2 Maricopa County Central Court Building
3 201 West Jefferson Street, Suite 12A
4 Phoenix, AZ 85003-2205

Special Master Susan Ward-Harris
Maricopa County Central Court Building
201 West Jefferson Street, Suite 3A
Phoenix, AZ 85003-2205

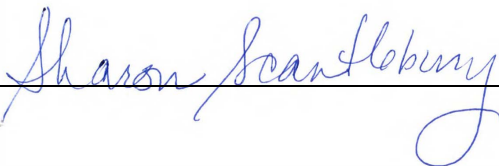
4 Guss Guarino
5 Indian Resources Section, ENRD
6 United States Department of Justice
7 999 18th Street, Suite 370
8 Denver, CO 80202
9 *Counsel for the United States*

M. Kathryn Hoover
Navajo Nation Department of Justice
P.O. Drawer 2010
Window Rock, AZ 86515
Counsel for the Navajo Nation

8 COPIES of the Objection Notice sent by first-class mail on December 2, 2019 to all
9 parties on the court-approved mailing list for Case No. CV 6417, to all claimants and land
10 owners within the Reservation boundaries, and to every other claimant in the Little
11 Colorado River adjudication.

12 PRESS RELEASES containing information in the Objection Notice are being published
13 by the following newspapers:

14 The White Mountain Independent (serving Apache and Navajo Counties)
15 and the Arizona Daily Sun (serving Coconino County)

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17 _____

DOUGLAS A. DUCEY
Governor



THOMAS BUSCHATZKE
Director

ARIZONA DEPARTMENT of WATER RESOURCES
1110 West Washington Street, Suite 310
Phoenix, Arizona 85007
602.771.8634
azwater.gov

GENERAL INFORMATION

You are receiving the enclosed Objection Notice because you may have an interest in the Little Colorado River (LCR) adjudication proceedings. The Objection Notice is an important legal document regarding the use of water in the LCR watershed, and it may affect you. Please read it carefully.

The Objection Notice has been mailed to approximately 12,000 parties, including those on a court approved mailing list for the LCR adjudication, those who have filed a claim for a water right in the LCR adjudication, and to other water users within the LCR watershed as further explained within the Objection Notice.

ADWR has completed a Final Hydrographic Survey Report (HSR or Report) for the Navajo Reservation in Arizona. The Report concerns stockponds, stock and wildlife watering, domestic, commercial, municipal, and industrial water uses claimed by the Navajo Nation or claimed by the United States in its capacity as trustee for the Navajo Nation.

The enclosed Objection Notice describes the purpose of the HSR, how to obtain or inspect copies of the HSR, how to object to the HSR, and other important information.

Persons who have filed a statement of claimant in the LCR adjudication may file an objection to the HSR, but are not required to do so. If you wish to file an objection, your completed Objection Form must be *received* by the court no later than **June 1, 2020**.

Information about the LCR adjudication may be found online at:
www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication

Questions may be directed to the Arizona Department of Water Resources at:

Via Mail

Arizona Department of Water Resources
Adjudications Administrative Support
P.O. Box 36020
Phoenix, Arizona 85067-6020

Via Phone:

(602) 771-8634 (local)
(866) 246-1414 (toll free)

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

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

Civil Case No. CV 6417-300

**OBJECTION TO FINAL
HYDROGRAPHIC SURVEY REPORT
FOR CERTAIN WATER USES ON
THE NAVAJO RESERVATION**

(Special Master Susan Ward Harris)

OBJECTOR

Name (printed) _____

Mailing Address _____

Telephone No. _____

Statement of Claimant No. 39- _____

STATEMENT OF OBJECTION

Please reference the proposed water right attributes for the particular claim or claims to which you are objecting, or reference the portion of the report to which you are objecting, explain the reasons for the objection below (or in a separate attachment), and complete the next page.

1 **CERTIFICATE OF SERVICE**

2 On this ____ day of _____, 20__, I certify that the original Objection and
3 two copies were sent by first class mail, or hand delivered, to:

4 **Via First Class Mail:**

5 Clerk of the Superior Court
6 Apache County
7 P.O. Box 365
St. Johns, Arizona 85936

Via Hand Delivery:

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

8 If you mail your objection to the court, please allow additional time for mailing, so that
9 your objection will be received by the court by **June 1, 2020.**

10 _____
11 Signature of Objector or Representative

12 On this ____ day of _____, 20__, I certify that copies of the Objection
13 were sent by first class mail to:

14 Guss Guarino
15 Indian Resources Section, ENRD
16 United States Department of Justice
17 999 18th Street, Suite 370
Denver, CO 80202

M. Kathryn Hoover
Navajo Nation Department of Justice
P.O. Drawer 2010
Window Rock, AZ 86515
Counsel for the Navajo Nation

18 _____
19 Signature of Objector or Representative

20 If this objection is being submitted by a Representative of the Objector, please provide the
21 following information below or by attachment:

22 Name (printed) _____

23 Mailing Address _____

24 _____
25 Telephone Number _____

26

DOUGLAS A. DUCEY
Governor



THOMAS BUSCHATZKE
Director

ARIZONA DEPARTMENT of WATER RESOURCES
1110 West Washington Street, Suite 310
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Arizona Department of Water Resources
Adjudications Administrative Support
P.O. Box 36020
Phoenix, Arizona 85067-6020

Via Phone:

(602) 771-8634 (local)
(866) 246-1414 (toll free)

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Telephone No. _____

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