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

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

CASE NO. CV 6417-33-5612

**ORDER INITIATING WATER RIGHTS  
CASE AND SETTING A DATE FOR AN  
INITIAL CONFERENCE**

CASE NAME: *In re Junior G. Williams et al.*  
HSR INVOLVED: Silver Creek Hydrographic Survey  
DESCRIPTIVE SUMMARY: Initiation of water rights case. The Clerk of Apache County Superior Court is directed to initiate CV 6417-33-5612. Initial conference set for **January 11, 2024, at 10:00 am.**  
NUMBER OF PAGES: 15

This court order opens a case to determine rights to use water on land that the Navajo County Assessor has identified as owned by Junior G. Williams *et al.* and Edgar Murphy. The first step in this case is an initial conference with the Court, scheduled for **January 11, 2024, at 10:00 am**, to determine if parties associated with the land are interested in pursuing claims for water rights. **Interested Parties MUST attend the scheduled initial conference if they plan to pursue claims for water rights.** Failure to appear at the initial conference could result in the dismissal of the case and the loss of water rights associated with the property.

1 In this case, Junior G. Williams filed Statements of Claimant (“SOCs”) 39-80958  
2 and 39-80959 on April 1, 1982, to assert claims to use water on land that appears to include  
3 tax parcel 208-03-004D, which is currently owned by Edgar T. Murphy, and tax parcel  
4 208-03-004C, which is currently owned by the estate of Junior G. Williams and numerous  
5 individuals.

6 The first step in this case will be an initial conference. At the conference, the Water  
7 Master, who will be presiding over this case, will explain the case process as well as answer  
8 any potential questions. At the conference, the relevant landowners must be prepared to  
9 state:

- 10 1) the identities of individuals who have interests in the properties,
- 11 2) whether the landowners intend to pursue water rights, and
- 12 3) whether groundwater is used on the property

13  
14  
15 **Additional background information on the process for determining water rights**  
16 **in Arizona can be found on Attachment A**

17  
18  
19 **Details of the Case**

20 On April 1, 1982, Junior G. Williams filed two SOC's asserting the following claims:

<b>SOC Number</b>	<b>Quantity (per year)</b>	<b>Water Source</b>	<b>Water Use</b>	<b>Use Location</b>
39-80958	21 acre-feet	Surface	Stockpond	SWNE Section 13 T11N R18E
	21 acre-feet	Groundwater	Irrigation	NE Section 13 T11N R18E
39-80959	6 acre-feet	Surface	Stockpond	NWNE Section 13 T11N R18E
	5 acre-feet	Groundwater	Irrigation	NE Section 13 T11N R18E

1 The Arizona Department of Water Resources (“ADWR”) investigated the claims  
2 made by Junior G. Williams (“Claimant”) and prepared Watershed File Report (“WFR”)  
3 No. 33-50-CBA-001, published in the Final Silver Creek Watershed Hydrographic Survey  
4 Report (1991) (“Silver Creek HSR”). The WFR recorded that surface water was being used  
5 for irrigation, reservoir, and stockpond purposes within the area noted in the SOCs. A copy  
6 of the WFR is attached as Attachment B. A map that includes the area of land that was  
7 investigated for the WFR, labeled as “(1)”, is attached as Attachment C.

8 After ADWR issued the WFR, objections were filed to the information listed in the  
9 WFR by the Salt River Project, the United States, the Hopi Tribe, the Navajo Nation, and  
10 the San Juan Southern Paiute Tribe. The purpose of this case is to consider the claims made  
11 for water rights under SOCs 39-80958 and 39-80959 and to resolve the objections to the  
12 WFR.

#### 13 14 **Claimant and Landowners**

15 The WFR lists Junior G. Williams et al. as the owners of the land investigated  
16 by ADWR. According to maps obtained from the Navajo County Assessor (“Assessor”),  
17 the land investigated appears to comprise tax parcels 208-03-004D and 208-03-004C.  
18 Documents obtained from the Navajo County Recorder indicate that the owner of parcel  
19 208-03-004C include Ora D. Williams, Harold Ray Williams, Helen Williams Coffman,  
20 Grace Williams Pearce, John E. Williams, Jean Williams Murphy, Maude Williams  
21 Toenniges, Cyrus Albert Williams, and Junior G. Williams. Recorder documents also  
22 indicate that Edgar T. Murphy currently owns parcel 208-03-004D. Attachment D contains  
23 a description of the relevant documents for each parcel obtained from the Navajo County  
24 Recorder.

25 The public records of the Arizona Department of Water Resources do not contain  
26 any assignments of the SOCs listed in the WFR, and Edgar T. Murphy does not appear to  
27 have filed an SOC with respect to the land at issue. A copy of the map prepared by the  
28 Assessor showing the relevant tax parcels is attached as Attachment E.

1 The property owners must gather and present evidence, which may include the  
2 WFR, to show the existence of a water right associated with their property. Alternatively,  
3 the property owners may settle with objectors. If either the property owners prove the  
4 existence of a water right on their property or enter into a valid settlement, the court will  
5 recognize an enforceable water right in a “Final Decree.” Ariz. Rev. Stat. § 45-257(B).

6 This is an order from the court and all parties must comply with the following  
7 instructions. The failure to obey this, or any, court order may result in the dismissal of this  
8 case and the loss of any potential water rights associated with the property mentioned in  
9 this order. If you have questions regarding this Order or any of the attachments, please  
10 contact the General Stream Adjudication, Office of the Special Water Master, at (602) 372-  
11 4115. Please note that staff can only answer administrative questions and cannot provide  
12 legal advice.

13  
14 **IT IS ORDERED:**

15 1. Case Initiation. This case shall be known as *In re Junior G. Williams et al.*,  
16 and it will determine claims to appropriable water claimed in the referenced Statements of  
17 Claimant and resolve any objections that were filed to Watershed File Report No. 33-50-  
18 CBA-001, published in the Final Silver Creek Watershed Hydrographic Survey Report  
19 (1991).

20 2. Initial Conference. An initial conference shall be held on **January 11, 2024,**  
21 **at 10:00 am** to determine whether 1) the Claimant or current landowners intend to pursue  
22 claims for rights to appropriable water for stockpond and irrigation uses and 2) whether  
23 there is any groundwater use on the property. The conference will be held using the Court  
24 Connect program. Instructions for Court Connect are attached as Attachment F. If you  
25 receive this Order by email, click on the red box “Join Court Connect Hearing” on the  
26 attached instructions to make an appearance. If you do not receive this Order by email, log  
27 into the Court Connect program on the internet by typing  
28 <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may

1 attend telephonically using the telephone number and access code included in the  
2 instructions for Court Connect.

3 3. Parties. The litigants in this case are the claimant, current landowners, and  
4 any party who filed an objection to WFR No. 33-50-CBA-001, (“objectors.”) The objectors  
5 in this case are as follows: the Salt River Project, the United States, the Hopi Tribe, the  
6 Navajo Nation, and the San Juan Southern Paiute Tribe.

7 4. Objections: Copies of objections filed to WFR No. 33-50-CBA-001 can be  
8 found under the case number CV 6417-33-5612 on the following website:

9 <http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/what>  
10 [sNew.asp.](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/what)

11 5. Court-Approved Mailing List.

12 a) The initial Court-approved mailing list for this case shall  
13 include all persons listed on Attachment G to this order. The list may  
14 be modified only by filing a motion with the Special Master to amend  
15 the Court-approved mailing list. Litigants are responsible for using the  
16 current Court-approved mailing list.

17 b) A copy of any pleading filed with the Clerk of the Apache  
18 County Superior Court in this case shall be served upon each person  
19 listed on the Court-approved mailing list.

20 c) Claimants wishing to be added or removed from the mailing  
21 list shall file a motion with the Special Master. Parties allowed to  
22 intervene will be automatically added to the Court-approved mailing  
23 list.

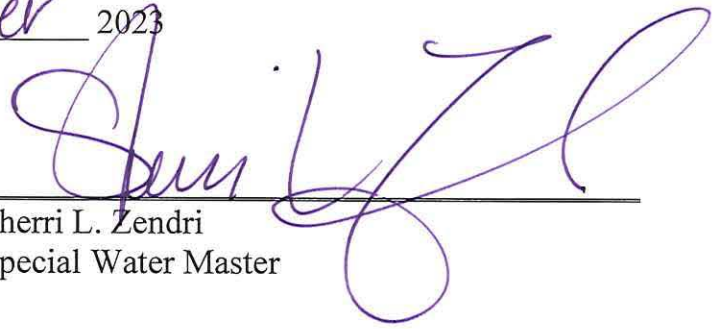
24 d) The Clerk of the Court will send copies of all minute entries  
25 and orders issued in this case to the parties listed on the Court-  
26 approved mailing list.

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e) Claimants who would like to receive courtesy copies of minute entries and orders may request inclusion on an email list by sending a request to [emily.natale@jbazmc.maricopa.gov](mailto:emily.natale@jbazmc.maricopa.gov).

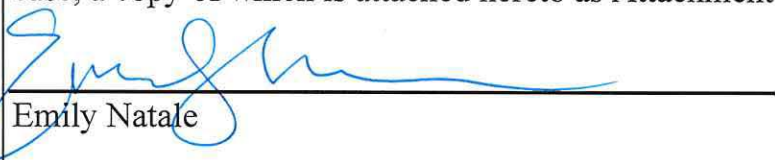
Signed this 7 day of December 2023



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Sherri L. Zendri  
Special Water Master

On December 7, 2023 the original of the foregoing was delivered to the Clerk of the Apache County Superior Court for filing and distributing a copy to all persons listed on the Court-approved mailing list for this contested case, a copy of which is attached hereto as Attachment G.



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Emily Natale

1  
2 **ATTACHMENT A**

3 **General Background on the Water Rights Determination Process in Arizona**

4 A general stream adjudication is a judicial proceeding to determine the quantity and  
5 priority of all water rights in a river system. Arizona is undertaking general stream adjudications  
6 of both the Gila River and the Little Colorado River systems. A river system includes surface  
7 water flowing “in streams or other natural channels,” groundwater sufficiently connected to that  
8 surface water, and water subject to claims by the federal government. Ariz. Rev. Stat. § 45-  
9 251(7). Recognizing and respecting water rights and the priority of such rights is important in  
10 Arizona where times of drought or water scarcity can occur.

11 All cases begin with the filing of a “Statement of Claimant,” (“SOC”) in which a property  
12 owner makes a claim for a right to use surface water on their property. Ariz. Rev. Stat. § 45-254(A).  
13 This person is the “claimant.” The SOCs contain, among other characteristics, a description of the  
14 source and quantity of the water used, the location of use, the location from which the water was  
15 diverted, and the date when the water was first put to use. *Id.* § 45-254(C).

16 After the property owner files the SOCs, the Arizona Department of Water Resources  
17 (“ADWR”) prepares a “Watershed File Report” (“WFR”) in which ADWR investigates the claims  
18 in the SOCs and recommends water rights associated with the property. *Id.* § 45-256(B). ADWR  
19 compiles all WFRs for a watershed into a comprehensive Hydrographic Survey Report (“HSR”)  
20 and publishes the report for public review and comment. In response, other claimants in the  
21 Adjudication file “objections” disputing the information or recommendations in the WFR. The  
22 individuals who file objections are called “objectors”.

23 This “contested case”, one of thousands in the Little Colorado River System, will evaluate  
24 claims asserted in specific Statements of Claimant while considering objections to the WFR that  
25 reported ADWR’s initial inspection of those claims.  
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**ATTACHMENT B**  
**Watershed File Report**



LAND OWNER \_\_\_\_\_ WATERSHED FILE NO. \_\_\_\_\_  
 WILLIAMS, JUNIOR G. ET AL O33-50-CBA-001

A P P L I C A B L E F I L I N G S A N D D E C R E E S

CLEARLY STATED INFORMATION FROM FILINGS AND DECREES

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
39-0080958		IRRIGATION	25.00	NE13	110N	180E	1918	SWNE13	110N	180E
		STOCKPOND	21.00							
39-0080959		IRRIGATION	25.00	NE13	110N	180E	1918	NWNE13	110N	180E
		STOCKPOND	6.00							

D W R A N A L Y S I S O F F I L I N G S A N D D E C R E E S

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
39-0080958	IRRIGATION STOCKWATERING REC/FISH/WLDF	IRRIGATION INCIDENTAL INCIDENTAL	DO1	IROO1,PSOO1,SPOO1
39-0080959	IRRIGATION STOCKWATERING REC/FISH/WLDF	IRRIGATION INCIDENTAL INCIDENTAL	DO2	SROO1,IROO2,SROO2

D I V E R S I O N S

DIV #	LOCATION SECTION	TWNP	RNGE	DRAINAGE AREA/ WATER SOURCE NAME	DIVERSIDN NAME	REMARKS
DO1	SWSWNE13	110N	180E	COTTONWOOD WASH	BIG TANK DAM	
DO2	NENWSW13	110N	180E	COTTONWOOD WASH	WEST TANK	

U S E S

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCE	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
IROO1	SENE13	110N	180E	DO1	SURFACE	1953	NO	
	SWNE13	110N	180E					
IROO2	NENE13	110N	180E	DO2	SURFACE	1953	NO	

R E S E R V O I R S

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCE	PHOTO DATE	RESERVOIR NAME	STORAGE PURPOSE
PSOO1	SWSWNE13	110N	180E		SURFACE	1953	BIG TANK	IRRIGATION STOCKWATERING
SPOO1	SESWNE13	110N	180E	DO1	SURFACE	1953	UNNAMED	STOCKWATERING
SPOO2	SWSENE13	110N	180E		SURFACE	1953	UNNAMED	STOCKWATERING
SROO1	SWNWNE13	110N	180E		SURFACE	1953	WEST TANK	IRRIGATION
SROO2	SENE13	110N	180E	DO2	SURFACE	1953	UNNAMED	IRRIGATION

S H A R E D U S E S A N D D I V E R S I O N S

\*\* WATER FROM DO1 IS SHARED WITH THESE ADDITIONAL FILES:  
 O33-50-CBA-2

P W R S U M M A R Y

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	** APPARENT FIRST USE DATE	** APPARENT FIRST USE DATA SOURCE	DRAINAGE AREA/ WATER SOURCE NAME
IROO1	39-0080958	NONE	1953	1953 AERIAL PHOTO	COTTONWOOD WASH
IROO2	39-0080959	NONE	1953	CLAIMANT INFORMATION	COTTONWOOD WASH
PSOO1	39-0080958	NONE	1953	1953 AERIAL PHOTO	COTTONWOOD WASH
SPOO1	39-0080958	NONE	1953	1953 AERIAL PHOTO	COTTONWOOD WASH
SPOO2	NONE	NONE	1953	1953 AERIAL PHOTO	COTTONWOOD WASH

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	** APPARENT FIRST USE ** DATE	DATA SOURCE	DRAINAGE AREA/ WATER SOURCE NAME
SROO1	39-0080959	NONE	1953	1953 AERIAL PHOTO	COTTONWOOD WASH
SROO2	39-0080959	NONE	1953	1953 AERIAL PHOTO	COTTONWOOD WASH

Q U A N T I T I E S O F U S E

PWR #	QUANTIFICATION TYPE	APPLICABLE ACREAGE/SURFACE AREA (ACRES)	WATER DUTY	ESTIMATED VOLUME	REMARKS
IROO1	AVG. EFFICIENT MAXIMUM ANNUAL	7.4 7.4	5.5 AF/AC 2.8 AF/AC	40.7 AFA 20.7 AFA	DEFICIT IRRIGATION
IROO2	AVG. EFFICIENT MAXIMUM ANNUAL	3.1 3.1	5.5 AF/AC 2.8 AF/AC	17.0 AFA 8.6 AFA	DEFICIT IRRIGATION
PSO01	MAX. AREA/CAP	3.4		24.8 AF	
SPO01	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SPO02	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SROO1	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SROO2	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	

E X P L A N A T I O N

DIVERSIONS

D1 - DIVERSION LOCATED ON AN UNNAMED TRIBUTARY TO STINSON WASH, WITHIN THE COTTONWOOD WASH DRAINAGE AREA. WATER IS DIVERTED FOR IRRIGATION USE IR1 FROM PRIMARY STORAGE RESERVOIR PS1, AND TO SUPPLEMENT WATER SUPPLY FOR STOCKPOND SP1. PS1 ALSO SUPPLIES WATER TO ADJACENT PRIVATE LAND (REFER TO W.F.R. #033-50-CBA-2) FOR IRRIGATION AND STOCKWATERING USES.

D2 - DIVERSION LOCATED ON AN UNNAMED TRIBUTARY TO STINSON WASH, WITHIN THE COTTONWOOD WASH DRAINAGE AREA. WATER IS DIVERTED FROM WEST TANK SR1 FOR IRRIGATION USE IR2 OR FOR STOCKWATERING AND IRRIGATION STORAGE IN RESERVOIR SR2.

USES AND RESERVOIRS

IR1 & IR2 - IRRIGATION OF PASTURE.

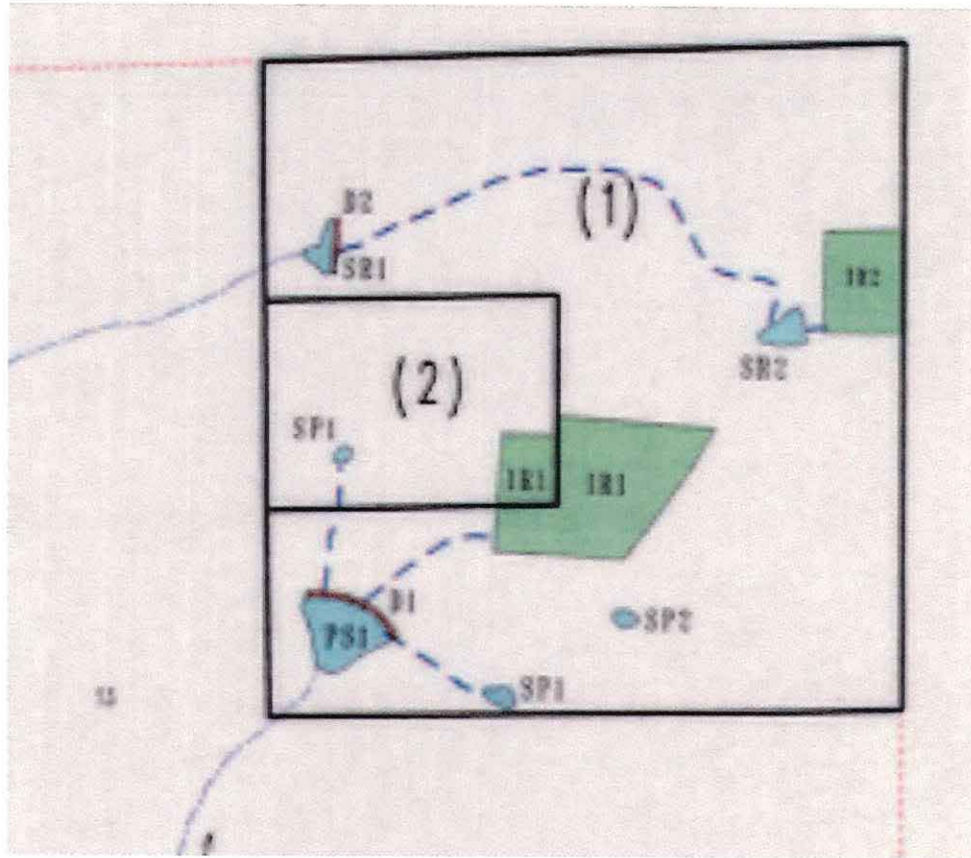
SP1, SP2, SR1, SR2 & PS1 - STOCKPONDS AND RESERVOIRS LOCATED ON UNNAMED TRIBUTARIES TO STINSON WASH, WITHIN THE COTTONWOOD WASH DRAINAGE AREA.

DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS

COMMENT INDICATED THE EXISTENCE OF AN ADDITIONAL SURFACE WATER DIVERSION AND IRRIGATION USE. FIELD INVESTIGATIONS VERIFIED THE LOCATION OF THE SECOND SURFACE WATER DIVERSION (D2, WEST TANK) AND THE EXTENT OF ADDITIONAL IRRIGATED ACREAGE (IR2).

ATTACHMENT C

Map Accompanying the Watershed File Report



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ATTACHMENT D

**Descriptions of Relevant Recorder Documents**

Parcel 208-03-004C

<b>Recorder Document No.</b>	<b>Transferor(s)</b>	<b>Transferee(s)</b>
1967-01295	Ora A. Williams	Junior G. Williams Ora D. Williams, Harold Ray Williams, Helen Williams Coffman, Grace Williams Pearce, John E. Williams, Jean Williams Murphy, Maude Williams Toenniges, Cyrus Albert Williams,
1967-09274	Estate of Ivan B. Williams	Junior G. Williams Ora D. Williams, Harold Ray Williams, Helen Williams Coffman, Grace Williams Pearce, John E. Williams, Jean Williams Murphy, Maude Williams Toenniges, Cyrus Albert Williams,

Parcel 208-03-004D

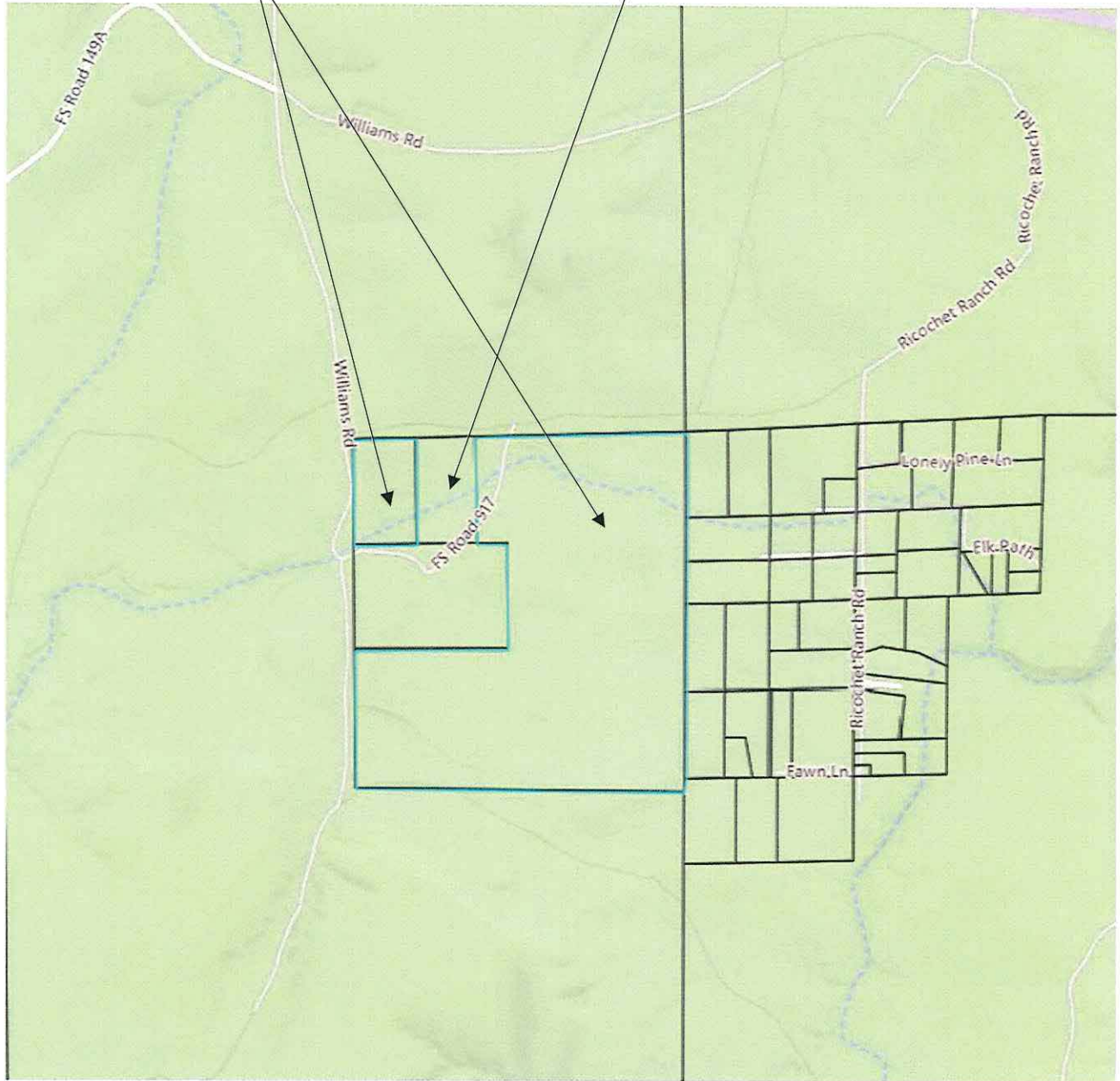
<b>Recorder Document No.</b>	<b>Transferor(s)</b>	<b>Transferee(s)</b>
1967-01295	Ora A. Williams	Junior G. Williams Ora D. Williams, Harold Ray Williams, Helen Williams Coffman, Grace Williams Pearce, John E. Williams, Jean Williams Murphy, Maude Williams Toenniges, Cyrus Albert Williams,
1990-10644	Helen W. Coffman, Maude Toenniges, Cyrus A. Williams, Junior G. Williams, Sonja Williams Leamon, Ivan Murphy, Howard Toenniges, Gene Williams, John O. Williams, Luene Williams	Edgar T. Murphy.

**ATTACHMENT E**

**Map Obtained from the Navajo County Assessor**

**Parcel #208-03-004C**  
Junior G. Williams et al.  
2004 Williams Road  
Show Low, AZ 85901

**Parcel #208-03-004D**  
Edgar T. Murphy  
2012 Williams Road  
Show Low, AZ 85901



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**ATTACHMENT F**

**Initial Court-Approved Mailing List**

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3	Arizona Department of Water Resources	Navajo Nation
4	Kimberly R. Parks and Karen J. Nielsen	Evan Hiller, Candace French Jeffrey
5	1110 West Washington, Suite 310	Leonard, Judith Dworkin and Kathryn Hoover
6	Phoenix, AZ 85007	SACKS TIERNEY P.A.
7	Clerk of the Superior Court	4250 N. Drinkwater Blvd., 4th Floor
8	Apache County	Scottsdale, AZ 85251
9	P. O. Box 365	
10	St Johns, AZ 85936	U.S. Department of Justice
11	Special Master Sherri L. Zendri	Vanessa Boyd Willard
12	Superior Court of Arizona	999 18 <sup>th</sup> Street, Suite 370
13	201 W. Jefferson Street	Denver, CO 80202
14	Courtroom 301	US Dept of Justice – ENRD
15	Phoenix, AZ 85003	Mark J. Widerschein
16	Junior G. Williams et al.	Maggie Woodward
17	1610 Forest Service Rd. #163	Natural Resources Section
18	Show Low, AZ 85901	PO Box 7611 Washington, DC 20044
19	Junior G. Williams et al.	Hopi Tribe
20	PO Box 820	General Counsel of the Hopi Tribe
21	Clay Springs, AZ 85923-0820	P. O. Box 123
22	Edgar T. Murphy	Kykotsmovi, AZ 86039
23	108 Windemere Dr	C. Campbell, P. Londen, P. Bowden
24	Greenville SC, 29615-1636	OSBORN MALEDON, P.S.
25	Salt River Project	2929 North Central Avenue, Ste 2100
26	J.B. Weldon, M.A. McGinnis, M.K. Foy	Phoenix, AZ 85012
27	Salmon, Lewis, and Weldon	San Juan Southern Paiute Tribe
28	2850 E. Camelback Rd. Suite 200	J. Kolsrud, I. Fimbres-Ruiz, K. Shaffer
	Phoenix, AZ 85016.	May, Potenza, Baran & Gillespie, PC
	Navajo Nation Department of Justice	1850 N. Central Avenue, Ste 1600
	Ethel Branch & G. Michelle Brown-Yazzie	Phoenix, AZ 85004-4633
	PO Drawer 2010	
	Window Rock, AZ 86515	

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## ATTACHMENT G

### Instructions for Remote Hearing



### **Court Connect Hearing Notice for In re Junior G. Williams et al.**

*This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.*

*All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.*

**Participants:** Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

**Case Name:** In re Junior G. Williams et al., Contested Case No. CV6417-33-5612

**Start Date/Time:** January 11, 2024 at 10:00 a.m.

**JOIN COURT CONNECT HEARING**

**Dial-in Information:** +1 917-781-4590

**Private Dial-in Information:** for privacy purposes, you can block your phone number by dialing \*67 +1 917-781-4590

**Dial-in Access Code:** 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>