

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**ARIZONA GENERAL STREAM ADJUDICATION
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

CV6417

Contested Case No. **CV6417-33-5037**

**ORDER INITIATING CONTESTED
CASE AND SCHEDULING INITIAL
CONFERENCE**

CONTESTED CASE NAME: *In re Edward J. Flake*
HSR INVOLVED: Silver Creek Hydrographic Survey.
DESCRIPTIVE SUMMARY: The Clerk of the Apache County Superior Court is directed to initiate CV6417-33-5037. Parties who wish to pursue this case are ordered to attend an initial conference hearing scheduled for **Tuesday, June 23, 2026, at 10:00am.**
NUMBER OF PAGES: 11

This order opens a case to determine legal rights to use water.

This case is NOT being initiated because of improper water use.

Failure of landowners to participate may result in forfeiture of water rights.

The Little Colorado River Basin is currently undergoing a general stream adjudication to determine water rights and to create an accurate, enforceable record of those rights. The general stream adjudication is currently evaluating **Navajo County Parcel Nos. 202-50-053, 202-27-003J, 202-27-003L, and 202-27-003D** for potential water rights.

This order opens a case to determine rights to use water on the parcels listed above, which the Navajo County Assessor has identified as owned by **Matthew Fowler, Langley**

1 **NZ Ranches LLC, and F Bar Cattle Co.** Current landowners who intend to pursue water
2 rights claims associated with these properties must attend the initial status conference
3 scheduled for **Tuesday, June 23, 2026, at 10:00am.** Please note that this conference will
4 include multiple cases being initiated in the same area.

5 Interested parties MUST attend the scheduled initial conference if they plan to
6 pursue water rights claims. Failure to appear at the initial conference could result in the
7 dismissal of this case and the loss of water rights. The conference will be held virtually
8 using the Court Connect program. Instructions for Court Connect are attached as
9 Attachment A.

10 11 **SUMMARY OF CASE**

12 Arizona Department of Water Resources (“ADWR”) records indicate that F Bar
13 Cattle Co. filed Statements of Claimant 39-81314, 39-81318, 39-81319, 39-81321, and
14 39-81341 in 1982, claiming water for stockpond uses dating to 1886. The filing of a
15 statement of claimant declares an individual’s intent to claim a water right and begins the
16 process of pursuing that water right with the Court.

17 ADWR investigated the claimed water uses and issued Watershed File Report no.
18 33-42-014 in 1991. This contested case is named after the property owner at the time the
19 Watershed File Report was issued. After the Watershed File Report was issued, the public
20 was allowed an opportunity to object to the findings in the report if they believed that there
21 were errors. This case will determine water rights existing on the property associated with
22 the relevant Watershed File Report and resolve the objections to the Watershed File
23 Report.

24 The Court recognizes that there has been a long delay between the filing of the
25 initial documents and the initiation of this case. Because of this delay, the property may
26 have changed ownership or may have been subdivided. Nonetheless, current landowners
27 may still obtain water rights.

1 **OBJECTING PARTIES**

2 It does not appear that any parties objected to the relevant WFR.

3

4 **ATTACHMENTS TO THIS ORDER:**

5 Attachment A: Instructions on how to appear virtually or telephonically at the
6 **Tuesday, June 23, 2026, at 10:00am.** initial conference.

7 Attachment B: Copy of WFR no. 033-42-014.

8 Attachment C: ADWR map showing land investigated in WFR no. 033-42-014.

9 Attachment D: Map showing the relevant tax parcels and current ownership.

10 Attachment E: Initial Court-Approved Mailing List

11

12 **IT IS ORDERED** initiating contested case 6417-33-5037, *In re Edward J. Flake*, and
13 scheduling an initial conference for **Tuesday, June 23, 2026, at 10:00am.**

14 The initial Court Approved Mailing List for this case shall include all parties listed on
15 Attachment E to this order. Any document filed in this case must be served on all parties
16 listed on the Court Approved Mailing List. The list may be modified only by court order.

17 Anyone who would like to receive courtesy copies of minute entries and orders may
18 request inclusion on an email list by sending a request to:

19 ***emily.natale@jbazmc.maricopa.gov.***

20 If parties have questions regarding this order or any of the attachments, please
21 contact the Office of the Special Water Master at (602) 372-4115. Please note that staff
22 can only answer administrative questions and cannot provide legal advice.

23

24 Signed this 23rd day of April 2026.

25

26

27

28



Sherri L. Zendri
Special Water Master

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

On April 23, 2026, 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, and to all persons listed on the Court-approved mailing list for CV 6417.

Emily Natale

ATTACHMENT A



Court Connect Hearing Notice for In re Edward J. Flake

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 Edward J. Flake

Contested Case No. CV 6417-33-5037

Start Date/Time: Tuesday, June 23, 2026, at 10:00am.

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**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTACHMENT B
Watershed File Report

DWR ANALYSIS OF FILINGS AND DECREES (CONTINUED) 033-42-014

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
39-0081319	STOCKPOND	STOCKPOND		SP003
39-0081321	STOCKPOND	STOCKPOND		SP002
39-0081341	STOCKWATERING	STOCKWELL		

RESERVOIRS

PWR #	SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCE	PHOTO DATE	RESERVOIR NAME	STORAGE PURPOSE
SP001	SWNE03	140N	210E		SURFACE	1983	TENMILE CEDARS TANK	STOCKWATERING
SP002	NWSE15	140N	210E		SURFACE	1935	SALT LICK TANK	STOCKWATERING WILDLIFE
SP003	SESW15	140N	210E		SURFACE	1935	SEVENMILE DAM	STOCKWATERING WILDLIFE
SP004	NESES33	140N	210E		SURFACE	1935	FOURMILE STRIP	STOCKWATERING WILDLIFE

PWR SUMMARY

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	** APPARENT FIRST USE DATE	** DATA SOURCE	DRAINAGE AREA/WATER SOURCE NAME
SP001	39-0081318	36-0035434 38-0049032	1886	36-35434	SILVER CREEK
SP002	39-0081321	36-0035438 38-0049036	1886	36-35438	SILVER CREEK
SP003	39-0081319	36-0035436 38-0049034	1886	36-35436	SILVER CREEK
SP004	39-0081314	36-0035427 38-0049027	1886	36-35427	SILVER CREEK
NONE	39-0081341	NONE			

QUANTITIES OF USE

PWR #	QUANTIFICATION TYPE	APPLICABLE ACREAGE/SURFACE AREA (ACRES)	WATER DUTY	ESTIMATED VOLUME	REMARKS
SP001	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SP002	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SP003	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SP004	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	

EXPLANATION

FILINGS AND DECREES

FILINGS 36-35427, 36-35434, 36-35436 & 36-35438 CLAIM DOMESTIC AND STOCKWATERING USES. NO DOMESTIC USES WERE FOUND AT THE CLAIMED LOCATIONS.

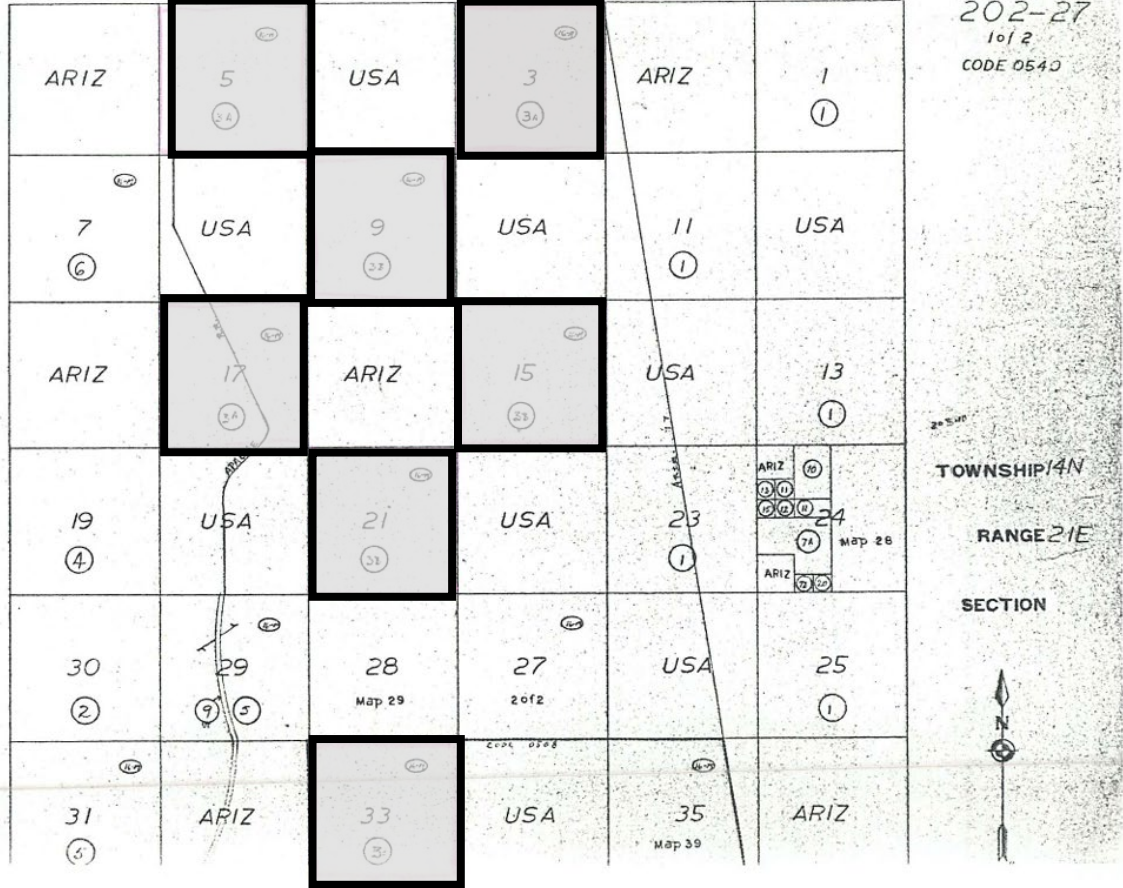
USES AND RESERVOIRS

SP1 - STOCKPOND LOCATED ON AN UNNAMED TRIBUTARY TO TENMILE DRAW.
 SP2 & SP3 - STOCKPONDS LOCATED ON SEVENMILE DRAW.
 SP4 - STOCKPOND LOCATED ON FIVEMILE DRAW.
 STOCKPONDS SP1-SP4 ARE LOCATED WITHIN THE SILVER CREEK DRAINAGE AREA.

ATTACHMENT C

ADWR Map of Area Investigated [sections 3, 5, 9, 15, 17, 21, 33]

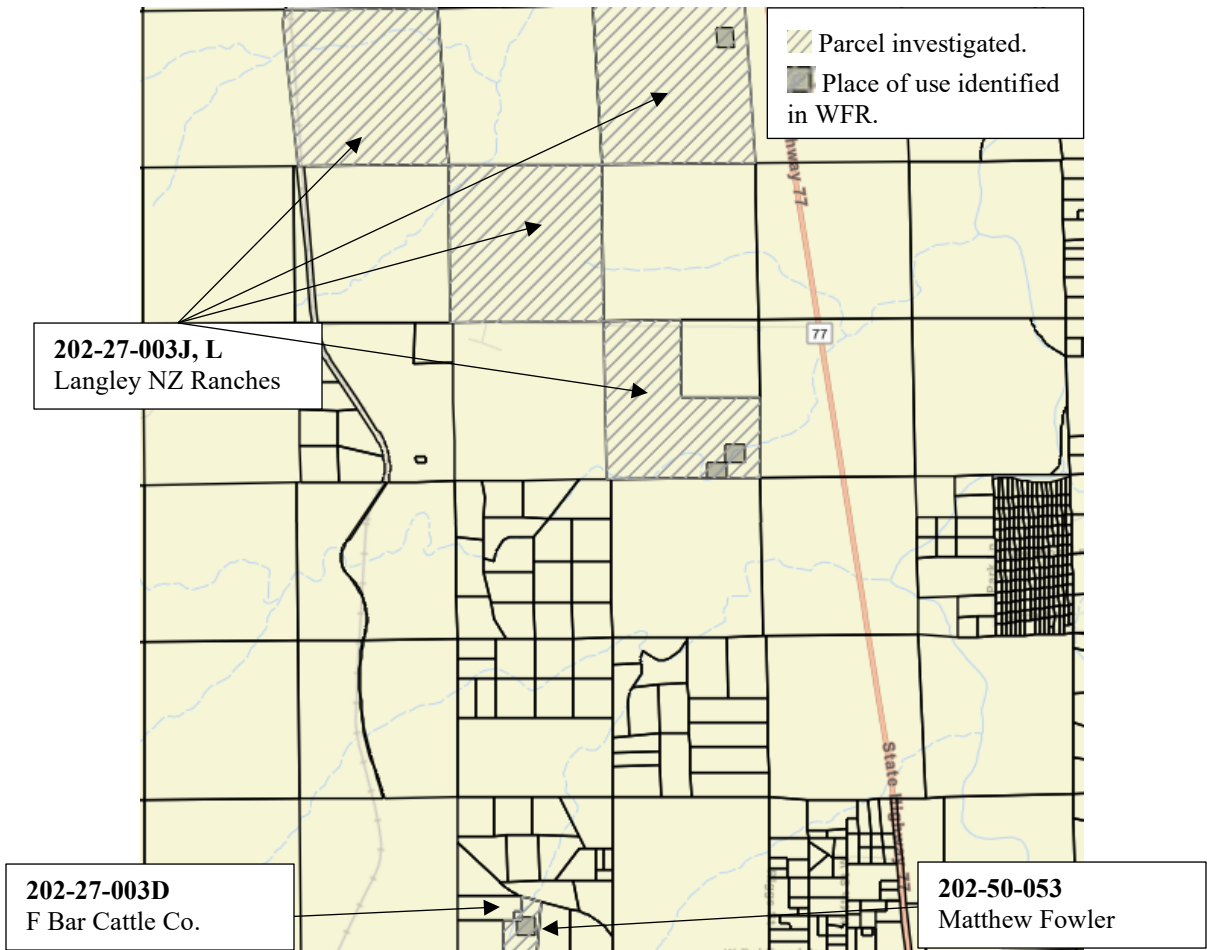
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



ATTACHMENT D

Assessor Map Parcels

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



ATTACHMENT E

Initial Court-Approved Mailing List

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

Matthew Fowler
2727 W. Ridge View Ranch Dr.
Snowflake, AZ 85937

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

Langley NZ Ranches LLC
c/o Steven G. Rees
2738 E. Guadalupe Rd.
Gilbert, AZ 85234

Special Master Sherri Zendri
Superior Court of Arizona
201 W. Jefferson Street
Courtroom 301
Phoenix, AZ 85003

F Bar Cattle Co.
c/o Kent Flake
7542 E. Navarro Ave
Mesa, AZ 85209.

F Bar Cattle Co.
Box 658
Snowflake, AZ 85937