

APPENDIX X - PRESENT PERFECTED RIGHTS

1001 - United States "List of Present Perfected Right Claims" filed March 9, 1967, with Supreme Court

1002 - California's "List of Present Perfected Right Claims" filed March 9, 1967, with Supreme Court

1003 - Arizona's "List of Present Perfected Right Claims"

1004 - United States Proposed Stipulation submitted by Interior to Justice, April 12, 1973

1005 - Supreme Court Opinion and Supplemental Decree of January 9, 1979

1001

In the Supreme Court of the United States

OCTOBER TERM, 1966

No. 8, ORIGINAL

STATE OF ARIZONA, COMPLAINANT

v.

STATE OF CALIFORNIA, PALO VERDE IRRIGATION DISTRICT, IMPERIAL IRRIGATION DISTRICT, COACHELLA VALLEY COUNTY WATER DISTRICT, METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, CITY OF LOS ANGELES, CALIFORNIA, CITY OF SAN DIEGO, CALIFORNIA, AND COUNTY OF SAN DIEGO, CALIFORNIA, DEFENDANTS

THE UNITED STATES OF AMERICA AND STATE OF NEVADA, INTERVENERS

STATE OF UTAH AND STATE OF NEW MEXICO, IMPEADED DEFENDANTS

**LIST OF PRESENT PERFECTED RIGHTS CLAIMED BY THE
UNITED STATES**

Pursuant to Article VI of the Decree entered herein, 376 U.S. 340, as amended, 383 U.S. 268, we submit the list supplied by the Secretary of the Interior of the present perfected rights claimed by the United States within each state in the mainstream of the Colorado River. This list is in two parts:

(I) The further definition of the present perfected rights claimed for the federal establishments named in Article II, subdivision (D), paragraphs (1) through (6), such rights having been decreed in said Article II.

(II) Other present perfected rights claimed by the United States. These claims are made with respect to those irrigation projects which were authorized and undertaken by the United States under the federal reclamation laws prior to the effective date of the Boulder Canyon Project Act. Each of these claims is stated in the first instance in terms of diversions at Imperial Dam. While the diversion point for each of these projects pre-1929 was different from Imperial Dam, the diversion point is now that dam and appropriate adjustments of the quantities of water actually diverted and applied to beneficial use on the several projects before June 25, 1929, have been made to reflect the new diversion point.

UPDATING THE HOOVER DAM DOCUMENTS

I

Present perfected rights for Indian reservations in waters of the mainstream of the Colorado River

Indian Reservation	State	Present Perfected Rights ¹		
		Diversion Acre-Feet	Net Acres	Priority Date
Yuma	California . .	51,616	7,743	January 9, 1884.
Fort Mojave	Arizona . . .	27,969	4,327	September 18, 1890.
	... do ...	68,447	10,589	February 2, 1911.
	California . .	13,698	2,119	September 18, 1890.
	Nevada . . .	12,534	1,939	September 18, 1890.
Chemehuevi	California . .	11,340	1,900	February 2, 1907.
Cocopah	Arizona . . .	2,744	431	September 27, 1917.
Colorado River	... do ...	358,400	53,768	March 3, 1865.
	... do ...	252,016	37,808	November 22, 1873.
	... do ...	51,986	7,799	November 16, 1874.
	California . .	10,745	1,612	November 22, 1873.
	... do ...	40,241	6,037	November 16, 1874.
	... do ...	3,760	564	May 15, 1876.
		905,496	136,636	

¹According to the terms of the Decree, the quantity of water in each instance is measured by (i) diversions or (ii) consumptive use required for irrigation of the respective acreage, and for satisfaction of related uses, whichever of (i) or (ii) is less.

Present perfected rights for national recreation area in the waters of the mainstream of the Colorado River

	State	Present Perfected Rights	
		Diversion Acre-Feet	Priority Date
Lake Mead National Recreation Area (The Overton Area of Lake Mead N.R.A., provided in Executive Order 5105.)	Nevada . .	500	May 3, 1929 ¹

¹The Decree, Article II(D)(6) specifies a priority date of March 3, 1929. Executive Order 5105 is dated May 3, 1929 (see 3 C.F.R., 1964 Cumulative Pocket Supplement, page 276), and the Findings of Fact and Conclusions of Law of the Special Master use the date of May 3, 1929 (Special Master's Report, pp. 294-295). The date herein is therefore made May 3, 1929. The use of water under this claim is for domestic purposes. The estimated consumptive use is 300 acre-feet per annum.

II

Present perfected rights to water from the mainstream of the Colorado River for Federal reclamation projects

(1) The Reservation Division, Yuma Reclamation Project, California, exclusive of lands in the Yuma Indian Reservation, in annual quantities not to exceed

- (i) 39,561 acre-feet of diversions from the mainstream measured at Imperial Dam or
- (ii) the quantity of mainstream water necessary to supply the consumptive use required for the irrigation of 6,215 acres within the boundaries of the Reservation Division as of June 25, 1929, and the satisfaction of related uses,

whichever of (i) or (ii) is less, with a priority date of July 8, 1905.

- (2) The Yuma Auxiliary Project, Arizona, in annual quantities not to exceed

- (i) 6,801 acre-feet of diversions from the mainstream measured at Imperial Dam or
- (ii) the quantity of mainstream water necessary to supply the consumptive use required for the irrigation of 1,165 acres within the boundaries of the Yuma Auxiliary Project and 60 acres adjacent thereto, as of June 25, 1929, and for the satisfaction of related uses,

whichever of (i) or (ii) is less, with a priority date of July 8, 1905.

- (3) The North Gila Valley Unit, Yuma Mesa Division, Gila Reclamation Project, Arizona, in annual quantities not to exceed

- (i) 31,994 acre-feet of diversions from the mainstream measured at Imperial Dam, or
- (ii) the quantity of mainstream water necessary to supply the consumptive use required for the irrigation of 5,000 acres within the boundaries of the North Gila Valley Irrigation District as of June 25, 1929, and the satisfaction of related uses,

whichever of (i) or (ii) is less, with a priority date of July 8, 1905.

- (4) The Valley Division, Yuma Reclamation Project, Arizona, in annual quantities not to exceed

- (i) 299,852 acre-feet of diversions from the mainstream measured at Imperial Dam or
- (ii) the quantity of mainstream water necessary to supply the consumptive use required for the irrigation of 46,563 acres within the boundaries of the Valley Division as of June 25, 1929, and the satisfaction of related uses,

whichever of (i) or (ii) is less, with a priority date of October 23, 1890, so far as this date may be allowable under applicable law. Alternatively, priority dates of June 8, 1897, January 18, 1902, and July 8, 1905, are claimed.

Respectfully submitted.

THURGOOD MARSHALL,
Solicitor General.

MARCH 1967.

IN THE 1002
Supreme Court of the United States
 October Term 1966

No. 8 Original

STATE OF ARIZONA,	<i>Complainant,</i>
<i>vs.</i>	
STATE OF CALIFORNIA, PALO VERDE IRRIGATION DISTRICT, IMPERIAL IRRIGATION DISTRICT, COACHELLA VALLEY COUNTY WATER DISTRICT, THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, CITY OF LOS ANGELES, CITY OF SAN DIEGO, AND COUNTY OF SAN DIEGO,	
	<i>Defendants,</i>
UNITED STATES OF AMERICA and STATE OF NEVADA,	<i>Interveners,</i>
STATE OF NEW MEXICO and STATE OF UTAH,	<i>Impleaded Defendants.</i>

List of Present Perfected Rights in the State of California (Excluding Federal Establishments) Pursuant to Article VI of Decree.

Submitted by
 Defendant State of California

THOMAS C. LYNCH, <i>Attorney General,</i> State Building, Los Angeles, Calif. 90012	BURTON J. GINDLER, DAVID B. STANTON, <i>Deputy Attorneys General,</i> State Building, Los Angeles, Calif. 90012
NORTHCUTT ELY, <i>Special Assistant Attorney General,</i> Tower Building, Washington, D.C. 20005	C. EMERSON DUNCAN II, Esq., Tower Building, Washington, D.C. 20005
<i>Attorneys for Defendant State of California.</i>	

IN THE
Supreme Court of the United States

October Term 1966

No. 8 Original

STATE OF ARIZONA,

Complainant,

vs.

STATE OF CALIFORNIA, PALO VERDE IRRIGATION DISTRICT, IMPERIAL IRRIGATION DISTRICT, COACHELLA VALLEY COUNTY WATER DISTRICT, THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, CITY OF LOS ANGELES, CITY OF SAN DIEGO, AND COUNTY OF SAN DIEGO,

Defendants,

UNITED STATES OF AMERICA and STATE OF NEVADA,

Interveners,

STATE OF NEW MEXICO and STATE OF UTAH,
Impleaded Defendants.

List of Present Perfected Rights in the State of California (Excluding Federal Establishments) Pursuant to Article VI of Decree.

Submitted by
Defendant State of California

1. Defendant State of California does hereby "furnish to this Court and to the Secretary of the Interior" and to the States of Arizona and Nevada the following "list of the present perfected rights, with their claimed priority dates, in waters of the main stream" within the State of California, "in terms of consumptive use, except those relating to federal establishments" [Article VI of the decree entered herein on March 9, 1964 (376 U.S. 340. 351-52), as amended on February 28, 1966 (383 U.S. 286)]:

(1) <u>Defined Area of Land or Definite Municipal or Industrial Works</u>	(2) <u>Consumptive Use (acre-feet per annum)</u>	(3) <u>Priority Date</u>	(4) <u>Claimant(s)</u>
Within boundaries of Imperial Irrigation District	2,806,000	1895	Imperial Irrigation District
Within boundaries of Palo Verde Irrigation District	208,100	1877	Palo Verde Irrigation District
Yuma Project, Reservation Division, non-Indian portion (Bard Irrigation District): Entries and areas irrigated prior to June 25, 1929 ¹	21,162 ^{1a}	1905	Owners of individual entries and areas ¹
City of Needles, California Lots 1, 2, and 3, SE ¼ of SE ¼ and/or SE ¼ of NE ¼, Sec. 27, T.16S., R.22E., S.B.B.&M.	2,000 765.2	Early 1880's 1856	City of Needles, California Wavers, Edward M. Hutcheson, John E.
SW ¼, W ½ of SE ¼ in Sec. 1; NW ¼ of NW¼ of Sec. 12; all in T.9N., R.22E., S.B.B.&M.	550	1917	Stephenson, R. B. Olson, Henry

Portions of: Sections 5, 6, 7, and 8, T.7N., R.24E.; Sec. 1, T.7N., R.23E.; Sections 4, 5, 9, 10, 15, 22, 23, 25, 26, 35, and 36, T.8N., R.23E.; Sections 19, 29, 30, 32, and 33, T.9N., R.23E.; all S.B.B.&M.	273	Prior to 1896	Atchison, Topeka, and Santa Fe Railway Company
S $\frac{1}{2}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$; S $\frac{1}{2}$ of SE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$, all in (Description continued on p. 4)	88	1917	Bleiman, H. Doehring, P.C. Fortner, E. Harmon, B.E. Ruzicka, E.V. (Claimants continued on p. 4)

¹Identification of these entries and areas and of their current owners (ownerships change from time to time) appear in the official records of the Yuma Project office, Yuma, Arizona. Because this information is a part of those official public records of the Government, the State of California does not consider it necessary to burden this list nor any supplemental decree that follows with identification of the several hundred entries, areas, and persons involved.

^{1a}This consumptive use figure results in a diversion requirement of not less than 42,325 acre feet per annum.

(1) Defined Area of Land or Definite Municipal or Industrial Works	(2) Consumptive Use (acre-feet per annum)	(3) Priority Date	(4) Claimant(s)
Sec. 10, T.1S., R.24E., S.B.B.&M.			Ruzicka, S.O. Ruzicka, V.S. Suffdy, C. Walsh, D. Zoff, H.G.
Lots 1 and 2, Sec. 19, T.13S., R.23E., S.B.B.&M., and Lots 2, 3, and 4 of Sec. 24, T.13S., R.22E., S.B.B.&M.	66	1893	Mendivil, B.E. Pat Mines Inc. Young, R.J. & O.
NW ¼ of SE ¼, S ½ of SE ¼, Sec. 24, and NW ¼ of NE ¼, Sec. 25, all in T.9S., R.21E., S.B.B.&M.	66	1928	Grannis, Gladys W.
Lot 6, Sec. 5; Lots 1 and 2, SW ¼ of NE ¼, NE ¼ of SE ¼, (Description continued below)	55	1913	Morgan, J.P.

Sec. 8; Lots 1 and 2, Sec. 9;
all in T.13S., R.22E.,
S.B.B.&M.

W $\frac{1}{2}$ of NE $\frac{1}{4}$, E $\frac{1}{2}$
of NW $\frac{1}{4}$, Sec. 14,
T.10S., R.21E., S.B.B.&M.

N $\frac{1}{2}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$
of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of
SE $\frac{1}{4}$, Sec. 30, T.9N.,
R.23E., S.B.B.&M.

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of
Sec. 5, SE $\frac{1}{4}$ of NE $\frac{1}{4}$,
Sec. 6, and Lot 9,
Sec. 6, all in T.9S.,
R.22E., S.B.B.&M.

E $\frac{1}{2}$ of NW $\frac{1}{4}$, and
N $\frac{1}{2}$ of SW $\frac{1}{4}$, Sec. 12,
T.9N., R.22E., S.B.B.&M.

40

1918

Milpitas Cattle Co., Inc.

40

1889

Simons, Helen E.
Simons, Irene O.
Simons, James A.
Simons, Leslie H.
Simons, Stefan H.
Sullivan, Lena
Williams, Rita M.

39.6

1912

Fewell, Archie V. and
Grace

35.2

1921

Colorado River
Sportmen's League, Inc.

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APPENDIX X

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(1) Defined Area of Land or Definite Municipal or Industrial Works	(2) Consumptive Use (acre-feet per annum)	(3) Priority Date	(4) Claimant(s)
E ½ of NW ¼, Sec. 1, T.10S., R.21E., S.B.B.&M.	25.3	1914	Milpitas Cattle Co., Inc
S ½ of SW ¼, Sec. 12, T.9N., R.22E., S.B.B.&M.	24.2	1921	Andrade, A.D. & D.L. Baldwin, K.L. & J.A. Brown, J.D. & Barbara Collett, Charles & Faye Craig, R.L. Daniel, D.B. & F.D. Gibson, F.E. & M.E. Hazelwood, B.A. & F. Jones, J.P. & E.R. Lindeman, W.H. McShan, F.B. & M.L. Schroeder, W.G. & C.D. Seale, R.A. & H.L. Sherman, C.C. & M.T. Sieggers, A.F. & M.N. Tyler, B.L. Van Alstine, H. & R.
(Claimants continued below)			

			Walton, A. West, G.J. Wetmore, K.C. & J.C. Wetmore, M. Xander, E.J.
Lots 2, 3, and 7 and NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 19, T.9N., R.23E., S.B.B.&M.	23.1	1904	Reynolds, Earl W. Simons, Irene O. Skinner, Otto
NE $\frac{1}{4}$ of NE $\frac{1}{4}$, W $\frac{1}{2}$ of NE $\frac{1}{4}$, and NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 18, T.15S., R.24E., S.B.B.&M.	23.1	1928	Bosworth, Ralph Burr, Barbara Burr, Robert Clark, C.W. Clark, Ronnie W. Lakeview Development Co.
N $\frac{1}{2}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 24, T.9N., R.22E., S.B.B.&M.	22	1905	Cooper, B.B. Dickson, B.J. Gilmore, A.E. & F.E. Lind, W.P. Lind, P.H. Long, Geo. Matwick, Joe McShan, B. (Claimants continued on p. 8)

(1) Defined Area of Land or Definite Municipal or Industrial Works	(2) Consumptive Use (acre-feet per annum)	(3) Priority Date	(4) Claimant(s)
Portions of unsurveyed Sections 1 and 12, T.2S., R.23E., S.B.B.&M.	10	Prior to 1912	Monroe, Dr. Jack Norris, O.H. Richardson, R.E. Stuckey's Walton, Jerry Desert View Mines, Inc.
Portions of unsurveyed Sections 6 and 7, T.2S., R.24E., S.B.B.&M.			
Portion of Sec. 31, T.1S., R.24E., S.B.B.&M.			
Undivided $\frac{1}{8}$ interest in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 23, T.16S., R.22E., S.B.B.&M.	_____	1884 ^s	Rosamond De Corse

Undivided $\frac{1}{4}$
interest in SE $\frac{1}{4}$
of NW $\frac{1}{4}$ of NW $\frac{1}{4}$,
Sec. 23, T.16S.,
R.22E., S.B.B.&M.

_____²

1884³

Rosamond
De Corse

NW $\frac{1}{4}$ of SW $\frac{1}{4}$
of NE $\frac{1}{4}$, Sec. 20;
SW $\frac{1}{4}$ of NW $\frac{1}{4}$
of SW $\frac{1}{4}$ and SE $\frac{1}{4}$,
of SE $\frac{1}{4}$ of NW $\frac{1}{4}$,
both in Sec. 23; all
in T.16S., R.22E.,
S.B.B.&M.

_____²

1884³

Rosamond
De Corse

Beginning at an established survey
marker at the southeast corner of
section 24 in township 16 south of
range 22 east of San Bernardino
(Description continued on p. 10).

_____⁴

1884⁵

Church of Jesus Christ
of Latter Day Saints

²Aliquot share of the present perfected right of the Yuma Indian Reservation; said right will be presented in the list submitted by the United States pursuant to Article VI of the decree.

³See Article II(D)(3) of decree.

⁴Note 2, *supra*.

⁵Note 3, *supra*.

(1) Defined Area of Land or Definite Municipal or Industrial Works	(2) Consumptive Use (acre-feet per annum)	(3) Priority Date	(4) Claimant(s)
Base and Meridian, California, thence north 0° 26' west a distance of 2647.67 feet to the east ¼ corner of said section 24, thence south 89°43'30" west a distance of 2419.2 feet to the southeast corner of subject property and point of beginning; thence from said initial point, by metes and bounds, North 0°44'15" east 208.7 feet, South 89°43'30" west 208.7 feet, South 0°44'15" west 208.7 feet, North 89°43'30" east 208.7 feet to the point of beginning, containing one acre, more or less, together with all the improvements thereon and the appurtenances thereunto belonging.			

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2. The United States, in reporting consumptive use of main stream water as required by Article V(B) of the decree, has failed to give diverters of main stream water in the State of California what we contend to be proper credit for all return flows. Therefore, this list of present perfected rights in California is submitted without prejudice to adjustment upward of California's figures should the Government's position be partially or wholly sustained.

3. It has not been possible to determine whether certain persons pumping ground water within the natural Colorado River drainage basin were, prior to June 25, 1929, or are now in fact using main stream water accountable under the decree or using tributary water not covered by the decree. Whenever this uncertainty is resolved, either by stipulation of the parties to this suit or by the Court, the State of California may add to or delete from the foregoing list during the pendency of the present proceedings under Article VI. This list is submitted without prejudice thereto.

Dated: March 9, 1967.

Respectfully submitted,

THOMAS C. LYNCH,
Attorney General,
NORTHCUTT ELY,
Special Assistant
Attorney General,

BURTON J. GINDLER,
DAVID B. STANTON,
Deputy Attorneys General,

C. EMERSON DUNCAN II, ESQ.,
Attorneys for Defendant State of California.

UPDATING THE HOOVER DAM DOCUMENTS

Service of the within and receipt of a copy
thereof is hereby admitted this.....day
of March, A.D. 1967.

1003

IN THE

Supreme Court of the United States

October Term, 1966

STATE OF ARIZONA,

Complainant,

vs.

STATE OF CALIFORNIA, PALO VERDE
IRRIGATION DISTRICT, IMPERIAL
IRRIGATION DISTRICT, COACHELLA
VALLEY COUNTY WATER DISTRICT, THE
METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA, CITY OF LOS
ANGELES, CITY OF SAN DIEGO, AND
COUNTY OF SAN DIEGO,

Defendants,

UNITED STATES OF AMERICA and STATE
OF NEVADA

Interveners,

STATE OF NEW MEXICO and STATE OF UTAH,

Impleaded Defendants.

COMES NOW the Complainant, State of Arizona,
and pursuant to Sec. VI of the Decree in *Arizona v.*
California, et al, and the Order of the Court extend-
ing the time for the submission of claims of Present
Perfected Rights to March 9, 1967, and submits the

UPDATING THE HOOVER DAM DOCUMENTS

THESE PAGES NOT REPRODUCED:

PAGES 3 THROUGH 68 PERTAINING TO YUMA PROJECT,
VALLEY DIVISION;

PAGES 69 AND 70 PERTAINING TO YUMA AUXILIARY PROJECT;

PAGES 71 AND 72 PERTAINING TO NORTH GILA VALLEY IRRIGATION
DISTRICT;

PAGES 99 THROUGH 108, IDENTIFIED AS APPENDIX A AND
EXHIBIT B, RESPECTIVELY, PERTAINING TO LEGAL
DESCRIPTION OF BOUNDARIES OF YUMA AUXILIARY
PROJECT, AND LEGAL DESCRIPTION OF DEFINED
AREA OF LAND IN NORTH GILA VALLEY
IRRIGATION DISTRICT.

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following as its list of present perfected rights, together with claimed priority dates, in waters of the mainstream in terms of consumptive use.

Yuma Project — Valley Division	279,378 A.F.
Yuma Project — Unit B	7,350 A.F.
North Gila Valley Irrigation District	31,840 A.F.
Cibola Valley	27,706 A.F.
Miscellaneous Claimants	45,084.52 A.F.
Supplemental Claim	8,000 A.F.
TOTAL	399,358.52 A.F.

Schedules of the several claims follow.

Respectfully submitted,
O. M. TRASK
Chief Counsel

RALPH HUNSAKER
Associate Counsel
State of Arizona
Arizona Interstate
Stream Commission
112 North Central Avenue
Phoenix, Arizona

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CIBOLA VALLEY

“Present Perfected Rights” for the annual consumptive use of 27,706 acre feet of water on the lands in the Cibola Valley, consisting of 4,763.66 acres of land are claimed.

The priority dates are listed for each defined area of land.

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
1. 320 acres described as follows: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7, T1S, R23W NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18, T1S, R23W S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 12, T1S, R24W SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T1S, R24W N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 13, T1S, R24W NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, T1S, R24W (Claimant: Ethel B. Alexander)	1920	11/11/1899
2. 155 acres described as follows: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6, T1S, R23W S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T1S, R23W SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T1S, R23W E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T1S, R23W SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6, T1S, R23W SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T1S, R24W NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1, T1S, R24W (Claimant: W. R. and R. D. Anderson)	930	March 8, 1911

<u>Defined Area of Land or Definite Municipal or Industrial Works</u>	<u>Consumptive Use (acre-feet per annum)</u>	<u>Priority Dates</u>
3. Parcel One: 160 acres described as follows: S½ SW¼ Sec. 6, T1S, R23W N½ NW¼ Sec. 7, T1S, R23W	960	July 10, 1910
Parcel Two: 80 acres described as follows: SE¼ NW¼ Sec. 7, T1S, R23W SW¼ NE¼ Sec. 7, T1S, R23W	480	November 2, 1904
Parcel Three: 80 acres described as follows: SE¼ SE¼ Sec. 29, T1N, R23W NE¼ NE¼ Sec. 32, T1N, R23W (Claimant: Beaver Land Company, Inc.)	480	June 6, 1906
4. 160 acres described as follows: S½ SE¼ Sec. 1, T1S, R24W N½ NE¼ Sec. 12, T1S, R24W (Claimant: Alfred F. Bishop, Louis C. Bishop, Opal I. Ross and Frieda M. Thixton)	480	January 1, 1912

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
5. 10 acres described as follows: SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T1S, R24W (Claimant: Louis C. Bishop)	60	December 1908
6. Parcel One for 160 acres described as follows: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, T1S, R23W W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 30, T1S, R23W NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30 T1S, R23W Parcel Two, 160 acres described as follows: N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 12, T1S, R24W S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 1, T1S, R24W (Claimant: Robert H. Bishop)	480 960	October 23, 1916 December 20, 1911
7. Parcel One: 150 acres described as follows: S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 30, T1S, R23W SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T1S, R24W W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T1S, R24W NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T1S, R24W	900	December 1908

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
Parcel Two: 140 acres described as follows: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, T1S, R24W S$\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 13, T1S, R24W N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, T1S, R24W	840	1899
Parcel Three: 20 acres described as follows: N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, T1S, R24W	120	November 1900
Parcel Four: 80 acres described as follows: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, T1S, R23W E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 30, T1S, R23W (Claimant: Robert H. Bishop and Zetta Bishop)	560	June 28, 1917
8. 75 acres described as follows: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19, T1S, R23W S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, T1S, R23W NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, T1S, R23W W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, T1S, R23W (Claimant: Zetta Bishop)	450	April 13, 1905

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
9. 45 acres described as follows: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20, T1N, R23W That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 20, T1N, R23W lying South of the Colorado River. (Claimant: Emma Crews)	270* *Plus 500 gallons per day for domestic use.	April 3, 1912
10. 5 acres described as follows: N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T1S, R23W (Claimant: W. L. Chrismer and D. R. Chrismer)	30	March 8, 1911
11. 20 plus acres described as follows: W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, T1N, R23W The East 611' of the West 661' of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 21, T1N, R23W lying South of the Colorado River. (Claimant: Cibola Development Company, Inc.)	122	April 3, 1912

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
12. 10 acres described as follows: NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, T1N, R23W (Claimant: Lavequetta Davis)	60	June 6, 1906
13. 40 acres described as follows: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, T1N, R23W (Claimant: Desert Ginning Company)	240	November 29, 1899
14. 40 acres described as follows: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18, T1S, R23W (Claimant: F. F. Evenson)	90	June 11, 1918
15. 10 acres described as follows: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6, T1S, R23W (Claimant: Kathleen Fitzgerald)	60	November 25, 1912
16. 160 acres described as follows: S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 7, T2S, R23W N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 18, T2S, R23W (Claimant: Joe B. Forehand)	960	February 1896

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
17. 280 acres described as follows: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, T1S, R23W N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 6, T1S, R23W NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T1S, R23W S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 32, T1N, R23W SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, T1N, R23W (Claimant: Charles Hart)	1680	November 29, 1899
18. 113.27 acres described as follows: Lot 3 Sec. 26, T1S, R24W Lot 4 Sec. 26, T1S, R24W Lot 1 Sec. 35, T1S, R24W (Claimant: Sophia V. Hollody, Mary Rogers, and Wallace H. Pike)	680	March 9, 1912
19. 40 acres described as follows: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, T2S, R23W (Claimant: Ralph J. Machado and Joaquin Machado)	240	February 15, 1913

<u>Defined Area of Land or Definite Municipal or Industrial Works</u>	<u>Consumptive Use (acre-feet per annum)</u>	<u>Priority Dates</u>
20. One and a half acres described as follows: The West 50' of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 21, T1N, R23W lying South of the Colorado River. (Claimant: Siles Max Mason)	9	April 3, 1912
21. 160 acres described as follows: S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 30, T1S, R23W N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 31, T1S, R23W (Claimant: Clyde L. Moore, Lynn V. Moore and Dean H. Moore)	960	November 10, 1911
22. 80 acres described as follows: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, T1S, R23W SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, T1S, R23W (Claimant: J. L. Myers)	480	April 13, 1905
23. Parcel One: 80 acres described as follows: N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 12, T1S, R24W	480	June 6, 1906
Parcel Two: 40 acres described as follows: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7, T1S, R23W	240	June 6, 1906

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
Parcel Three: 80 acres described as follows: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7, T1S, R23W NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, T1S, R23W (Claimant: John H. Peters, Nall Peters, and Chester A. Peters)	480	November 2, 1904
24. 150 acres described as follows: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T1N, R23W E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, T1N, R23W SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, T1N, R23W NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, T1N, R23W NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, T1N, R23W (Claimant: June Bailey Pilcher)	900	June 6, 1906
25. 173.89 acres described as follows: Lot 3 Sec. 23, T1S, R24W Lot 4 Sec. 23, T1S, R24W E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 23, T1S, R24W (Claimant: William W. Rogers and Ralph A. Blair)	1044	November 2, 1904

<u>Defined Area of Land or Definite Municipal or Industrial Works</u>	<u>Consumptive Use (acre-feet per annum)</u>	<u>Priority Dates</u>
26. Parcel One: 20 plus acres described as follows: E½ NW ¼ SW¼ Sec. 21 T1N, R23W The East 300' of the SW¼ NW¼ of Sec. 21, T1N, R23W lying South of the Colorado River.	121	April 13, 1912
Parcel Two: 160 acres described as follows: S½ SW¼ Sec. 21, T1N, R23W N½ NW¼ Sec. 28, T1N, R23W	960	October 3, 1912
Parcel Three: 160 acres described as follows: S½ NW¼ Sec. 28, T1N, R23W N½ SW¼ Sec. 28, T1N, R23W	960	April 22, 1912
Parcel Four: 90 acres described as follows: NW¼ NW¼ Sec. 13, T9S, R21E of the San Bernardino Base & Meridian. That portion of the SW¼ SW¼ of Sec. 12, T9S, R21E of the San Bernardino Base & Meridian, lying South of the Colorado River.	540	February 28, 1919

<u>Defined Area of Land or Definite Municipal or Industrial Works</u>	<u>Consumptive Use (acre-feet per annum)</u>	<u>Priority Dates</u>
That portion of the NE ¹ / ₄ NE ¹ / ₄ of Sec. 14, T9S, R21E of the San Bernardino Base & Meridian, lying East of the Colorado River.		
Parcel Five: 10 acres described as follows: That portion of the SE ¹ / ₄ SW ¹ / ₄ of Sec. 12, T9S, R21E of the San Bernardino Base & Meridian, lying South of the Colorado River.	60	June 10, 1910
Parcel Six: 105 acres described as follows: E ¹ / ₂ NE ¹ / ₄ Sec. 13, T9S, R21E of the San Bernardino Base & Meridian. That portion of the NW ¹ / ₄ NE ¹ / ₄ of Sec. 13, T9S, R21E of the San Bernardino Base & Meridian, lying West of the U.S.A. right of way for the Cibola Channelization Project. (Claimant: Wayne Sprawls and Audrey Sprawls)	630	May 2, 1914

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
27. 320 acres described as follows: SW$\frac{1}{4}$ SW$\frac{1}{4}$ Sec. 18, T1S, R23W NW$\frac{1}{4}$ NW$\frac{1}{4}$ Sec. 19, T1S, R23W SE$\frac{1}{4}$ SW$\frac{1}{4}$ Sec. 13, T1S, R24W S$\frac{1}{2}$ SE$\frac{1}{4}$ Sec. 13, T1S, R24W NE$\frac{1}{4}$ NW$\frac{1}{4}$ Sec. 24, T1S, R24W N$\frac{1}{2}$ NE$\frac{1}{4}$ Sec. 24, T1S, R24W (Claimant: Norman L. White)	1920	June 6, 1906
28. 160 acres described as follows: SE$\frac{1}{4}$ NE$\frac{1}{4}$ Sec. 32, T1N, R23W W$\frac{1}{2}$ NW$\frac{1}{4}$ Sec. 33, T1N, R23W NW$\frac{1}{4}$ SW$\frac{1}{4}$ Sec. 33, T1N, R23W SW$\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T1N, R23W (Claimant: Willauer Investment Company)	960	December 6, 1911

<u>Defined Area of Land or Definite Municipal or Industrial Works</u>	<u>Consumptive Use (acre-feet per annum)</u>	<u>Priority Dates</u>
29. 320 acres described as follows: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18, T1S, R23W NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, T1S, R23W S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 13, T1S, R24W N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 13, T1S, R24W SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, T1S, R24W NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, T1S, R24W (Claimant: T. V. Wissman and E. E. Wissman)	1920	November 29, 1899
30. Parcel One: 80 acres described as follows: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, T1S, R24W SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, T1S, R24W Parcel Two: 80 acres described as follows: SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, T1S, R24W SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7, T1S, R23W (Claimant: A. C. Woodward)	480 480	June 6, 1906 June 6, 1906
31. 5 acres described as follows: E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, T1S, R23W (Claimant: J. A. Woods and M. A. Woods)	30	April 13, 1905

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MISCELLANEOUS CLAIMANTS

“Present Perfected Rights” to 45,084.52 acre feet of water on the lands described hereinafter with the priority dates as set forth, for Miscellaneous users in the State of Arizona.

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
1. 640 acres described as follows: S½ Sec. 29; Sec. 30 T16S R22E and portions of N½ of Sec. 25 T16S R21E. San Bernardino Meridian, Yuma County, Arizona. (Claimant: William S. Powers, Estate of Albert Powers and Estate of Joseph F. Powers.)	3,200 AF	1915
2. Lots 3 and 5, Sec. 33 T11NR18W, G&SRB&M (Claimant: Arthur Daniels)	50 AF	1921
3. Lot 2 Sec. 15 T10N R19W Lots 1, 2, 3 Sec. 22 T10N, R 19 W G&SRB&M (Claimant: A. E. Graham)	420 AF	1910

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
4. 181 acres described as follows: All that part of the East half (E½) of Section Seventeen (17) Township Eight (8) South, Range Twenty-two (22) West of the Gila and Salt River Base and Meridian, lying North and West of the Colorado River according to Survey made by J. W. Scott, Registered Land Surveyor, dated April 1963; EXCEPTING THEREFROM that portion there- of taken by The United States of America on Declaration of Taking in Civil Action No. 1727- Phoenix, in the District Court of the United States in and for the District of Arizona, de- scribed as Parcel No. 2 in Judgment on Declara- tion of Taking recorded February 29, 1952 in Docket 50, page 519, records of Yuma County, Arizona; and	1086 AF	July 10, 1905

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
‘EXCEPTING THEREFROM that portion there- of conveyed to Southern Pacific Pipe Lines, Inc., a Delaware Corporation by Warranty Deed recorded February 16, 1956 in Docket 157, page 407, records of Yuma County, Arizona, more particularly described as follows: COMMENCING at the Southwest corner of said Section 17; thence North 0°10½’ West along the West line of Section 17, a distance of 2357.2 feet; thence North 68°09’ East, 2321 feet; thence North 53°49’ East, 1029 feet; thence North 69°29’ East, 1823 feet; thence South 64°54’ East, 165 feet to the point of beginning at the West edge of the Colorado River; thence South 25°06’ West, 100 feet; thence North 64°54’ West 420 feet; thence North 25°06’ East 200 feet; thence South 64°54’ East, 420 feet;		

**Defined Area of Land or Definite
Municipal or Industrial Works****Consumptive Use
(acre-feet per annum)****Priority
Dates**

thence South 25°06' West, 100 feet to the point of beginning.

That certain State Lease of approximately 73 acres located in the Southeast quarter of Section 8, Township 8 South, Range 22 West of the Gila & Salt River Base & Meridian, Yuma County, Arizona, and more particularly described in said Lease No. A-1795 with the State Land Department of the State of Arizona.

The West half of the Southwest Quarter of Section 9, Township 8 South, Range 22 West of the Gila and Salt River Meridian, Yuma County, Arizona, excepting about 10 acres, more or less, which lie East of the East bank of the Colorado River.

(Claimant: Joe Tudor and Fred Gleason)

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
5. Secs. 1, 2, 13, 14 and 15, Lots 3, 4, and 5 of Sec. 3, T18N R22W; Lots 1, 2, 3 and 4 of E½ of W½ of Sec. 7, T18N, R21W G&SRB&M (Claimant: David W. Hulet and Alice Hulet)	10,404 AF	January 31, 1902 April 24, 1902 September 24, 1902
6. 929.48 acres described as follows: Sec. 11, Lots 1, 2, 3 and 4 and E½ of SE¼, Sec. 15, T18N R22W (Claimant: J. L. Hurschler and Flora Hurschler)	5,576.88 AF	January 31, 1902 April 24, 1902 Sept. 24, 1902
7. Portion of Sec. 9; All of Sec. 11; W½, N½ NE¼ of Sec. 13; and Portion of Sec. 15. T17N R22W. All of Sec. 7; N½ of Sec. 17; N½ SE¼ of Sec. 17 and SW¼ SE¼ of Sec. 17 T17N R21W. (Claimant: B. O. Miller, Agnes Hale Rindge and The Hollingsworth Corporation)	19,608 AF	1902

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
8. Part of Lot 3, Sec. 21T 11NR18W beg. 250's of NE Cor W 869 to River, N 100' E869' to E line, S 100' to beg. less .16 a hwy r/w (Claimant: Doyle Croft and Mary Croft)	12 AF	1910
9. Secs. 1, 11 and 15, T10N R19W, G&SRB&M Lot 1 Sec. 21T; 10N, R19W G&SRB&M (Claimant: Nellie T. Bush and Joseph E. Bush)	107.52	1894 1904 1916
10. Town of Parker	Aliquot share of the perfected rights of the Colorado River Indian Reservation with the same priority date as the right of said reser- vation as said right will be presented by the United States pursuant to Article VI of the decree of Arizona v. California.	
11. City of Yuma	800 AF	March 1, 1893

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
12. 320 acres described as follows: SE ¹ / ₄ NW ¹ / ₄ , SW ¹ / ₄ SE ¹ / ₄ , N ¹ / ₂ SE ¹ / ₄ , and NE ¹ / ₄ , all in Section 17, Township 17 North, Range 21 West, Gila and Salt River Base and Meridian, Mohave County, Arizona. In addition, in 1957 the Commission purchased easements for a canal from the Colorado River in the above described lands, and partly constructed much of the canal. Easements for the canal are located to wit: N. 60' Lot 1, E. 60' W ¹ / ₂ and N. 60' of S. 120' SE ¹ / ₄ , Section 7; and N. 60' NW ¹ / ₄ and W. 40' of NE ¹ / ₄ NW ¹ / ₄ , Section 17, Township 17 North, Range 21 West. E. 60' Section 25; N. 60' Section 25; S. 60' Section 23; N. 60' Section 27; and that portion of S. 60' of Section 21 lying east of and bounded on the west by the Colorado River, Township 18 North, Range 22 West. W. 60' Section 31, Township 18 North, Range 31	1920 AF	1902

Defined Area of Land or Definite Municipal or Industrial Works	Consumptive Use (acre-feet per annum)	Priority Dates
West. E. 60' Section 1, Township 17 North, Range 22 West. (Claimant: Arizona Game and Fish Department for Topock Wildlife Area)	887 AF	1925
13. A. Lots 1, 2, and 3 Sec. 1 T2S R24W GSRB&M (118.21 Acres) Lot 7 Sec. 6 T2S R23W (29.58 acres)	218 AF	1920
B. Lot 6 Sec. 6 T2S R23W (36.36 acres) (Claimant: Arizona Game and Fish Department for Cibola Wildlife Area)		

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SUPPLEMENTAL CLAIM

A Supplemental Claim to 8,000 acre feet of water is also presented on the defined area of land as described. Attention is called to the caveat referring to such claim.

IV. SUPPLEMENTAL CLAIM

Defined Area of Land or Definite Municipal or Industrial Works (as of June 25, 1929)	Consumptive Use (acre-feet per annum)	Priority Dates
Land formerly in California but now in Arizona in Township 5 S., Range 23 and 24 E., Township 6 S., R. 22, 23 and 24 E., Township 7 S., R. 22 and 23 E., and Township 8 S., R. 23 E., San Bernardino Meridian Claimat: (FORREST C. CLAYTON and HELEN CLAYTON, husband and wife, RALPH W. CLAYTON and DEBORAH CLAYTON, husband and wife, and LORRAINE B. CLAYPOOL, formerly LORRAINE B. CLAYTON, wife of JOHN W. CLAYPOOL [Caveat: This land was once in California and now is asserted to be located in Arizona. Because of the uncertainty involved the claim is listed as submitted and further verification will be obtained]	8,000 Acre Feet	1883

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United States Department of the Interior

BUREAU OF RECLAMATION
WASHINGTON, D.C. 20240

APR 12 1973

In Reply Refer To:
400/875.

Dear Mr. Griswold:

Enclosed is a draft of a proposed stipulation that has been informally prepared with participation by all the parties in *Arizona v. California*, 373 U. S. 546 (1963). If adopted by the Court, it would climax approximately 9 years of efforts to reach agreement on present perfected rights under Article VI of the Supreme Court Decree of March 9, 1964.

Articles I(G) and (H) of the Decree provide as follows:

(G) "Perfectured right" means a water right acquired in accordance with State law, which right has been exercised by the actual diversion of a specific quantity of water that has been applied to a defined area of land or to definite municipal or industrial works, and in addition shall include water rights created by the reservation of mainstream water for the use of Federal establishments under Federal law whether or not the water has been applied to beneficial use;

(H) "Present perfected rights" means perfected rights, as here defined, existing as of June 25, 1929, the effective date of the Boulder Canyon Project Act;

Present perfected rights of Federal establishments, as listed in Article II(D) of the Decree, include dual limitations on the quantities of water; i.e., (i) the quantities of diversions from the mainstream, or (ii) the quantities of mainstream water necessary to supply the consumptive use required for irrigation of a defined area of land, whichever of (i) or (ii) is less. In

Ltr. to: Mr. Erwin N. Griswold, Subj: Present Perfected Rights

all instances, the Federal establishments listed in Article II(D) are located so that nearly all the diverted water not consumptively used returns to the river at locations where it is available for consumptive use in the United States or for satisfying the Mexican Treaty obligation. There is some time lag on return flows and the sources are sometimes difficult to identify. Nevertheless, the concept of a dual limitation can be administered reasonably well for the Federal establishments along the mainstream.

In attempting to reach agreement among the parties in *Arizona v. California* on a stipulation of present perfected rights under Article VI of the Decree, it was emphasized by them that the major irrigation claimants occupy distinctly different hydrological positions as related to return flows to the Colorado River. Except for Palo Verde Irrigation District, any measurements of return flows would be highly inaccurate and impracticable in terms of expressing consumptive use as defined in the Decree. In brief, the various districts' hydrological positions are as follows:

Palo Verde Irrigation District - is immediately adjacent to the Colorado River and essentially all of its diversions not consumed in plant growth or lost by evaporation return eventually to the Colorado River or contribute to stabilization of ground waters. As the ground water is now fairly stable, there is little ground-water movement to the river. From a practical standpoint nearly all of the district's return flow can be measured as surface flows in drains.

Valley Division, Yuma Project - is immediately adjacent to the Colorado River and essentially all of its diversions not consumed in plant development or lost by evaporation return to the Colorado River. However, those return flows are intermixed with return flows from the Yuma Mesa Irrigation and Drainage District and from the Yuma Auxiliary Project. Some return flow is to the river above Mexico's point of diversion at Morelos Dam. Other return flow reaches the river in the limitrophe section. Still other return flow is delivered to Mexico at the boundary pumping plant under informal arrangements not covered by the treaty with Mexico or by contract between Mexico and the Yuma County Water Users' Association.

Ltr. to: Mr. Erwin N. Griswold, Subj: Present Perfected Rights

Finally, some return flow from diverted waters crosses the international boundary to Mexico in the ground-water aquifer. This quantity will vary depending on the amount of ground-water pumping in the United States and in Mexico.

Yuma Auxiliary Project - diversions from Imperial Dam are routed through the Gila Gravity Main Canal and the main conveyance system of the Yuma Mesa Irrigation and Drainage District before reaching Yuma Auxiliary Project main canal and lands. Operational losses are apportioned among some five irrigation districts which use all or a part of these facilities. After delivery to farms, water not otherwise consumed percolates into a ground-water mound under the Yuma Mesa. Part of this mound flows eastward into permanent storage; part flows southward in the ground-water aquifer across the international boundary into Mexico; part is pumped and reused by private landowners on the Yuma Mesa; and part flows westward, along with unidentified Yuma Mesa Irrigation and Drainage District ground waters into the Yuma Valley where it is further intermixed with Valley Division return flow before being picked up by pumps or open drains; additionally, some flows northward to the South Gila Valley. There is a great time lag before return flow reaches the river, and it is not possible to accurately separate this district's return flow from that of other districts.

Imperial Irrigation District - the only return flow to the Colorado River is seepage from the approximately 14-mile section of the All-American Canal between Imperial Dam and Pilot Knob Wasteway. All other return flow is to the Salton Sink and not to the Colorado River. From a Decree standpoint, "consumptive use" as defined in Article I(A) is essentially equal to diversions.

Reservation Division, Yuma Project, California (Non-Indian portion - return flow from non-Indian lands is so intermixed with return flow from the All-American Canal that it is difficult to identify accurately the source.

Ltr. to Mr. Erwin N. Griswold, Subj: Present Perfected Rights

As evapotranspiration for any given crop is essentially the same on all of these projects, the most practical and equitable way to evaluate "reasonable use" is to relate it to diversions. Moreover, the only practical control of reasonable use is by controlling day-to-day diversions. For irrigation this can be accomplished through a system of water scheduling based upon the timing and amounts of water required to replenish the depleted moisture in the plant root zone plus such additional water as required for (1) leaching so as to maintain salt balance and/or (2) to attain a reasonable irrigation efficiency. Part 417 of 43 Code of Federal Regulations contains departmental instructions whereby determinations may be made annually as to the quantity of water reasonably required for beneficial use by each contractor for Colorado River water.

To assure uniform consideration among the claimants of present perfected rights under Article VI of the Decree and as a basis of reaching agreement, the claims based on irrigation have been described in the proposed stipulation in terms of diversion rights.

The claims based on domestic, municipal, and industrial uses and listed in the proposed stipulation are located physically along the river similar to the Federal establishments listed in Article II of the Decree, and are described with the same dual limitations.

The Federal establishments listed in Article II(D) included a number of Indian reservations. The Solicitor's office of this Department has expressed the opinion that while irrigation has been used to quantify the water rights for these reservations, the Indians' use of the water on the reservation is not limited to irrigation. In fact, many of the tribes plan to use the water for domestic, municipal, industrial, and recreational uses. Therefore, the dual limitations for these reservations and for the domestic, municipal, and industrial uses in the proposed stipulation are consistent.

For convenient reference there is attached a tabulation comparing the rights claimed under Article VI by Arizona, California, and the United States when claims were filed with the Court in 1967, and the rights to which the parties are now prepared to stipulate.

Ltr. to: Mr. Erwin N. Griswold, Subj: Present Perfected Rights

The sum of the proposed stipulation claims, even though the irrigation claims are expressed in terms of diversions, is approximately 300,000 acre-feet per annum less than the claims filed by Arizona and California which were expressed as consumptive use.

The draft stipulation of settlement and a draft of this letter have been reviewed by parties to the suit and by representatives of the five Indian tribes holding present perfected rights under Article II of the Decree. Mr. Frederic L. Kirgis, as attorney for the Colorado River Indian tribe, has approved the drafts subject to the addition of the last paragraph of the proposed stipulation. Mr. Mark Schaffer, attorney for the Chemehuevi tribe also has approved the drafts. In a meeting in Washington, D. C. on February 26 with representatives of the Confederation of Indian Tribes of the Colorado River, Mr. Raymond Simpson, attorney for the Mohave tribe, advised that the Confederation is requesting the Secretary of the Interior to support an up-to-date survey of the resources of all five reservations to determine whether the acreages and related water rights listed in Article II are factual. We also would hope to resolve the reservation boundary questions in the reasonably near future. Initial allocations of funds have been made available to the tribes for these purposes. As soon as you have had an opportunity to review the enclosed material, representatives of the tribes and this Department would like to meet with you to review any ultimate draft of stipulation prior to its submittal to the Court. The Confederation specifically requested that this paragraph be included in this letter of transmittal.

Sincerely yours,

(Sgd) John C. Whitaker

ACTING Secretary of the Interior

Hon. Erwin N. Griswold
Solicitor General
Department of Justice
Washington, D. C. 20530

Enclosure

Regional Director, Boulder City, Nevada (w/encl.)
Chief, Division of Water O&M, E&R Center
Field Solicitor - Riverside, California (w/encl.)
Regional Solicitor - Sacramento, California

MAJOR PRESENT PERFECTED RIGHTS CLAIMS

	Claimed in filings with the Supreme Court (acre-feet)			Now proposed for a stipulated settlement ²	
	U. S.	California	Arizona	Acre-feet	Priority Date
Imperial Irrigation District		2,806,000 ¹		2,600,000 ²	1901
Palo Verde Irrig. Dist.		208,100 ¹		219,780 ²	1877
Reservation Division (Bard Dist.)	39,561 ²	42,325 ²		38,270 ²	7-8-05
Valley Division, Yuma Project	299,852 ²		279,378 ¹	254,200 ²	1901
North Gila Valley Unit	31,994 ²		31,840 ¹	24,500 ²	7-8-05
Yuma Mesa Div., Gila Proj.					
Yuma Auxiliary Project (Unit B)	6,801 ²		7,350 ¹	6,800 ²	7-8-05
Indian Res. - Arizona ⁵	761,562 ²			761,562 ²	various
Cibola Valley Claims - Arizona			27,706 ¹	0	
Misc. Claims-Arizona			45,084 ¹³	10,781 ²	various
Supp'l Claims-Arizona			8,000 ¹	0	
Indian Res. - Calif. ⁵	131,400 ²			131,400 ²	various
Misc. Claims - Calif.		4,145.7 ^{1 4}		5,001 ²	various
Indian Res. - Nevada ⁵	12,534 ²			12,534 ²	Sept. 18, 1890
Lake Mead NRA - Nevada ⁵	500 ²			500 ²	May 3, 1929

¹Consumptive Use.²Diversions.³Does not include four subsequent claims involving a diversion of approximately 3,000 acre-feet per annum.⁴Does not include 38 subsequent claims involving a diversion of approximately 276 acre-feet per annum.⁵Federal establishments named in Article II, subdivision (D), paragraphs (1) through (6) of the decree of March 9, 1964.

1/12/73

IN THE

SUPREME COURT OF THE UNITED STATES

October Term 1972

STATE OF ARIZONA,

Complainant,

vs.

STATE OF CALIFORNIA, PALO VERDE
IRRIGATION DISTRICT, IMPERIAL
IRRIGATION DISTRICT, COACHELLA
VALLEY COUNTY WATER DISTRICT, THE
METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA, CITY OF LOS
ANGELES, CITY OF SAN DIEGO, AND
COUNTY OF SAN DIEGO,

Defendants,

UNITED STATES OF AMERICA AND STATE
OF NEVADA

Interveners,

STATE OF NEW MEXICO AND STATE OF UTAH,

Impleaded Defendants.

Stipulation of Settlement

Article VI of the Decree entered herein, 376 U.S. 340 provided:

“Within two years from the date of this decree, the States of Arizona, California, and Nevada shall furnish to this Court and to the Secretary of the Interior a list of the present perfected rights, with their claimed priority dates, in waters of the mainstream within each state, respectively, in terms of consumptive use, except those relating to federal establishments. Any named party to this proceeding may present its claim of present perfected rights or its opposition to the claims of others. The Secretary of the Interior shall supply similar information, within a similar period time, with respect to the claims of the United States to present perfected rights within each state. If the parties and the Secretary of the Interior are unable at that time to agree on the present perfected rights to the use of mainstream water in each state, and their priority dates, any party may apply to the Court for the determination of such rights by the Court.”

UPDATING THE HOOVER DAM DOCUMENTS

Parties to the suit and the Secretary of the Interior were unable to reach agreement on present perfected rights within the two years set forth in Article VI. Therefore, the States of Arizona, California, and Nevada, and the seven California agencies named in the suit filed a joint motion with the Supreme Court to amend Article VI of the decree so as to postpone for another year (until March 9, 1967) the date on which the parties were required to exchange present perfected rights claims. The United States filed a memorandum with the Supreme Court supporting the motion. On order of the Supreme Court dated February 28, 1966, 383 U.S. 268, Article VI was amended in accordance with said motion.

Parties to the suit and the Secretary of the Interior were unable to reach agreement on present perfected rights prior to the new deadline of March 9, 1967.

Therefore, the United States filed with the Court a list of present perfected rights claimed by the United States. Similarly, the States of Arizona and California each filed a list of present perfected rights claimed in those States. The State of Nevada filed a statement relative to its position on claims of present perfected rights filed by the United States, Arizona, and California under Article VI of the decree. These parties have continued since that time to assemble and exchange information.

For purposes of settling claims of present perfected rights filed in this action, the parties now stipulate and agree to the present perfected rights and respective priority dates within each State in waters of the Colorado River listed herein. The following relate only to the quantity of water which may be used by each claimant and are not intended to limit or redefine the type of use otherwise allowed by the decree.

Arizona

The Federal establishments named in Article II, subdivision (D), paragraphs (2) (4), and (5), of the decree of March 9, 1964, such rights having been decreed in Article II:

<u>Defined Area of Land</u>	<u>Annual Diversions (acre-feet)¹</u>	<u>Net Acres¹</u>	<u>Priority Date</u>
Fort Mohave Indian Reservation	27,969 68,447	4,327 10,589	Sept. 18, 1890 Feb. 2, 1911
Cocopah Indian Reservation	2,744	431	Sept. 27, 1917
Colorado River Indian Reservation	358,400 252,016 51,986	53,768 37,808 7,799	Mar. 3, 1865 Nov. 22, 1873 Nov. 16, 1874

¹According to the terms of the decree, the quantity of water in each instance is measured by (1) diversions or (ii) consumptive use required for irrigation of the respective acreage, and for satisfaction of related uses, which ever of (i) or (ii) is less.

The Valley Division, Yuma Project, in annual quantities of water not to exceed 254,200 acre-feet of diversions from the mainstream to supply the consumptive use required for irrigation and the satisfaction of related uses within the boundaries of the Valley Division, Yuma Project, with a priority date of 1901.

The Yuma Auxiliary Project, Unit B, in annual quantities of water not to exceed 6,800 acre-feet of diversions from the mainstream to supply the consumptive use required for irrigation and the satisfaction of related uses within the Yuma Auxiliary Project, Unit B, with a priority date of July 8, 1905.

The North Gila Valley Unit, Yuma Mesa Division, Gila Project, in annual quantities of water not to exceed 24,500 acre-feet of diversions from the mainstream to supply the consumptive use required for irrigation and the satisfaction of related uses within the boundaries of the North Gila Valley Unit, Yuma Mesa Division, with a priority date of July 8, 1905.

The following claims in Arizona in annual quantities of water not to exceed the listed acre-feet of diversion from the mainstream to supply the consumptive use required for irrigation and the satisfaction of related uses within the boundaries of the land described and with the priority dates listed:

<u>Defined Area of Land</u>	<u>Annual Diversions (acre-feet)</u>	<u>Priority Date</u>
160 acres in Lots 21, 24, and 25, Sec. 29 and Lots 15, 16, 17, and 18, and the SW ¹ / ₄ of the SE ¹ / ₄ , Sec. 30, T. 16S., R. 22E., San Bernan- dino Base and Meridian, Yuma County, Arizona (Powers) ¹	960	1915
Lots 11, 12, 13, 19, 20, 22 and S ¹ / ₂ of SW ¹ / ₄ , Sec. 30, T. 16S., R. 22E., San Bernan- dino Base and Meridian Yuma County, Arizona (United States ³)	1,140	1915
60 acres within Lot 2, Sec. 15 and Lots 1 and 2, Sec. 22, T. 10N., R. 19W., G&SRBM. (Graham) ¹	360	1910
180 acres within the N ¹ / ₂ of the S ¹ / ₂ , and the S ¹ / ₂ of the N ¹ / ₂ of Sec. 13 and the SW ¹ / ₄ of the NE ¹ / ₂ of Sec. 14, T. 18N., R. 22W., G&SRBM. (Hulet) ¹	1,080	1902
45 acres within the NE ¹ / ₄ of the SW ¹ / ₄ , the SW ¹ / ₄ of the SW ¹ / ₄ and the SE ¹ / ₄ of the SW ¹ / ₄ of Sec. 11, T. 18N., R. 22W., G&SRBM.	1,050	1902
80 acres within the N ¹ / ₂ of the SW ¹ / ₄ of Sec. 11, T. 18N., R. 22W., G&SRBM.		
10 acres within the NW ¹ / ₄ of the NE ¹ / ₄ of the NE ¹ / ₄ of Sec. 15, T. 18N., R. 22W., G&SRBM.		
40 acres within the SE ¹ / ₄ of the SE ¹ / ₄ of Sec. 15, T. 18N., R. 22W., G&SRBM. (Hurschler) ¹		
40 acres within Sec. 13, T. 17N., R. 22W., G&SRBM. (Miller) ¹	240	1902

UPDATING THE HOOVER DAM DOCUMENTS

<u>Defined Area of Land</u>	<u>Annual Diversions (acre-feet)</u>	<u>Priority Date</u>
120 acres within Sec. 27, T. 18N., R. 21W., G&SRBM.	810	1902
15 acres within the NW ¹ / ₄ of the NW ¹ / ₄ , Sec. 23, T. 18N., R. 22W., G&SRBM. (Mckellips and Granite Reef Farms) ²		
180 acres within the NW ¹ / ₄ of the NE ¹ / ₄ , the SW ¹ / ₄ of the NE ¹ / ₄ , the NE ¹ / ₄ of the SW ¹ / ₄ , the NW ¹ / ₄ of the SE ¹ / ₄ , the NE ¹ / ₄ of the SE ¹ / ₄ , and the SW ¹ / ₄ of the SE ¹ / ₄ , and the SE ¹ / ₄ of the SE ¹ / ₄ , Sec. 31, T. 18N., R. 21W., G&SRBM. (Sherrill & Lafollette) ²	1,080	1902
53.89 acres as follows: Beginning at a point 995.1 feet easterly of the NW corner of the NE ¹ / ₄ of Sec. 10, T. 8S., R. 22W., Gila and Salt River Base and Meridian; on the northerly boundary of the said NE ¹ / ₄ , which is the true point of beginning, then in a southerly direction to a point on the southerly boundary of the said NE ¹ / ₄ which is 991.2 feet E. of the SW corner of said NE ¹ / ₄ thence easterly along the S. line of the NE ¹ / ₄ , a distance of 807.3 feet to a point, thence N. 0°7' W., 768.8 feet to a point, thence E. 124.0 feet to a point, thence northerly 0°14' W., 1,067.6 feet to a point, thence E. 130 feet to a point, thence northerly 0°20' W., 405.2 feet to a point, thence northerly 63°10' W., 506.0 feet to a point, thence northerly 90°15' W., 562.9 feet to a point on the northerly boundary of the said NE ¹ / ₄ , thence easterly along the said northerly boundary of the said NE ¹ / ₄ , 116.6 feet to the true point of the beginning containing 53.89 acres. All as more particularly described and set forth in that survey executed by Thomas A. Yowell, Land Surveyor on June 24, 1969. (Molina) ²	318	1928
60 acres within the NW ¹ / ₄ of the NW ¹ / ₄ (and the north half of the SW ¹ / ₄ of the NW ¹ / ₄ of Sec. 14, T. 8S., R. 22W., G&SRBM.	780	1925

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<u>Defined Area of Land</u>	<u>Annual Diversions (acre-feet)</u>	<u>Priority Date</u>
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70 acres within the S¹/₂ of the SW¹/₄ of the SW¹/₄, and
the W¹/₂ of the SW¹/₄, Sec. 14, T. 8S., R. 22W.,
G&SRBM. (Sturges)²

¹The names in parenthesis following the description of the "Defined Area of Land" are used for identification of claims only; the name used is the first name appearing in the Claimants identified with a parcel in Arizona's 1967 submission to the Supreme Court.

²The names in parenthesis following the description of the "Defined Area of Land" are the names of Claimants added since the 1967 list, upon whose water use these claims are predicated.

³Included as a part of the Powers' claim in Arizona's 1967 submittal to the Supreme Court. Subsequently the United States and Powers have agreed to a stipulation of Settlement on land ownership under which title to this property is being quieted in favor of the United States.

The following claims in Arizona in annual quantities of water not to exceed the listed number of acre-feet of (i) diversions from the mainstream or (ii) the quantity of mainstream water necessary to supply the consumptive use, whichever of (i) or (ii) is less, for domestic, municipal, and industrial purposes within the boundaries of the land described and with the priority dates listed:

<u>Defined Area of Land</u>	<u>Annual Diversions (acre-feet)</u>	<u>Annual Consumptive Use (acre-feet)</u>	<u>Priority Use</u>
City of Parker	630	400	1905
City of Yuma	2,333	1,478	1893

California

The Federal establishments named in Article II, subdivision (D). paragraphs (1), (3), (4), and (5) of the decree of March 9, 1964, such rights having been decreed by Article II:

<u>Defined Area of Land</u>	<u>Annual Diversions (acre-feet)¹</u>	<u>Net Acres¹</u>	<u>Priority Date</u>
Yuma Indian Reservation	51,616	7,743	Jan. 9, 1884
Fort Mohave Indian Reservation	13,698	2,119	Sept. 18, 1890
Chemehuevi Indian Reservation	11,340	1,900	Feb. 2, 1907
Colorado River Indian Reservation	10,745	1,612	Nov. 22, 1873
	40,241	6,037	Nov. 16, 1874
	3,760	564	May 15, 1876

¹According to the terms of the decree, the quantity of water in each instance is measured by (i) diversions or (ii) consumptive use required for irrigation of the respective acreage, and for satisfaction of related uses, which ever of (i) and (ii) is less.

UPDATING THE HOOVER DAM DOCUMENTS

The Palo Verde Irrigation District in annual quantities of water not to exceed 219,780 acre-feet of diversions from the mainstream to supply the consumptive use required for irrigation and the satisfaction of related uses within the boundaries of the Palo Verde Irrigation District, with a priority date of 1877.

The Imperial Irrigation District in annual quantities of water not to exceed 2,600,000 acre-feet of diversions from the mainstream to supply the consumptive use required for irrigation and the satisfaction of related uses within the boundaries of the Imperial Irrigation District, with a priority date of 1901.

The Reservation Division, Yuma Project, California (Non-Indian portion) in annual quantities of water not to exceed 38,270 acre-feet of diversions from the mainstream to supply the consumptive use required for irrigation and the satisfaction of related uses within the boundaries of the Reservation Division, Yuma Project, California (Non-Indian portion) with a priority date of July 8, 1905.

The following claims in California in annual quantities of water not to exceed the listed number of acre-feet of diversions from the mainstream to supply the consumptive use required for irrigation and the satisfaction of related uses within the boundaries of the land described and with the priority dates listed:

<u>Defined Area of Land</u>	<u>Annual Diversions (acre-feet)</u>	<u>Priority Date</u>
Portions of: Lots 1, 2, and 3, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27 T. 16S., R. 22E., S.B.B. & M. (Wavers) ¹	780	1856
W $\frac{1}{2}$, W $\frac{1}{2}$ of E $\frac{1}{2}$ of Section 1, T. 9N., R. 22E., S.B.B. & M. (Stephenson) ¹	240	1923
Portions of: Lots 1 and 2, Sec. 19 T. 13S., R. 23E., and Lots 2, 3, and 4 of Sec. 24, T. 13S., R. 22E., S.B.B. & M. (Mendivil) ¹	120	1893
NW $\frac{1}{4}$ of SE $\frac{1}{4}$, S $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 24, and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 25, all in T. 9S., R. 21E., S.B.B. & M. (Grannis) ¹	180	1928
Lot 6, Sec. 5; and Lots 1 and 2, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 8 and Lots 1 and 2 of Sec. 9, all in R. 13S., R. 22E., S.B.B. & M. (Morgan) ¹	150	1913
E $\frac{1}{2}$ of NW $\frac{1}{4}$ and W $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 14, T. 10S, R. 21E., S.B.B. & M. (Milpitas) ¹	108	1918
Portions of: N $\frac{1}{2}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NE $\frac{1}{4}$, and NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 30, T. 9N., R. 23E., S.B.B. & M. (Simons) ¹	60	1889

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<u>Defined Area of Land</u>	<u>Annual Diversions (acre-feet)</u>	<u>Priority Date</u>
E ¹ / ₂ of NW ¹ / ₄ and N ¹ / ₂ of SW ¹ / ₄ , Sec. 12, T. 9N., R. 22E., S.B.B. & M. (Colo. R. Sportmen's League) ¹	96	1921
E ¹ / ₂ of NW ¹ / ₄ , Sec. 1 T. 10S., R. 21E., S.B.B. & M. (Milpitas) ¹	69	1914
S ¹ / ₂ of SW ¹ / ₄ , Sec. 12 T. 9N., R. 22E., S.B.B. & M. (Andrade) ¹	66	1921
Lots 2, 3, and 7 and NE ¹ / ₄ of SW ¹ / ₄ , Sec. 19, T. 9N, R. 23E., S.B.B. & M. (Reynolds) ¹	36	1904
N ¹ / ₂ of NE ¹ / ₄ , SE ¹ / ₄ of NE ¹ / ₄ and NE ¹ / ₄ of SE ¹ / ₄ , Sec. 24 T. 9N., R. 22E., S.B.B. & M. (Cooper) ¹	60	1905
SW ¹ / ₄ of SW ¹ / ₄ , (Lot 8) Sec. 19, T. 9N., R. 23E., S.B.B. & M. (Chagnon) ²	120	1925
NE ¹ / ₄ of SW ¹ / ₄ , N ¹ / ₂ of SE ¹ / ₄ , SE ¹ / ₄ of SE ¹ / ₄ , Sec. 14, T. 9S., R. 21E., S.B.B. & M. (Lawrence) ²	120	1915

¹The names in parenthesis following the description of the "Defined Area of Land" are used in identification of claims only; the name used is the first name appearing in the claimants identified with a parcel in California's 1967 list.

²The names in parenthesis following the description of the "Defined Area of Land" are the names of the homesteaders upon whose water use these claims, added since the 1967 list, are predicated.

The following claimants in California in annual quantities of water not to exceed the listed number of acre-feet of (i) diversions from the mainstream or (ii) the quantity of mainstream water necessary to supply the consumptive use, whichever of (i) or (ii) is less, for domestic, municipal, and industrial purposes within the boundaries of the land described and with the priority dates listed:

<u>Defined Area of Land</u>	<u>Annual Diversions (acre-feet)</u>	<u>Annual Consumptive Use (acre-feet)</u>	<u>Priority Use</u>
Within boundaries of City of Needles ¹	1,500	950	1885
Portions of: Secs. 5, 6, 7 & 8, T. 7N., R. 24E.; Sec. 1, T. 7N., R. 23E.; Secs. 4, 5, 9, 10, 15, 22, 23, 25, 26, 35, & 36, T. 8N., R.	1,260	273	1896

UPDATING THE HOOVER DAM DOCUMENTS

Defined Area of Land	Annual Diversions (acre-feet)	Annual Consumptive Use (acre-feet)	Priority Use
23E.; Secs. 19, 29, 30, 32 & 33, T. 9N., R. 23E., S.B.B. & M. (Atcheson, Topeka and Santa Fe Railway Co.) ¹			
Lots 1, 2, 3, 4, 5, & SW ¹ / ₄ NW ¹ / ₄ of Sec. 5, T. 13S., R. 22E., S.B.B. & M. (Conger) ²	1.0	0.6	1921
Lots 1, 2, 3, 4 of Sec. 32 T. 11S., R. 22E., S.B.B. & M. (G. Draper) ²	1.0	0.6	1923
Lots 1, 2, 3, 4, and SE ¹ / ₄ SW ¹ / ₄ of Sec. 20 T. 11S., R. 22E., S.B.B. & M. (McDonough) ²	1.0	0.6	1919
SW ¹ / ₄ of Sec. 25, T. 8S., R. 22E., S.B.B. & M. (Faubion) ²	1.0	0.6	1925
W ¹ / ₂ NW ¹ / ₄ of Sec. 12, T. 9N., R. 22E., S.B.B. & M. (Dudley) ²	1.0	0.6	~ 1922
N ¹ / ₂ SE ¹ / ₄ and Lots 1 and 2 of Sec. 13, T. 8S., R. 22E., S.B.B. & M. (Douglas) ²	1.0	0.6	1916
N ¹ / ₂ SW ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄ , Lots 6 and 7, Sec. 5, T. 9S., R. 22E., S.B.B. & M. (Beauchamp) ²	1.0	0.6	1924
NE ¹ / ₄ SE ¹ / ₄ , SE ¹ / ₄ NE ¹ / ₄ , and Lot 1, Sec. 26, T. 8S., R. 22E., S.B.B. & M. (Clark) ²	1.0	0.6	1916
N ¹ / ₂ SW ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄ , SE ¹ / ₄ NE ¹ / ₄ , Sec. 13, T. 9S., R. 21E., S.B.B. & M. (Lawrence) ²	1.0	0.6	1915
N ¹ / ₂ NE ¹ / ₄ , E ¹ / ₂ NW ¹ / ₄ , Sec. 13, T. 9S., R. 21E., S.B.B. & M. (J. Graham) ²	1.0	0.6	1914
SE ¹ / ₄ , Sec. 1, T. 9S., R. 21E., S.B.B. & M. (Geiger) ²	1.0	0.6	1910

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Defined Area of Land	Annual Diversions (acre-feet)	Annual Consumptive Use (acre-feet)	Priority Use
Fractional W ¹ / ₂ of SW ¹ / ₄ (Lot 6) Sec. 6, T. 9S., R. 22E., S.B.B. & M. (Schneider) ²	1.0	0.6	1917
Lot 1, Sec. 15; Lots 1 & 2, Sec. 14; Lots 1 & 2, Sec. 23; all in T. 13S., R. 22E., S.B.B. & M. (Martinez) ²	1.0	0.6	1895
NE ¹ / ₄ , Sec. 22, T. 9S., R. 21E., S.B.B. & M. (Earle) ²	1.0	0.6	1925
NE ¹ / ₄ SE ¹ / ₄ , Sec. 22, T. 9S., R. 21E., S.B.B. & M. (Diehl) ²	1.0	0.6	1928
N ¹ / ₂ NW ¹ / ₄ , N ¹ / ₂ NE ¹ / ₄ , Sec. 23, T. 9S., R. 21E., S.B.B. & M. (Reid) ²	1.0	0.6	1912
W ¹ / ₂ SW ¹ / ₄ , Sec. 23, T. 9S., R. 21E., S.B.B. & M. (Graham) ²	1.0	0.6	1916
S ¹ / ₂ NW ¹ / ₄ , NE ¹ / ₄ SW ¹ / ₄ , SW ¹ / ₄ NE ¹ / ₄ , Sec. 23, T. 9S., R. 21E., S.B.B. & M. (Cate) ²	1.0	0.6	1919
SE ¹ / ₄ NE ¹ / ₄ , N ¹ / ₂ SE ¹ / ₄ , SE ¹ / ₄ SE ¹ / ₄ , Sec. 23, T. 9S., R. 21E., S.B.B. & M. (McGee) ²	1.0	0.6	1924
SW ¹ / ₄ SE ¹ / ₄ , SE ¹ / ₄ SW ¹ / ₄ , Sec. 23, NE ¹ / ₄ NW ¹ / ₄ , NW ¹ / ₄ NE ¹ / ₄ , Sec. 26; all in T. 9S., R. 21E., S.B.B. & M. (Stallard) ²	1.0	0.6	1924
W ¹ / ₂ SE ¹ / ₄ , SE ¹ / ₄ SE ¹ / ₄ , Sec. 26, T. 9S., R. 21E., S.B.B. & M. (Randolph) ²	1.0	0.6	1926
E ¹ / ₂ NE ¹ / ₄ , SW ¹ / ₄ NE ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄ , Sec. 26, T. 9S., R. 21E., S.B.B. & M. (Stallard) ²	1.0	0.6	1928
S ¹ / ₂ SW ¹ / ₄ , Sec. 13, N ¹ / ₂ NW ¹ / ₄ , Sec. 24; all in T. 9S., R. 21E., S.B.B. & M. (Keefe) ²	1.0	0.6	1926

UPDATING THE HOOVER DAM DOCUMENTS

Defined Area of Land	Annual Diversions (acre-feet)	Annual Consumptive Use (acre-feet)	Priority Use
SE ¹ / ₄ NW ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄ , Lots 2, 3, & 4, Sec. 25, T. 13S., R. 23E., S.B.B. & M. (C. Ferguson) ²	1.0	0.6	1903
Lots 4 & 7, Sec. 6; Lots 1 2, Sec. 7; all in T. 14S., R. 24E., S.B.B. & M. (W. Ferguson) ²	1.0	0.6	1903
SW ¹ / ₄ SE ¹ / ₄ , Lots 2, 3, and 4, Sec. 24, T. 12S., R. 21E., Lot 2, Sec. 19, T. 12S., R. 22E., S.B.B. & M. (Vaulin) ²	1.0	0.6	1920
Lots 1, 2, 3, and 4, Sec. 25 T. 12S., R. 21E., S.B.B. & M. (Salisbury) ²	1.0	0.6	1920
Lots 2, 3, SE ¹ / ₄ SE ¹ / ₄ , Sec. 15, NE ¹ / ₄ NE ¹ / ₄ , Sec. 22; all in T. 13S., R. 22E., S.B.B. & M. (Hadlock) ²	1.0	0.6	1924
SW ¹ / ₄ NE ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄ , and Lots 7 & 8, Sec. 6, T. 9S., R. 22E., S.B.B. & M. (Streeter) ²	1.0	0.6	1903
Lot 4, Sec. 5, Lots 1 & 2, Sec. 7, Lots 1 & 2, Sec. 8, Lot 1, Sec. 18; all in T. 12S., R. 22E., S.B.B. & M. (J. Draper) ²	1.0	0.6	1903
SW ¹ / ₄ NW ¹ / ₄ , Sec. 5, SE ¹ / ₄ NE ¹ / ₄ and Lot 9, Sec. 6; all in T. 9S., R. 22E., S.B.B. & M. (Fitz) ²	1.0	0.6	1912
NW ¹ / ₄ NE ¹ / ₄ , Sec. 26; Lots 2 & 3, W ¹ / ₂ SE ¹ / ₄ , Sec. 23; all in T. 8S., R. 22E., S.B.B. & M. (Williams) ²	1.0	0.6	1909
Lots 1, 2, 3, 4, & 5, Sec. 25 T. 8S., R. 22E., S.B.B. & M. (Estrada) ²	1.0	0.6	1928
S ¹ / ₂ NW ¹ / ₄ , Lot 1, frac. NE ¹ / ₄ SW ¹ / ₄ , Sec. 25, T. 9S., R. 21E., S.B.B. & M. (Whittle) ²	1.0	0.6	1925

Defined Area of Land	Annual Diversions (acre-feet)	Annual Consumptive Use (acre-feet)	Priority Use
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 25, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24; all in T. 9S., R. 21E., S.B.B. & M. (Corington) ²	1.0	0.6	1928
S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24, T. 9S., R. 21S., S.B.B. & M. (Tolliver) ²	1.0	0.6	1928

¹The names in parenthesis following the description of the "Defined Area of Land" are used for identification of claims only; the name used in the first name appearing in the claimants identified with a parcel in California's 1967 list.

²The names in parenthesis following the description of the "Defined Area of Land" are the names of the homesteaders upon whose water use these claims, added since the 1967 list, are predicated.

Nevada

The Federal establishments named in Article II, subdivision (D), paragraphs (5) and (6) of the decree of March 9, 1964, such rights having been decreed by Article II:

Defined Area of Land	Annual Diversions (acre-feet)	Annual Consumptive Use	Priority Date
Lake Mead National Recreation Area (The Overton Area of Lake Mead N.R.A. provided in Execu- tive Order 5105)	500	300 acre feet	May 3, 1929 ¹
Fort Mohave Indian Reservation	12,534 ²	1,939 acres ²	Sept. 18, 1890

This stipulation shall in no way affect future adjustments resulting from determinations relating to settlement of Indian reservation boundaries referred to in Article II(D) (5) of the decree. Likewise Article IX of the decree is not affected by this stipulation of settlement.

¹Article II(D) (6) of the decree specifies a priority date of March 3, 1929. Executive Order 5105 is dated May 3, 1929 (see 3 C.F.R., 1964 Cumulative Pocket Supplement, Page 276, and the Findings of Fact and Conclusions of Law of the Special Master's Report pp. 294-295.)

²According to the terms of the decree, the quantity of waters in each instance is measured by (i) diversions or (ii) consumptive use required for irrigation of the respective acreage, and for satisfaction of related uses, which ever of (i) or (ii) is less.

UPDATING THE HOOVER DAM DOCUMENTS

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1-9.79

1005

No. 8, Orig.

State of Arizona, Plaintiff,
v.
State of California et al.

On Joint Motion to Enter Supplemental Decree and Motions for Leave to Intervene.

(January 9, 1979)

PER CURIAM.

The United States of America, Intervenor, State of Arizona, Complainant, the California Defendants (State of California, Palo Verde Irrigation District, Imperial Irrigation District, Coachella Valley County Water District, The Metropolitan Water District of Southern California, City of Los Angeles, City of San Diego, County of San Diego), and State of Nevada, Intervenor, pursuant to Art. VI of the Decree entered in the case on March 9, 1964, at 376 U. S. 340, and amended on February 28, 1966, at 383 U. S. 268, have agreed to the present perfected rights to the use of mainstream water in each State and their priority dates as set forth herein. Therefore, it is hereby ORDERED, ADJUDGED, AND DECREED that the joint motion of the United States, the State of Arizona, the California Defendants, and the State of Nevada to enter a supplemental decree is granted and that said present perfected rights in each State and their priority dates are determined to be as set forth below, subject to the following:

(1) The following listed present perfected rights relate to the quantity of water which may be used by each claimant and the list is not intended to limit or redefine the type of use otherwise set forth in said Decree.

(2) This determination shall in no way affect future adjustments resulting from determinations relating to settlement of Indian reservation boundaries referred to in Art. II (D) (5) of said Decree.

(3) Article IX of said Decree is not affected by this list of present perfected rights.

(4) Any water right listed herein may be exercised only for beneficial uses.

(5) In the event of a determination of insufficient mainstream water to satisfy present perfected rights pursuant to Art. II (B) (3) of said Decree, the Secretary of the Interior shall, before providing for the satisfaction of any of the other present perfected rights except for those listed herein as "MISCELLANEOUS PRESENT PERFECTED RIGHTS" (rights numbered 7-21 and 29-80 below) in the order of their priority dates without regard to State lines, first provide for the satisfaction in full of all rights of the Chemehuevi Indian Reservation, Cocopah Indian Reservation, Fort Yuma Indian Reservation, Colorado River Indian Reservation, and the Fort Mojave Indian Reservation as set forth in Art. II (D) (1)-(5) of said Decree, provided that the quantities fixed in paragraphs (1) through (5) of Art. II (D) of said Decree shall continue to be subject to appropriate adjustment by agreement or decree of this Court in the event that the boundaries of the respective reservations are finally determined. Additional present perfected rights so adjudicated by such adjustment shall be in annual quantities not to exceed the quantities of mainstream water necessary to supply the consumptive use required for irrigation of the practicably irrigable acres which are included within any area determined to be within a reservation by such final determination of a boundary and for the satisfaction of related uses. The quantities of diversions are to be computed by determining net practicably irrigable acres

within each additional area using the methods set forth by the Special Master in this case in his Report to this Court dated December 5, 1960, and by applying the unit diversion quantities thereto, as listed below:

Indian Reservation	Unit Diversion Quantity Acre-Feet Per Irrigable Acre
Cocopah	6.37
Colorado River	6.67
Chemehuevi	5.97
Ft. Mojave	6.46
Ft. Yuma	6.67

The foregoing reference to a quantity of water necessary to supply consumptive use required for irrigation, and as that provision is included within paragraphs (1) through (5) of Art. II (D) of said Decree, shall constitute the means of determining quantity of adjudicated water rights but shall not constitute a restriction of the usage of them to irrigation or other agricultural application. If all or part of the adjudicated water rights of any of the five Indian Reservations is used other than for irrigation or other agricultural application, the total consumptive use, as that term is defined in Art. I (A) of said Decree, for said Reservation shall not exceed the consumptive use that would have resulted if the diversions listed in subparagraph (i) of paragraphs (1) through (5) of Art. II (D) of said Decree and the equivalent portions of any supplement thereto had been used for irrigation of the number of acres specified for that Reservation in said paragraphs and supplement and for the satisfaction of related uses. Effect shall be given to this paragraph notwithstanding the priority dates of the present perfected rights as listed below. However, nothing in this paragraph (5) shall affect the order in which such rights listed below as "MISCELLANEOUS PRESENT PERFECTED RIGHTS" (numbered 7-21 and 29-80 below) shall be satisfied. Furthermore, nothing in this paragraph shall be construed to determine the order of satisfying any other Indian water rights claims not herein specified.

I

ARIZONA

A. Federal Establishments Present Perfected Rights

The federal establishments named in Art. II, subdivision (D), paragraphs (2), (4) and (5), of the Decree entered March 9, 1964, in this case, such rights having been decreed in Art. II:

Defined Area of Land	Annual Diversions (acre-feet) ¹	Net Acres ¹	Priority Date
1) Cocopah Indian Reservation	2,744	431	Sept. 27, 1917
2) Colorado River Indian Reservation	358,400	53,768	Mar. 3, 1865
	252,016	37,808	Nov. 22, 1873
	51,958	7,799	Nov. 16, 1874
3) Fort Mojave Indian Reservation	27,569	4,327	Sept. 18, 1890
	68,447	10,589	Feb. 2, 1911

B. Water Projects Present Perfected Rights

(4) *The Valley Division, Yuma Project* in annual quantities not to exceed (i) 254,200 acre-feet of diversions from the mainstream or (ii) the quantity of mainstream water necessary to supply the consumptive use required for irrigation of 43,562 acres and for the satisfaction of related uses, whichever

¹ The quantity of water in each instance is measured by (i) diversions or (ii) consumptive use required for irrigation of the respective acreage and for the satisfaction of related uses, whichever of (i) or (ii) is less.

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of (i) or (ii) is less, with a priority date of 1901.

(5) *The Yuma Auxiliary Project, Unit B* in annual quantities not to exceed (i) 6,800 acre-feet of diversions from the mainstream or (ii) the quantity of mainstream water necessary to supply the consumptive use required for irrigation of 1,225 acres and for the satisfaction of related uses, whichever of (i) or (ii) is less, with a priority date of July 8, 1905.

(6) *The North Gila Valley Unit, Yuma Mesa Division, Gila Project* in annual quantities not to exceed (i) 24,500 acre-feet of diversions from the mainstream or (ii) the quantity of mainstream water necessary to supply the consumptive use required for irrigation of 4,030 acres and for the satisfaction of related uses, whichever of (i) or (ii) is less, with a priority date of July 8, 1905.

C. Miscellaneous Present Perfected Rights

1. The following miscellaneous present perfected rights in Arizona in annual quantities of water not to exceed the listed acre-feet of diversion from the mainstream to supply the consumptive use required for irrigation and the satisfaction of related uses within the boundaries of the land described and with the priority dates listed:

Defined Area of Land	Annual Diversions (acre-feet)	Priority Date
7) 160 acres in Lots 21, 24, and 25, Sec. 29 and Lots 15, 16, 17 and 18, and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Sec. 30, T.18S., R.22E., San Bernardino Base and Meridian, Yuma County, Arizona (Powers) ²	960	1915
8) Lots 11, 12, 13, 19, 20, 22 and S $\frac{1}{2}$ of SW $\frac{1}{4}$, Sec. 30, T.18S., R.22E., San Bernardino Base and Meridian, Yuma County, Arizona. (United States) ²	1,140	1915
9) 60 acres within Lot 2, Sec. 15 and Lots 1 and 2, Sec. 22, T.10N., R.19W, G&SRBM. (Graham) ²	360	1910
10) 180 acres within the N $\frac{1}{2}$ of the S $\frac{1}{2}$ and the S $\frac{1}{2}$ of the N $\frac{1}{2}$ of Sec. 13 and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 14, T.18N., R.22W., G&SRBM. (Hulet) ²	1,080	1902
11) 45 acres within the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 11, T.18N., R.22W., G&SRBM. 80 acres within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 11, T.18N., R.22W., G&SRBM. 10 acres within the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 15, T.18N., R.22W., G&SRBM. 40 acres within the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 15, T.18N., R.22W., G&SRBM. (Hunehler) ²	1,050	1902
12) 40 acres within Sec. 13, T.17N., R.22W., G&SRBM. (Miller) ²	240	1902
13) 120 acres within Sec. 27, T.18N., R.21W., G&SRBM. 15 acres within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Sec. 23, T.18N., R.22W., G&SRBM. (McKellips and Granite Reef Farms) ⁴	810	1902
Defined Area of Land 14) 180 acres within the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Sec. 31, T.18N., R.21W., G&SRBM. (Sherrill & Lafollette) ⁴	1,080	1902
15) 53.89 acres as follows: Beginning at a point 995.1 feet easterly of the NW corner of the NE $\frac{1}{4}$ of Sec. 10, T.8S., R.22W., Gila and Salt River Base and Meridian; on the northerly boundary of the said NE $\frac{1}{4}$, which is the true point of beginning, then in a southerly direction to a point on the southerly boundary of the said NE $\frac{1}{4}$ which is 991.2 feet E. of the SW corner of said NE $\frac{1}{4}$ thence easterly along the S. line of the NE $\frac{1}{4}$, a distance of 807.3 feet to a point, thence N. 0° 7' W., 768.8 feet to a point, thence E. 124.0 feet to a point, thence northerly 0° 14' W., 1,067.6 feet to a point, thence E. 130 feet to a point, thence northerly 0° 20' W., 405.2 feet to a point, thence northerly 63° 10' W., 506.0 feet to a point, thence northerly 90° 15' W., 562.9 feet to a point on the northerly boundary of the said NE $\frac{1}{4}$, thence easterly along the said northerly boundary of the said NE $\frac{1}{4}$, 118.6 feet to the true point of the beginning containing 53.89 acres. All as more particularly described and set forth in that survey executed by Thomas A. Yowell, Land Surveyor on June 24, 1969. (Molina) ⁴	318	1928
16) 60 acres within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the north half of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 14, T.8S., R.22W., G&SRBM. 70 acres within the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the W $\frac{1}{2}$ of the SW $\frac{1}{4}$, Sec. 14, T.8S., R.22W., G&SRBM. (Sturges) ⁴	780	1925
17) 120 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T.18N., R.22W., G&SRBM. (Zosaya) ⁴	720	1912
18) 40 acres in the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 30, and 60 acres in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 30, and 60 acres in the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 31, comprising a total of 160 acres all in Township 18 North, Range 21 West of the G&SRBM. (Swan) ⁴	960	1902
19) 7 acres in the East 300 feet of the W $\frac{1}{2}$ of Lot 1 (Lot 1, being the SE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres more or less), Section 28, Township 16 South, Range 22 East, San Bernardino Meridian, lying North of U. S. Bureau of Reclamation levee right of way. EXCEPT that portion conveyed to the United States of America by instrument recorded in Docket 417, page 150 EXCEPTING any portion of the East 300 feet of W $\frac{1}{2}$ of Lot 1 within the natural bed of the Colorado River below the line of ordinary high water and also EXCEPTING any artificial accretions waterward of said line of ordinary high water, all of which comprises approximately seven (7) acres. (Milton and Jean Phillips) ⁴	42	1900

² The name in parentheses following the description of the "Defined Area of Land" are used for identification of present perfected rights only; the name used is the first name appearing as the Claimants identified with a parcel in Arizona's 1967 list submitted to this Court.

³ Included as a part of the Powers' claim in Arizona's 1967 list submitted to this Court. Subsequently, the United States and Powers agreed to a Stipulation of Settlement on land ownership whereby title to this property was quieted in favor of the United States.

⁴ The names in parentheses following the description of the "Defined Area of Land" are the names of claimants, added since the 1967 list, upon whose water use these present perfected rights are predicated.

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2. The following miscellaneous present perfected rights in Arizona in annual quantities of water not to exceed the listed number of acre-feet of (i) diversions from the mainstream or (ii) the quantity of mainstream water necessary to supply the consumptive use, whichever of (i) or (ii) is less, for domestic, municipal, and industrial purposes within the boundaries of the land described and with the priority dates listed:

Defined Area of Land	Annual Diversions (acre-feet)	Annual Consumptive Use (acre-feet)	Priority Date
20) City of Parker *	630	400	1905
21) City of Yuma *	2,333	1,478	1893

II

CALIFORNIA

A. Federal Establishments Present Perfected Rights

The federal establishments named in Art. II, subdivision (D), paragraphs (1), (3), (4), and (5) of the Decree entered March 9, 1964, in this case such rights having been decreed by Art. II:

Defined Area of Land	Annual Diversions (acre-feet) *	Net Acres *	Priority Date
22) Chemehuevi Indian Reservation	11,340	1,900	Feb. 2, 1907
23) Yuma Indian Reservation	51,618	7,743	Jan. 9, 1884
24) Colorado River Indian Reservation	10,745	1,612	Nov. 22, 1873
	40,241	6,037	Nov. 16, 1874
	3,760	564	May 15, 1878
25) Fort Mojave Indian Reservation	13,698	2,119	Sept. 18, 1890

B. Water Districts and Projects Present Perfected Rights

26)

The Palo Verde Irrigation District in annual quantities not to exceed (i) 219,780 acre-feet of diversions from the mainstream or (ii) the quantity of mainstream water necessary to supply the consumptive use required for irrigation of 33,604 acres and for the satisfaction of related uses, whichever of (i) or (ii) is less, with a priority date of 1877.

27)

The Imperial Irrigation District in annual quantities not to exceed (i) 2,600,000 acre-feet of diversions from the mainstream or (ii) the quantity of mainstream water necessary to supply the consumptive use required for irrigation of 424,145 acres and for the satisfaction of related uses, whichever of (i) or (ii) is less, with a priority date of 1901.

28)

The Reservation Division, Yuma Project, California (non-Indian portion) in annual quantities not to exceed (i) 38,270 acre-feet of diversions from the mainstream or (ii) the quantity of mainstream water necessary to supply the consumptive use required for irrigation of 6,294 acres and for the satisfaction of related uses, whichever of (i) or (ii) is less, with a priority date of July 8, 1905.

C. Miscellaneous Present Perfected Rights

1. The following miscellaneous present perfected rights in California in annual quantities of water not to exceed the

listed number of acre-feet of diversions from the mainstream to supply the consumptive use required for irrigation and the satisfaction of related uses within the boundaries of the land described and with the priority dates listed:

Defined Area of Land	Annual Diversions (acre-feet)	Priority Date
29) 130 acres within Lots 1, 2, and 3, SE¼ of NE¼ of Section 27, T.16S., R.22E., S.B.B. & M. (Wavers) *	780	1856
30) 40 acres within W¼, W¼ of E¼ of Section 1, T.9N., R.22E., S.B.B. & M. (Stephenson) *	240	1923
31) 20 acres within Lots 1 and 2, Sec. 19, T.13S., R.23E., and Lots 2, 3, and 4 of Sec. 24, T.13S., R.22E., S.B.B. & M. (Mendivil) *	120	1593
32) 30 acres within NW¼ of SE¼, S¼ of SE¼, Sec. 24, and NW¼ of NE¼, Sec. 25, all in T.9S., R.21E., S.B.B. & M. (Grannis) *	180	1928
33) 25 acres within Lot 6, Sec. 5; and Lots 1 and 2, SW¼ of NE¼, and NE¼ of SE¼ of Sec. 8, and Lots 1 & 2 of Sec. 9, all in T.13S., R.22E., S.B.B. & M. (Morgan) *	150	1913
34) 18 acres within E¼ of NW¼ and W¼ of NE¼ of Sec. 14, T.10S., R.21E., S.B.B. & M. (Milpitas) *	108	1918
35) 10 acres within N¼ of NE¼, SE¼ of NE¼, and NE¼ of SE¼, Sec. 30, T.9N., R.23E., S.B.B. & M. (Simons) *	60	1889
36) 16 acres within E¼ of NW¼ and N¼ of SW¼, Sec. 12, T.9N., R.22E., S.B.B. & M. (Colo. R. Sportsmen's League) *	96	1921
37) 11.5 acres within E¼ of NW¼, Sec. 1, T.10S., R.21E., S.B.B. & M. (Milpitas) *	69	1914
38) 11 acres within S¼ of SW¼, Sec. 12, T.9N., R.22E., S.B.B. & M. (Andrade) *	66	1921
39) 6 acres within Lots 2, 3, and 7 and NE¼ of SW¼, Sec. 19, T.9N., R.23E., S.B.B. & M. (Reynolds) *	36	1904
40) 10 acres within N¼ of NE¼, SE¼ of NE¼, and NE¼ of SE¼, Sec. 24, T.9N., R.22E., S.B.B. & M. (Cooper) *	60	1906
41) 20 acres within SW¼ of SW¼ (Lot 5), Sec. 19, T.9N., R.23E., S.B.B. & M. (Chagnon) *	120	1925
42) 20 acres within NE¼ of SW¼, N¼ of SE¼, SE¼ of SE¼, Sec. 14, T.9S., R.21E., S.B.B. & M. (Lawrence) *	120	1915

2. The following miscellaneous present perfected rights in California in annual quantities of water not to exceed the listed number of acre-feet of (i) diversions from the mainstream or (ii) the quantity of mainstream water necessary to supply the consumptive use, whichever of (i) or (ii) is less, for domestic, municipal, and industrial purposes within the boundaries of the land described and with the priority dates listed:

* The names in parentheses following the description of the "Defined Area of Land" are used for identification of present perfected rights only; the name used is the first name appearing as the claimant identified with a parcel in California's 1967 list submitted to this Court.

* The quantity of water in each instance is measured by (i) diversions or (ii) consumptive use required for irrigation of the respective acreage and for satisfaction of related uses, whichever of (i) or (ii) is less.

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Defined Area of Land	Annual Diversion (acre-feet)	Annual Consumptive Use (acre-feet)	Priority Date	Defined Area of Land	Annual Diversion (acre-feet)	Annual Consumptive Use (acre-feet)	Priority Date
43) City of Needles *	1,500	950	1855	61) W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 23, T.9S., R.21E., S.B.B. & M. (Graham) [†]	1.0	0.6	1916
44) Portions of: Secs. 5, 6, 7 & 8, T.7N., R.24E.; Sec. 1, T.7N., R.23E.; Secs. 4, 5, 9, 10, 15, 22, 23, 25, 26, 35, & 36, T.8N., R.23E.; Secs. 19, 29, 30, 32 & 33, T.9N., R.23E., S.B.B. & M. (Atchison, Topeka and Santa Fe Rail- way Co.) *	1,260	273	1896	62) S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T.9S., R.21E., S.B.B. & M. (Cate) [†]	1.0	0.6	1919
45) Lots 1, 2, 3, 4, 5, & SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, T.13S., R.22E., S.B.B. & M. (Conger) [†]	1.0	0.6	1921	63) SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T.9S., R.21E., S.B.B. & M. (McGee) [†]	1.0	0.6	1924
46) Lots 1, 2, 3, 4 of Sec. 32, T.11S., R.22E., S.B.B. & M. (G. Draper) [†]	1.0	0.6	1923	64) SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26; all in T.9S., R.21E., S.B.B. & M. (Stallard) [†]	1.0	0.6	1924
47) Lots 1, 2, 3, 4, and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20, T.11S., R.22E., S.B.B. & M. (McDonough) [†]	1.0	0.6	1919	65) W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T.9S., R.21E., S.B.B. & M. (Randolph) [†]	1.0	0.6	1926
48) SW $\frac{1}{4}$ of Sec. 25, T.8S., R.22E., S.B.B. & M. (Faubion) [†]	1.0	0.6	1925	66) E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T.9S., R.21E., S.B.B. & M. (Stallard) [†]	1.0	0.6	1928
49) W $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 12, T.9N., R.22E., S.B.B. & M. (Dudley) [†]	1.0	0.6	1922	67) S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 13, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 24; all in T.9S., R.21E., S.B.B. & M. (Keefe) [†]	1.0	0.6	1926
50) N $\frac{1}{2}$ SE $\frac{1}{4}$ and Lots 1 and 2 of Sec. 13, T.8S., R.22E., S.B.B. & M. (Douglas) [†]	1.0	0.6	1916	68) SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 2, 3 & 4, Sec. 25, T.13S., R.23E., S.B.B. & M. (C. Ferguson) [†]	1.0	0.6	1903
51) N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 6 and 7, Sec. 5, T.9S., R.22E., S.B.B. & M. (Beauchamp) [†]	1.0	0.6	1924	69) Lots 4 & 7, Sec. 6; Lots 1 & 2, Sec. 7; all in T.14S., R.24E., S.B.B. & M. (W. Ferguson) [†]	1.0	0.6	1903
52) NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and Lot 1, Sec. 26, T.8S., R.22E., S.B.B. & M. (Clark) [†]	1.0	0.6	1916	70) SW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 2, 3, and 4, Sec. 24, T.12S., R.21E., Lot 2, Sec. 19, T.12S., R.22E., S.B.B. & M. (Vaulin) [†]	1.0	0.6	1920
53) N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T.9S., R.21E., S.B.B. & M. (Lawrence) [†]	1.0	0.6	1915	71) Lots 1, 2, 3 and 4, Sec. 25, T.12S., R.21E., S.B.B. & M. (Salisbury) [†]	1.0	0.6	1920
54) N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 13, T.9S., R.21E., S.B.B. & M. (J. Graham) [†]	1.0	0.6	1914	72) Lots 2, 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22; all in T.13S., R.22E., S.B.B. & M. (Hadlock) [†]	1.0	0.6	1924
55) SE $\frac{1}{4}$, Sec. 1, T.9S., R.21E., S.B.B. & M. (Geiger) [†]	1.0	0.6	1910	73) SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and Lots 7 & 8, Sec. 6, T.9S., R.22E., S.B.B. & M. (Streeter) [†]	1.0	0.6	1903
56) Fractional W $\frac{1}{2}$ of SW $\frac{1}{4}$ (Lot 6) Sec. 6, T.9S., R.22E., S.B.B. & M. (Schneider) [†]	1.0	0.6	1917	74) Lot 4, Sec. 5; Lots 1 & 2, Sec. 7; Lots 1 & 2, Sec. 8; Lot 1, Sec. 15; all in T.12S., R.22E., S.B.B. & M. (J. Draper) [†]	1.0	0.6	1908
57) Lot 1, Sec. 15; Lots 1 & 2, Sec. 14; Lots 1 & 2, Sec. 23; all in T.13S., R.22E., S.B.B. & M. (Martinez) [†]	1.0	0.6	1895	75) SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5; SE $\frac{1}{4}$ NE $\frac{1}{4}$ and Lot 9, Sec. 6; all in T.9S., R.22E., S.B.B. & M. (Fitz) [†]	1.0	0.6	1912
58) NE $\frac{1}{4}$, Sec. 22, T.9S., R.21E., S.B.B. & M. (Earle) [†]	1.0	0.6	1925	76) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26; Lots 2 & 3, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23; all in T.8S., R.22E., S.B.B. & M. (Williams) [†]	1.0	0.6	1909
59) NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T.9S., R.21E., S.B.B. & M. (Diehl) [†]	1.0	0.6	1925	77) Lots 1, 2, 3, 4, & 5, Sec. 25, T.8S., R.22E., S.B.B. & M. (Estrada) [†]	1.0	0.6	1928
60) N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, T.9S., R.21E., S.B.B. & M. (Reid) [†]	1.0	0.6	1912	78) S $\frac{1}{2}$ NW $\frac{1}{4}$, Lot 1, frac. NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T.9S., R.21E., S.B.B. & M. (Whittle) [†]	1.0	0.6	1925
				79) N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 25; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24; all in T.9S., R.21E., S.B.B. & M. (Corington) [†]	1.0	0.6	1928

[†] The names in parentheses following the description of the "Defined Area of Land" are the names of the homesteaders upon whose water use these present perfected rights, added since the 1967 list submitted to this Court, are predicated.

1-9-79

Defined Area of Land	Annual Diversions (acre-feet)	Annual Consumptive Use (acre-feet)	Priority Date
80) S½ NW¼, N½ SW¼, Sec. 24, T9S., R21E., S.B.B. & M. (Tolliver) *	1.0	0.6	1928

III NEVADA

A. Federal Establishments Present Perfected Rights

The federal establishments named in Art. II, subdivision (D), paragraphs (5) and (6) of the Decree entered on March 9, 1964, in this case, such rights having been decreed by Art. II:

Defined Area of Land	Annual Diversions (acre-feet)	Net Acres	Priority Date
81) Fort Mojave Indian Reservation	12,534 *	1,939 *	Sept. 18, 1890
82) Lake Mead National Recreation Area (The Overton Area of Lake Mead N.R.A. provided in Executive Order 5105)	500	300 *	May 3, 1929 **

It is ordered that Judge Elbert P. Tuttle be appointed Special Master in this case with authority to fix the time and

* The quantity of water in each instance is measured by (i) diversions or (ii) consumptive use required for irrigation of the respective acreage and for satisfaction of related uses, whichever of (i) or (ii) is less.

* Refers to acre-feet of annual consumptive use, not to net acres.

** Article II (D) (6) of said Decree specifies a priority date of March 3, 1929. Executive Order 5105 is dated May 3, 1929 (see C. F. R. 1964 Cumulative Pocket Supplement, p. 276, and the Findings of Fact and Conclusions of Law of the Special Master's Report in this case, pp. 294-295).

conditions for the filing of additional pleadings and to direct subsequent proceedings, and with authority to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem necessary to call for. The Master is directed to submit such reports as he may deem appropriate.

The Master shall be allowed his actual expenses. The allowances to him, the compensation paid to his technical, stenographic, and clerical assistants, the cost of printing his report, and all other proper expenses shall be charged against and borne by the parties in such proportion as the Court may hereafter direct.

It is further ordered that if the position of Special Master in this case becomes vacant during a recess of the Court, THE CHIEF JUSTICE shall have authority to make a new designation which shall have the same effect as if originally made by the Court.

It is further ordered that the motion of Fort Mojave Indian Tribe et al. for leave to intervene, insofar as it seeks intervention to oppose entry of the supplemental decree, is denied. In all other respects, this motion and the motion of Colorado River Indian Tribes et al. for leave to intervene are referred to the Special Master.

MR. JUSTICE MARSHALL took no part in the consideration or decision of this case.

RALPH E. HUNSAKER, Phoenix, Ariz., for complainant; EVELLE J. YOUNGER, Attorney General, State of California (SANFORD N. GRUSKIN, Chief Assistant Attorney General, R.H. CONNETT and N. GREGORY TAYLOR, Assistant Attorneys General; EDWIN J. DUBIEL, DOUGLAS B. NOBLE, EMIL STIPANOVICH, JR., and ANITA E. RUUD, Deputy Attorneys General, ROBERT P. WILL, and RICHARD PAUL GERBER, with him on the brief) for defendant; LOUIS F. CLAIBORNE, Assistant to the Solicitor General (WADE H. MCCREE, JR., Solicitor General, JAMES W. MOORMAN, Assistant Attorney General, and MYLES E. FLINT, Justice Department attorney, with him on the brief) for intervenors; RAYMOND C. SIMPSON, Palo Verde Estates, Calif., as amicus curiae for Fort Mojave Indian Tribe; LAWRENCE D. ASCHENBRENNER, Washington, D.C. as amicus curiae for Cocopah Indian Tribe; and TERRY NOBLE FISKE, Denver, Colo., as amicus curiae for Colorado River Indian Tribes.