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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

Contested Case No. **CV 6417-33-5612**

**ORDER ADDRESSING JUNE 5, 2024,
LETTER, REQUESTING ADWR
REPORT, AND SETTING STATUS
CONFERENCE**

CASE NAME: *In re Junior G. Williams et al.*
HSR INVOLVED: Silver Creek Hydrographic Survey
DESCRIPTIVE SUMMARY: Response to Donna Williams’s June 5th letter. Order requesting status report from ADWR by **September 5, 2024**, regarding surface water filings on Navajo County Parcel 208-03-004C, and scheduling a status conference for **November 7, 2024, at 10:00 a.m.**
NUMBER OF PAGES: 9

The Court issues this order in response to Donna Williams’s letter filed with the Apache County Clerk of Court on June 5, 2024. Ms. Williams was ordered to file notice with the Court by May 31, 2024, of her progress filing pre-adjudication documentation. The letter was filed with the Clerk of Court, but there was no indication that it was served to all parties on the Court Approved Mailing List and is therefore attached to this order as Attachment A.

A. The purpose of the Little Colorado River Adjudication.

Through a system of water rights, Arizona has regulated surface water since before statehood. A water right tells you the maximum amount of water that you may use, the

1 purposes for which it may be used, the area where it may be used, and the priority date of
2 your water use in the event that there is a water shortage.

3 The purpose of this legal proceeding is to recognize and decree water rights
4 throughout the Little Colorado River Basin in Arizona so that the state can manage its
5 surface water resources more fairly and effectively. This is different from a typical
6 lawsuit, as there are neither “plaintiffs” nor “defendants.” No party to this proceeding is
7 claiming that you have done something wrong, and no party is seeking a remedy from
8 you. This case is not an action to keep you from using water.

9 Nonetheless, it is important that you participate in this proceeding. Having water
10 rights will protect you from potential, future claims of interference with others’ rights.
11 Further, when all water rights claims in the Little Colorado River Basin have been
12 adjudicated and are included in a “final decree,” parties whose claims have been
13 dismissed will have forfeited their water rights. Such a forfeiture could result in legal
14 action under Arizona Revised Statutes section 45-112 or civil liability.

15
16 **B. Service requirements for all parties.**

17 Any document filed in this case (including the June 5, 2024, letter) must be served
18 on all addresses on the Court-Approved Mailing List for this specific contested case. The
19 current Court Approved Mailing List is attached to this order as Attachment B.

20
21 **C. Availability of resources for claimants.**

22 The Arizona Adjudications Project, legal clinic with the University of Arizona
23 (“Project”), is taking applications from parties seeking help with their adjudication
24 claims. Although the Court cannot guarantee that the Project will take on your case, the
25 Project is an option for people who would like help with the adjudication process but may
26 not be able to retain legal counsel. The telephone number for the Project is **520-621-6722**.

27 If you have administrative questions regarding this proceeding, please call the
28 Office of the Special Water Master is **(602) 372-4115**. Please keep in mind that Court

1 staff cannot give legal advice.

2 If you have questions regarding stockpond registrations or permit applications, the
3 telephone number for ADWR is **1-866-246-1414**.

4
5 **D. Arizona Department of Water Resources Assistance.**

6 The Arizona Department of Water Resources (“ADWR”) is the state agency that
7 assists the Adjudication Court with such matters as accepting the filing of Statements of
8 Claimant (“SOCs”) and amendments and modifications of SOCs and investigating and
9 reporting on water uses. ADWR may be able to help current property owners determine
10 if former Claimants properly registered the potential water rights claimed on the SOCs
11 for this contested case and provide assistance regarding the correct filings if additional
12 information is need by the Court. While they cannot provide you legal advice, you are
13 urged to contact ADWR with questions regarding historical filings and the process
14 moving forward.

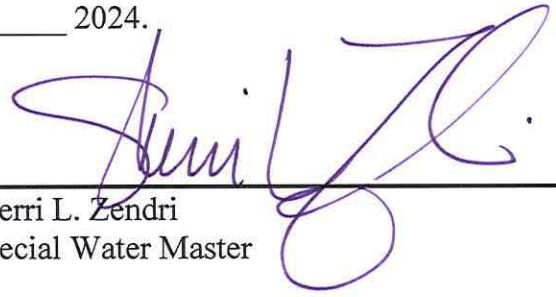
15
16 **IT IS ORDERED** that ADWR shall file a status report by **September 5, 2024**,
17 that includes the following:

- 18 1. Describes the status of all surface water filings on Navajo County Assessor
19 Parcel 208-03-004C.
- 20 2. Identifies all potential water rights described in Watershed File Report 33-50-
21 CBA-001 and located on Navajo County Assessor Parcel 208-03-004C for
22 which no surface water filing has been made.
- 23 3. Provides instructions for completing pending surface water filings on Navajo
24 County Assessor Parcel 208-03-004C.
- 25 4. Provides instructions for initiating surface water filings for potential water
26 rights identified in #2 above.

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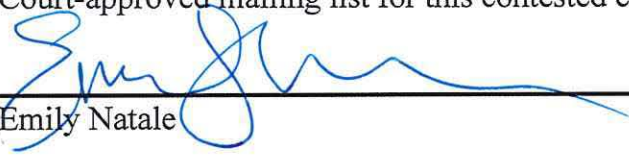
IT IS FURTHER ORDERED that Donna Williams attend a status conference on **November 7, 2024, at 10:00 a.m.** to declare whether she intends to continue participating in these proceedings. The failure of Ms. Williams to appear will result in the dismissal of this case and all associated SOCs. The status conference will be held using the Court Connect program. Instructions for Court Connect are attached as Attachment C. If you receive this Order by email, click on the red box "Join Court Connect Hearing" on the attached instructions to make an appearance. If you do not receive this Order by email, log into the Court Connect program on the internet by typing <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend telephonically using the telephone number and access code included in the instructions for Court Connect.

Signed this 17th day of June 2024.



Sherri L. Zendri
Special Water Master

On June 17, 2024 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.



Emily Natale

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ATTACHMENT A

June 4, 2024
Superior Court of AZ
Apache County

RECEIVED
JUN 10 2024
Water Master of the
Superior Court
SHERRI ZENDRI

FILED
SUBMITTED BY _____
2024 JUN -5 PM 12:46
ANNIE L. HUNTER, CLERK
APACHE COUNTY SUPERIOR COURT

RE: CV6417-33-5612

To whom it may concern:

I am a very private person who enjoys peace and quiet. I live in a secluded area because people tend to misbehave.

I do not have a computer in my home that is connected to a printer or have internet access. These items are not critical to my survival. I do need water for survival. We are all suffering the effects of the drought we are in.

My family is a hardworking group. We could be considered "blue collar workers". My grandparents filed a homestead claim that they struggled to prove. The land is soaked with their blood, sweat and tears. In 1925 they were given a land deed, complete with water rights. As their heir I am guaranteed these rights.

Now we are all involved in this case. I have to ask, "WHY"? Nothing has changed. There is a stock tank that is valuable. It is a divot dug in the earth to slow down the natural runoff of water. The animals drink it, some evaporates, some soaks back down into the water table and the rest of it flows on down the country like it always has. Has someone's greed brought us to this?

I have been asked for construction documents. No such documents exist. The family couldn't have seen the need for such. They decided, "the house goes there, the barn there, the chicken coop..." In fact, they probably didn't even have a spare piece of paper.

On November 29, 2004 the AZ Department of Water Resources received our application to register this stock tank. Many attempts have been made to accomplish this since that date. I have resubmitted the application to the AZ Department of Water Resources. As of June 3, 2024 I have had no response from them.

I truly hope this matter can be resolved now and without additional time and expense to all parties. If not, I respectfully request this to be on hold until November. I am in Logistics for Wildland fire and it is now fire season for much of the country.

I thank you for your time and consideration. Please, let's resolve this peacefully.

Sincerely,

Souza Williams

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Phoenix, Arizona,**
 has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862,
 "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of
Ivan B. Williams
 has been established and duly consummated, in conformity to law, for the **northeast quarter of Section**
thirteen in Township eleven north of Range eighteen east of the Gila and
Salt River Meridian, Arizona, containing one hundred sixty acres,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described;
 TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of
 the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and
 rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws,
 and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the
 authority of the United States.

IN TESTIMONY WHEREOF, I, **Calvin Coolidge,**

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **TWENTY-SIXTH**
 day of **MARCH** In the year of our Lord one thousand
 nine hundred and **TWENTY-FIVE** and of the Independence of the
 United States the one hundred and **FORTY-NINTH**

(SEAL.)

By the President: *Calvin Coolidge*
 By *Dwight B. Coughlin* Secretary.

M.P. LeRoy
 Register of the General Land Office.

RECORD OF PATENTS: Patent Number 956009

ATTACHMENT B

Court Approved Mailing List as of 6/1/24

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

Edgar T. Murphy
108 Windemere Dr.
Greenville, SC 29615

Ethel Branch & G. Michelle Brown-Yazzie
Navajo Nation Department of Justice
PO Drawer 2010
Window Rock, AZ 86515

J. B. Weldon, M. A. McGinnis, M. K. Foy
Salmon, Lewis & Weldon
2850 E. Camelback Rd. Suite 200
Phoenix, AZ 85016

J. Kolsrud, I. Fimbres-Ruiz, K. Shaffer
May, Potenza, Baran & Gillespie, PC
1850 N. Central Avenue, Ste 1600
Phoenix, AZ 85004-4633

J. Leonard, J. Dworkin, M.K. Hoover,
E. Hiller, & C. French
SACKS TIERNEY P.A.
4250 N. Drinkwater Blvd. 4th Floor
Scottsdale, AZ 85251

Junior G. Williams et al.
1610 Forest Service Rd. #163
Show Low, AZ 85901

Junior G. Williams et al.
PO Box 820
Clay Springs, AZ 85923

Kimberly R. Parks and Karen J. Nielsen
Arizona Department of Water Resources
1110 West Washington, Suite 310
Phoenix, AZ 85007

Mark J. Widerschein & Maggie Woodward
United States Dept. of Justice - ENRD
Natural Resources Section
PO Box 7611, Ben Franklin Station
Washington, DC 20044

Office of General Counsel
of the Hopi Tribe
P. O. Box 123
Kykotsmovi, AZ 86039

Phillip W. Londen
OSBORN MALEDON, P.A.
2929 N. Central Ave., Ste. 2000
Phoenix, AZ 85012

Sherri L. Zendri
Special Master
Central Court Building, Ste 3A
201 West Jefferson
Phoenix, AZ 85003-2205

Vanessa Boyd Willard
United States Dept. of Justice - ENRD
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

William J.W. Crum
United States Dept. of Justice - ENRD
Indian Resources Section
PO Box 7611, Ben Franklin Station
Washington, DC 20044

1 **Attachment C**



5

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

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

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

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

- 16
- 17 1. Click the JOIN COURT CONNECT HEARING button below.
 - 18 2. Enter your full name and role in name field.
 - 19 3. Wait for the facilitator to admit you to the proceeding.

20

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

23 **Case Name:** In re In re Junior G. Williams et al

24 **Contested Case No.** CV6417-33-5612

25 **Start Date/Time:** November 7, 2024, at 10:00 a.m.

26

27 **JOIN COURT CONNECT HEARING**

28 **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>

*To ensure an optimal experience, please review the brief Court Connect training prior
to the hearing: [Here](#)*