

Secretary UDALL. I cannot think of any parties having a prior right because most of these Indian reservations date back to the 1860's or 1870's. The earliest non-Indian irrigation, the Palo Verde project, in my recollection was in the 1890's. There may be a few exceptions, but most of the Indian rights are prior water rights in terms of the river.

Mr. HALEY. They go back to 1856 and then move up to 1873, 1874, 1890, 1894, 1907, 1917.

Secretary UDALL. I think we ought to be precise on this. I know the Congressman wants to make a clear record. I would like to submit something on this myself so that it will be in the record at this point that would answer the question precisely.

Mr. HALEY. Mr. Chairman, I ask that that be made a part of the record at this point when received.

Mr. JOHNSON. You have heard the request of the gentleman from Florida, Mr. Haley; is there objection?

Mr. SAYLOR. Reserving the right to object, Mr. Chairman. I will not object.

Mr. Secretary, could you enlarge that information to include not just the Indian reservations in the Lower Basin, but also the Indian reservations and their rights in the Upper Basin?

Secretary UDALL. Yes.

Mr. SAYLOR. Because while they were not affected in the case between Arizona and California, I think your lawyer would tell you the same law would apply if the case got back to the Supreme Court again.

Secretary UDALL. I think that is true.

Mr. JOHNSON. Is there any other objection?

Mr. SAYLOR. I withdraw my reservation.

Mr. JOHNSON. It is so ordered.

(The material referred to follows:)

As presented in our prepared statement, in March of 1967 the Solicitor General of the United States filed the following list of claimed Indian "present perfected rights" for the Lower Basin pursuant to Article VI of the Supreme Court Decree in *Arizona v. California*:

(PRESENT PERFECTED RIGHTS FOR INDIAN RESERVATIONS IN WATERS OF THE MAIN STREAM OF THE COLORADO RIVER¹)

Indian reservation	State	Diversion acre-feet	Net acres	Priority date
Yuma.....	California.....	51,616	7,743	Jan. 9, 1884
Fort Mojave.....	Arizona.....	27,969	4,327	Sept. 18, 1890
	do.....	68,447	10,589	Feb. 2, 1911
	California.....	13,698	2,119	Sept. 18, 1890
	Nevada.....	12,534	1,939	Do.
Chemehuevi.....	California.....	11,340	1,900	Feb. 2, 1907
Cocopah.....	Arizona.....	2,744	431	Sept. 27, 1917
Colorado River.....	do.....	358,400	53,768	Mar. 3, 1865
	do.....	252,016	37,808	Nov. 22, 1873
	do.....	51,986	7,799	Nov. 16, 1874
	California.....	10,745	1,612	Nov. 22, 1873
	do.....	40,241	6,037	Nov. 16, 1874
	do.....	3,760	564	May 15, 1876
Total.....		905,496	136,636	

¹ According 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.