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

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

W-1, W-2, W-3, W-4 (Consolidated)

Contested Case No. W1-11-1739

ORDER TO INITIATE CONTESTED CASE
AND
ORDER SETTING STATUS
CONFERENCE

CONTESTED CASE NAME: *In re Danny L and Dorothy Murr*
HSR INVOLVED: San Pedro River Watershed Hydrographic Survey WFR
DESCRIPTIVE SUMMARY: Case initiated and status conference set for **March 17, 2022 at 1:45 p.m.**
NUMBER OF PAGES: 14
DATE OF FILING: January 27, 2022

General Explanation

This Order begins the process necessary to adjudicate claims made for rights to appropriable water for use on land that the Cochise County Assessor has identified as owned by Christopher Winslow Hill, the trustee of the Tony L. Gallego Trust, Amanda and Thomas Edsall, Bonifacio A Vargas Jr., Blanca Lydia Vargas, and Bonifacio Vargas III. This contested case

1 is one of the many cases in the Arizona General Stream Adjudication for the San Pedro River
2 Watershed to determine legal rights to water. Other cases in which claims have been made for
3 legal rights to water in the San Pedro River Watershed have been completed, are in the process
4 of determining water rights, or are awaiting initiation. The purpose of the General Adjudication
5 is to determine the rights of those persons who filed Statements of Claimant for rights to use
6 appropriable water in Arizona. The General Adjudication will also determine water rights in the
7 Upper Salt, Verde, Upper Gila, Lower Gila, Agua Fria, and Upper Santa Cruz watersheds.

8 In this case, Charles and Helen I. Harris (“Claimants”) filed Statement of Claimant
9 (“SOC”) 39-11318 on November 7, 1984, for rights to water for use on land in the northeast
10 quarter of the northeast quarter of the northeast quarter of Section 32 Township 17S Range 21E.
11 The Arizona Department of Water Resources (“ADWR”) investigated the claim, which it
12 characterized as a claim for irrigation, domestic, and stock watering uses. It prepared a report
13 known as Watershed File Report No. 112-17-AC-054 (“WFR”) published in the Final San Pedro
14 River Watershed Hydrographic Survey Report (1991). A copy of the WFR is attached as
15 Attachment A.

16 The SOC includes claims 80,000 gallons of water per year for domestic use with a
17 priority date of April 22, 1982 from a well (registration no. 55-502055) for Lots 31, 32 and 33
18 Juline Hills. The WFR found no irrigation, domestic or stock watering uses on the land described
19 in the WFR. After ADWR issued the WFR, objections were filed to the findings made in the
20 WFR. The purpose of this case is to consider the claims made for water rights that are the subject
21 of the WFR and resolve the objections to the WFR.
22

23 **Claimants & Landowners**

24
25 The WFR identified one SOC relevant to the potential water right: 39-11318. Charles
26 and Helen Harris filed the SOC claiming water for domestic use. The WFR lists Danny L and
27 Dorothy Murr as the owners of the property described as located in the northeast quarter of the
28

1 northeast quarter of Section 32 Township 17S Range 21E. The records of the Cochise County
2 Treasurer shows that the following persons have an interest in Lots 31, 32 and 33 Juline Hills:

Tax Parcel No.	Landowner
12016052C	Tony L Gallego Trust
12016052B	Christopher Winslow Hill
12016053	Amanda & Thomas Edsall
12016053A	Bonifacio A Vargas Jr & Blanca Lydia Vargas Bonifacio A Vargas III

10 The public records of the Arizona Department of Water Resources do not contain an assignment
11 of the SOC from Charles and Helen Harris to a successor landowner. A copy of the map
12 prepared by the Cochise County Assessor showing tax parcel nos. 120-16-052B, 120-16-052C,
13 120-16-053 and 120-16-052A is attached as Attachment B.

15 **IT IS ORDERED:**

16
17 1. Contested Case. This contested case shall be known as *In re Danny L and*
18 *Dorothy Murr* and it will determine appropriable water rights asserted in the Statement of
19 Claimant and objections that were filed to Watershed File Report 112-17-AC-054 published in
20 the Final San Pedro River Watershed Hydrographic Survey Report (1991). Copies of objections
21 can be found under the case name and number on the following website:
22 [http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)
23 [asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)

24 2. Litigants. The litigants in this contested case are the Claimants, current
25 landowners, all persons who filed objections to the WFR, and parties who are allowed to
26 intervene by order.

1 3. Court-Approved Mailing List.

2 A. The initial Court-approved mailing list for this case shall include all
3 persons listed on Attachment C to this order. The list may be modified
4 only by filing a motion with the Special Master to amend the Court-
5 approved mailing list. Litigants are responsible for using the current
6 Court-approved mailing list.

7 B. A copy of any pleading filed with the Clerk of the Maricopa County
8 Superior Court in this case shall be served upon each person listed on the
9 Court-approved mailing list.

10 C. Claimants wishing to be added to or removed from the mailing list shall
11 file a motion with the Special Master. Parties allowed to intervene will be
12 automatically added to the Court-approved mailing list.

13 D. The Clerk of the Court will send copies of all minute entries and orders
14 issued in this case to the parties listed on the Court-approved mailing list.
15 Upon request, the Clerk of the Court will provide copies by email. Parties
16 may request emailed copies of minute entries and orders by completing
17 and submitting a CONSENT FOR ELECTRONIC RECEIPT OF WATER
18 CASE DOCUMENTS, which is attached as Attachment D.

19 4. Status Conference. An initial status conference shall be held to determine
20 whether the Claimants or current landowners intend to pursue claims for rights to appropriable
21 water for irrigation or stock watering use. If no person claiming a water right appears at the
22 Status Conference, then Statement of Claimant 39-11308 and this case will be dismissed, and no
23 further action will be taken with respect to the WFR or the objections filed to the WFR.
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1 The Status Conference shall be held on **March 17, 2022 at 1:45 p.m.** The Status
2 Conference shall be held using the Court Connect program. Instructions for Court Connect are
3 attached as Attachment E. If you receive this Order by email, click on the red box "Join Court
4 Connect Hearing" on the attached instructions to make an appearance. If you do not receive this
5 Order by email, log into the Court Connect program on the internet by typing
6 <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend
7 telephonically using the telephone number and access code included in the instructions for Court
8 Connect. Alternatively, you may attend telephonically using the following instructions:
9

10
11 Instructions for telephonic appearance:
12 Dial: 602-506-9695 (local)
13 1-855-506-9695 (toll free long distance)
14 Dial Participant Pass Code 357264#

15
16 
17 SUSAN WARD HARRIS
Special Master

18
19 On January 27, 2022, the original of the foregoing was
20 delivered to the Clerk of the Maricopa County Superior
21 Court for filing and distributing a copy to all persons
22 listed on the Court-approved mailing list for this contested
23 case, a copy of which is attached hereto as Attachment C,
24 and to all persons listed on the Court-approved mailing
25 list for W-1, W-2, W-3, and W-4 (Consolidated).

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28 Emily Natale

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ATTACHMENT A

LAND OWNER	WATERSHED FILE REPORT NUMBER
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MURR, DANNY L. & DOROTHY	112-17-AC-054

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

WI-11-1739

FILING NUMBER	FILING STATUS	USES	QUANTITY IN AFA	USE LOCATION SECTION	TWNP	RNGE	CLAIM DATE	DIVERSION LOCATION SECTION	TWNP	RNGE
39-0011318		IRRIGATION DOMESTIC STOCK	.25	NENENE32	17OS	21OE	1982	NENENE32	17OS	21OE

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
39-0011318	IRRIGATION DOMESTIC STOCK	NONE NONE NONE		

P W R S U M M A R Y

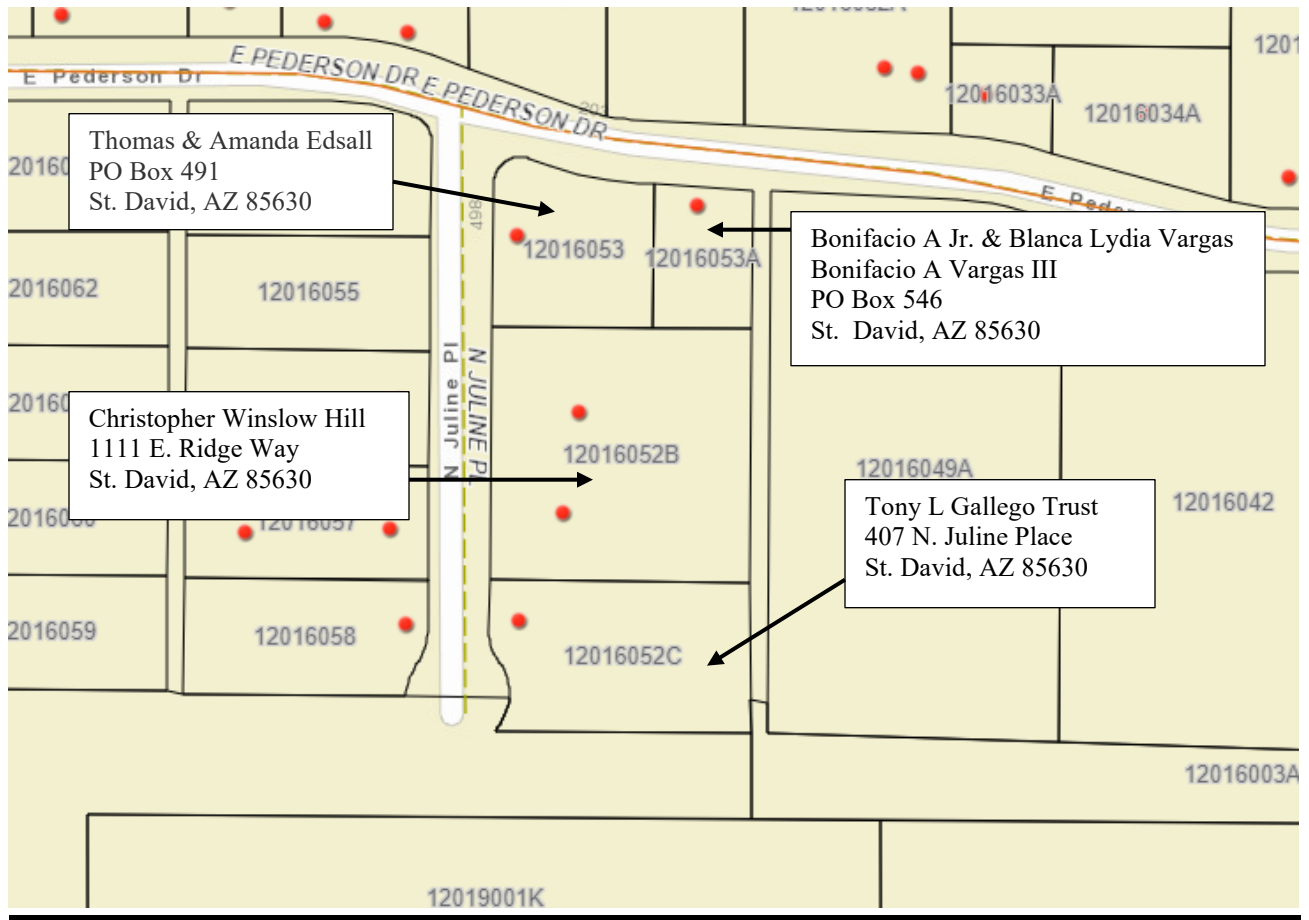
PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	*APPARENT FIRST USE DATE* DATE BASIS FOR DATE	WATER SOURCES AND CLASSIFICATIONS
NONE	39-0011318	NONE		

E X P L A N A T I O N

FILINGS AND DECREES
 FILING 39-11318 - CLAIMS IRRIGATION, DOMESTIC, AND STOCKWATERING USES. NO IRRIGATION, DOMESTIC, OR STOCKWATERING USES WERE FOUND AT THE CLAIMED LOCATION.

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ATTACHMENT B



ATTACHMENT C

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3 Amanda and Thomas Edsall
4 PO Box 491
5 St. David, AZ 85630

6 Arizona Department of Water Resources
7 Kimberly Parks
8 P. O. Box 36020
9 Phoenix, AZ 85067

10 Bonifacio A & Blanca Lydia Vargas
11 Bonifacio A Vargas III
12 PO Box 546
13 St David , AZ 85630

14 Christopher Winslow Hill
15 1111 E Ridge Way
16 Saint David, AZ 85630

17 Clerk of the Superior Court
18 Maricopa County
19 Attn: Water Case
20 601 West Jackson Street
21 Phoenix, AZ 85003

22 Gila River Indian Community
23 Linus Everling and Thomas L. Murphy
24 Office of the General Counsel
25 P. O. Box 97
26 Sacaton, AZ 85147

27 Charles and Helen Harris
28 419 Juline Place
St. David, Arizona 85630

San Carlos Apache Tribe
Joe P. Sparks and Laurel A. Herrmann
The Sparks Law Firm, P.C.
7503 First Street
Scottsdale, AZ 85251-4573

Special Master Susan Ward Harris
Superior Court of Arizona
201 W. Jefferson Street
Courtroom 301
Phoenix, AZ 85003

Tonto Apache Tribe
Richard Palmer, Jr., Jeremiah Weiner
and Lauren Mulhern
Rosette, LLP
565 W. Chandler Blvd. Suite 212
Chandler, AZ 85225

Tony L Gallego Trust
407 N. Juline Place
St. David, AZ 85630

Yavapai Apache Nation
S. Montgomery, R. Interpreter, J. Tomkus
Montgomery & Interpreter, Plc
3301 E. Thunderbird Road
Phoenix, AZ 85032

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ATTACHMENT D

**CLERK OF THE COURT
SUPERIOR COURT OF ARIZONA**

Jeff Fine
Clerk

**MARICOPA COUNTY
Customer Service Center
601 West Jackson
Phoenix, AZ 85003**

602 372-4115
Water Case Clerk

CONSENT FOR ELECTRONIC RECEIPT OF WATER CASE DOCUMENTS

In an effort to provide more timely and cost effective distribution of copies of filed Water Case documents, the Clerk of the Superior Court would like implement electronic distribution via email. To do so, we require your consent to receive copies of documents electronically at an email address provided to our office.

This consent is voluntary and can be rescinded if you so choose. If you no longer wish to receive Water Case documents from the Clerk of Superior Court electronically, please send written notification to the Clerk of the Superior Court Water Case Specialist at the email address below requesting that all future records be sent in paper form.

Please note that if you consent to receive documents via email, you must notify the Clerk's Office of any change to your email address to avoid delay in receiving future filings. In the event there is no valid email address on file with the Clerk of the Superior Court Water Case Specialist, documents will be mailed to the address provided.

If you wish to consent to receive future documents via email, please either fill out the information below and mail to our office or provide the below information to Mayra.Antelo@Maricopa.Gov.

Preferred email address:

Alternate email address:

Physical address:

Phone number:

Firm Name:

Name [Printed]:

Signature:

Date:

Thank you,

Mayra Antelo
Clerk of the Superior Court
Water Case Specialist
(602) 372-5375 options 7,1,3,4

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ATTACHMENT E



Court Connect Hearing Notice for In Danny L. and Dorothy Murr

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 Danny L. and Dorothy Murr Contested Case No. W1-11-1739

Start Date/Time: March 17, 2022 at 1:45 p.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>

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

