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Patrick J. Quinn
President
Qwest Communications, Arizona
4041 N. Central Avenue
Phoenix, Arizona 85012

March 31, 2003

Arizona Navigable Streams Adjudication Commission
1700 W. Washington
Room 404
Phoenix, Arizona 85007

Dear Commissioners:

While the Commission legally must consider whether the Lower Salt River (between Granite Reef Diversion Dam and the Salt-Gila River confluence) was commercially navigable at the time of statehood, a prudent and balanced decision cannot be made without considering the impact on thousands of property rights, easements, rights-of-way and jurisdictional decisions that have evolved in the 91 years since statehood.

Numerous easements and rights-of-ways could be negatively affected if an adverse decision is rendered and land ownership along the heavily urbanized reach of the Salt reverts to state jurisdiction. Should the latter happen, all property and local jurisdictional rights along the Salt are certain to be contested for decades to come, creating an economic and legal nightmare for the state.

A "non-navigable" decision is the only course that makes sense. It is, otherwise, impossible to imagine that the Lower Salt River at any time in history was used for commercial navigation as the legal concept applies to deep, regularly flowing rivers in Eastern states. Indeed, the completion of Roosevelt Dam in 1911 should prove beyond a doubt that the river was virtually non-flowing at the time of statehood in 1912.

Sincerely,

Patrick J. Quinn

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and loops around the line, extending significantly to the right.

Maricopa County, Lower Salt River
03-005-NAV
4/7/03
Evidence Item No. 040