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

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

Civil Case No. CV 6417-400

15 **ARIZONA DEPARTMENT OF**  
16 **WATER RESOURCES' NOTICE OF**  
17 **PUBLICATION OF TECHNICAL**  
18 **REPORT CONCERNING CERTAIN**  
19 **WATER USES IN THE LOWER**  
20 **LITTLE COLORADO RIVER**  
21 **SUBWATERSHED AND**  
22 **COMMENCEMENT OF OBJECTION**  
23 **PERIOD**

(Special Master Susan Ward Harris)

24 **CONTESTED CASE NAME:** *In re the Lower Little Colorado River Subwatershed*

25 **HSR INVOLVED:** None

26 **DESCRIPTIVE SUMMARY:** The Arizona Department of Water Resources is filing a technical report with the court concerning water uses for stockpond, stockwatering and wildlife purposes, and their cumulative impact on surface water outflow from the Lower Little Colorado River subwatershed. Objections filed to the technical report must be received by the court no later than **January 27, 2020.**

**NUMBER OF PAGES:** Six

**DATE OF FILING:** July 30, 2019

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**Section I. Purpose of Objection Notice**

The Arizona Department of Water Resources (ADWR) is sending this notice to certain persons who are believed to be using water within Coconino, Navajo and Apache counties, and other interested persons. Persons receiving this notice have the opportunity to review and object to the Technical Report 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](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication).

The Technical Report concerns water uses for stockpond, stockwatering and wildlife purposes in the Lower LCR subwatershed within the boundaries of the LCR adjudication. A map of the boundaries of the LCR adjudication and the Lower LCR subwatershed 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 for a water right in the LCR adjudication (known as a statement of claimant or SOC), and certain persons who have not filed an SOC for a water right but who are believed to be using water for stockpond, stockwatering or wildlife purposes in the Lower LCR subwatershed. Information regarding SOCs is described on ADWR’s web site.

In the following sections, this Objection Notice describes the purpose of the Technical Report, how to object to the Technical Report, how to obtain or inspect copies of the Technical Report, 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 Technical Report. See Section III.

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**Section II. Purpose of the Technical Report**

As directed by court orders filed in CV6417-201 on January 26, 2018 and in this case on March 20, 2018, ADWR inventoried certain water uses for stockpond, stockwatering and wildlife purposes within the Lower LCR subwatershed. The water uses inventoried include those stockpond, stockwatering or wildlife water uses for which an SOC has been filed as well as certain water uses for which an SOC has not been filed. The Technical Report describes ADWR’s methodologies for collecting water use data during its investigations, and ADWR’s analysis of that data to identify those relatively small water uses that collectively have only a minimal impact on surface water leaving the Lower LCR subwatershed.

After objections to the Technical Report have been filed (see Section III), the court will conduct proceedings to determine whether abbreviated (shortened) adjudication procedures are appropriate for any of the water uses analyzed in the Technical Report. Abbreviated procedures may be used to determine water right attributes (characteristics) based on relatively small water uses determined to have minimal impacts on surface water outflow from a watershed or subwatershed. These water uses are known as *de minimis* water uses.

Water right attributes typically include the following: legal basis of the claimed water right, quantity of use, place of use, type of use, point of diversion, priority date, source of water and owner of the water right. One or more of these attributes may be determined based on standards and abbreviated procedures that apply to water rights based on *de minimis* water uses. The standards and procedures used to determine water right attributes based on *de minimis* water uses in the Lower LCR subwatershed will be applied to individual stockpond, stockwatering and wildlife water uses described in separate reports filed at a later date.

1 As requested by the court, ADWR is preparing a preliminary hydrographic survey  
2 report (HSR) that examines water resources and water uses in the Lower LCR  
3 subwatershed. This report must be filed no later than May 31, 2021. In the preliminary  
4 HSR, ADWR will propose water right attributes based on individual water uses for  
5 stockpond, stockwatering and wildlife purposes that the court has determined are *de*  
6 *minimis*. In addition, ADWR will propose water right attributes for non-*de minimis*  
7 stockpond uses and all other beneficial uses such as irrigation, municipal and domestic  
8 uses. Persons using water within the Lower LCR subwatershed and other interested  
9 persons will have the opportunity to file comments on the preliminary HSR. Those  
10 comments will be considered when ADWR prepares a final HSR for the Lower LCR  
11 subwatershed in the future.

### 12 **Section III. Objections to the Technical Report**

13 Persons who choose to file an objection to the Technical Report must complete the  
14 enclosed Objection Form. The original and two copies of the Objection Form must be  
15 sent to the Clerk of the Apache County Superior Court at the address stated on the  
16 Objection Form. Objections must be *received* by the court no later than **January 27,**  
17 **2020**. Persons who file objections will be notified later of further court proceedings  
18 concerning the Technical Report. ADWR will post copies of the objections filed with the  
19 court on ADWR's website. Copies of the objections also may be obtained by contacting  
20 ADWR. See Section V.

### 21 **IV. Copies of the Technical Report**

22 The Technical Report is being made available for downloading from ADWR's web  
23 site, under the Technical Reports section, at <https://new.azwater.gov/adjudications>. An  
24 electronic version or a hard copy of the Technical Report may be purchased by contacting  
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1 ADWR. See Section V. Additional copies are available for inspection at the following  
2 locations:

3 Inspection Locations

4 Arizona Department of Water Resources	Clerk of the Superior Court
5 1110 W. Washington Street, Suite 310	Apache County
6 Phoenix, AZ 85007	70 West Third Street South
	St. Johns, AZ 85936
7 Clerk of Navajo County Superior Court	Clerk of Coconino County Superior Court
8 S. Highway 77	200 N. San Francisco Street
9 Navajo County Complex	Flagstaff, AZ 86001
10 Holbrook, AZ 86025	
11 Round Valley Public Library	Tuba City Public Library
12 367 N. Main Street	78 Main Street
Eagar, AZ 85925	Tuba City, AZ 86045
13 Hopi Public Library	Larson Memorial Public Library
14 Hopi Education Department	1595 E. Johnson Drive
15 One Main Street	Pinetop-Lakeside, AZ 86045
Kykotsmovi, AZ 86039	
16 Flagstaff City/Coconino County Library	Winslow Public Library
17 300 W. Aspen	420 W. Gilmore
Flagstaff, AZ 86001	Winslow, AZ 86047
18 Rim Community Library	Show Low Public Library
19 3401 Kimball Street	180 N. 9 <sup>th</sup> Street
20 Heber, AZ 85928	Show Low, AZ 85901

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

23 Requests for copies of the Technical Report and Objections should be directed to  
24 ADWR at 602-771-8634, or 866-246-1414 (toll free). Due to the volume of calls that  
25 ADWR receives, it may be necessary to leave a message. ADWR will respond to calls as  
26

1 quickly as possible, which could take more than one business day. The deadline for  
2 objections to be received by the court is **January 27, 2020**.

3 **DATED** this 30<sup>th</sup> day of July, 2019.

4 ARIZONA DEPARTMENT OF WATER  
5 RESOURCES

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7 \_\_\_\_\_  
Kimberly R. Parks, Deputy Counsel

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10 **ORIGINAL** of the Objection Notice and  
11 two copies of the Technical Report sent  
12 by first-class mail on July 30, 2019 to:

13 Clerk of the Superior Court  
14 Apache County  
15 P.O. Box 365  
16 St. Johns, AZ 85936

**COPIES** of the Objection Notice and the  
Technical Report sent by first-class mail on  
July 30, 2019 to:

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

17 **COPIES** of the Objection Notice are  
18 being posted on ADWR's web site and  
19 sent by first-class mail on July 30, 2019  
20 to:

21 All parties on the court-approved mailing  
22 list for CV 6417, claimants in the LCR  
23 adjudication, and certain non-claimant  
24 water users in the Lower LCR  
25 subwatershed.

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

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

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**OBJECTION TO TECHNICAL  
REPORT CONCERNING CERTAIN  
WATER USES IN THE LOWER  
LITTLE COLORADO RIVER  
SUBWATERSHED**

(Special Master Susan Ward Harris)

**OBJECTOR**

Name (printed) \_\_\_\_\_

Mailing Address \_\_\_\_\_

\_\_\_\_\_

Telephone No. \_\_\_\_\_

Statement of Claimant No. (if filed) \_\_\_\_\_

**STATEMENT OF OBJECTION**

Please describe reasons for the objection below (or in a separate attachment) and complete the next page.

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**CERTIFICATE OF SERVICE**

On this \_\_\_\_ day of \_\_\_\_\_, 2019, I certify that the original Objection and two copies were sent by first class mail, or hand delivered, to:

**Via First Class Mail:**  
Clerk of the Superior Court  
Apache County  
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

If you mail your objection to the court, please allow additional time for mailing, so that your objection will be received by the court by **January 27, 2020**.

\_\_\_\_\_  
Signature of Objector or Representative

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

Name (printed)\_\_\_\_\_

Mailing Address\_\_\_\_\_

\_\_\_\_\_

Telephone Number\_\_\_\_\_