

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. **CV6417-33-5038**

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

CONTESTED CASE NAME: *In re Vincent M. Flake*
HSR INVOLVED: Silver Creek Hydrographic Survey.
DESCRIPTIVE SUMMARY: The Clerk of the Apache County Superior Court is directed to initiate CV 6417-33-5038. 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: 10

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 No. 202-27-006** for potential water rights.

This order opens a case to determine rights to use water on the parcel listed above, which the Navajo County Assessor has identified as owned by **Flake Ranch LLC**. Current landowners who intend to pursue water rights claims associated with this property

1 must attend the initial status conference scheduled for **Tuesday, June 23, 2026, at**
2 **10:00am.** Please note that this conference will include multiple cases being initiated in the
3 same area.

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

9 **SUMMARY OF CASE**

10 Arizona Department of Water Resources (“ADWR”) records indicate that Vincent
11 Flake filed statements of claimant 39-81278 and 39-81279 in 1982, claiming water for
12 stockpond uses dating to 1886. The filing of a statement of claimant declares an
13 individual’s intent to claim a water right and begins the process of pursuing that water
14 right with the Court.

15 ADWR investigated the claimed water uses and issued watershed file report no.
16 033-42-015 in 1991. The watershed file report and this contested are named after the
17 property owner at the time the watershed file report is issued. After the watershed file
18 report was issued, the public was allowed an opportunity to object to the findings in the
19 report if they believed that there were errors. This case will determine water rights existing
20 on the property associated with the relevant watershed file report and resolve the
21 objections to the watershed file report.

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

26 **OBJECTING PARTIES**

27 It appears that no parties objected to WFR no. 033-42-015.
28

1 **ATTACHMENTS TO THIS ORDER:**

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

4 Attachment B: Copy of WFR no. 033-42-015.

5 Attachment C: ADWR map showing land investigated in WFR no. 033-42-015.

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

7 Attachment E: Initial Court Approved Mailing List

8 **IT IS ORDERED** initiating contested case CV6417-33-5038, *In re Vincent M. Flake*,
9 and scheduling an initial conference for **Tuesday, June 23, 2026, at 10:00am.**

10 The initial Court Approved Mailing List for this case shall include all parties listed on
11 Attachment E to this order. Previously, in case CV6417-33-9005, the Court received
12 returned mail from Vincent Flake. That mail was sent to the same address as listed on the
13 Statements of Claimant relevant to this contested case. Due to the prior returned mail,
14 service will not be attempted for Vincent Flake for this contested case. Any document
15 filed in this case must be served on all parties listed on the Court Approved Mailing List.
16 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

1
2
3
4
5
6
ATTACHMENT E



7
8
9
10
11
12
Court Connect Hearing Notice for In re Vincent M. Flake

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 Vincent M. Flake

Contested Case No. CV 6417-33-5038

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

LAND OWNER _____ WATERSHED FILE NO. _____
 FLAKE, VINCENT M _____ 033-42-015
 & LENORA I. _____

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 SECTION	LOCATION TWNP	RNGE
36-0034931		DOMESTIC STOCKWATERING	.30				1886	SESE07	140N	210E
36-0034932		DOMESTIC STOCKWATERING	.10				1886	SENE07	140N	210E
38-0059102		STOCKPOND	1.50	SESE07	140N	210E	1952	SESE07	140N	210E
38-0059103		STOCKPOND	.50	SESE07	140N	210E	1970	SESE07	140N	210E
39-0081278		STOCKPOND	1.00					NESE07	140N	210E
39-0081279		STOCKPOND	1.00					SWSENE07	140N	210E

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
36-0034931	DOMESTIC STOCKPOND	NONE STOCKPOND		SPO02
36-0034932	DOMESTIC STOCKPOND	NONE STOCKPOND		SPO01
38-0059102	STOCKPOND	STOCKPOND		SPO01
38-0059103	STOCKPOND	STOCKPOND		SPO02
39-0081278	STOCKPOND	STOCKPOND		SPO02
39-0081279	STOCKPOND	STOCKPOND		SPO01

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
SPO01	NWSENE07	140N	210E		SURFACE	1983	NUMBER 10 TANK	STOCKWATERING
SPO02	SESESE07	140N	210E		SURFACE	1983	NUMBER 11 TANK	STOCKWATERING

P W R S U M M A R Y

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	** APPARENT FIRST USE DATE	FIRST USE DATA SOURCE	DRAINAGE AREA/ WATER SOURCE NAME
SPO01	39-0081279	36-0034932 38-0059102	1886	36-34932	SILVER CREEK
SPO02	39-0081278	36-0034931 38-0059103	1886	36-34931	SILVER CREEK

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
SPO01	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SPO02	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	

E X P L A N A T I O N

FILINGS AND DECREES

FILINGS 36-34931 & 36-34932 CLAIM DOMESTIC AND STOCKWATERING USES. NO DOMESTIC USES WERE FOUND AT THE CLAIMED LOCATIONS.

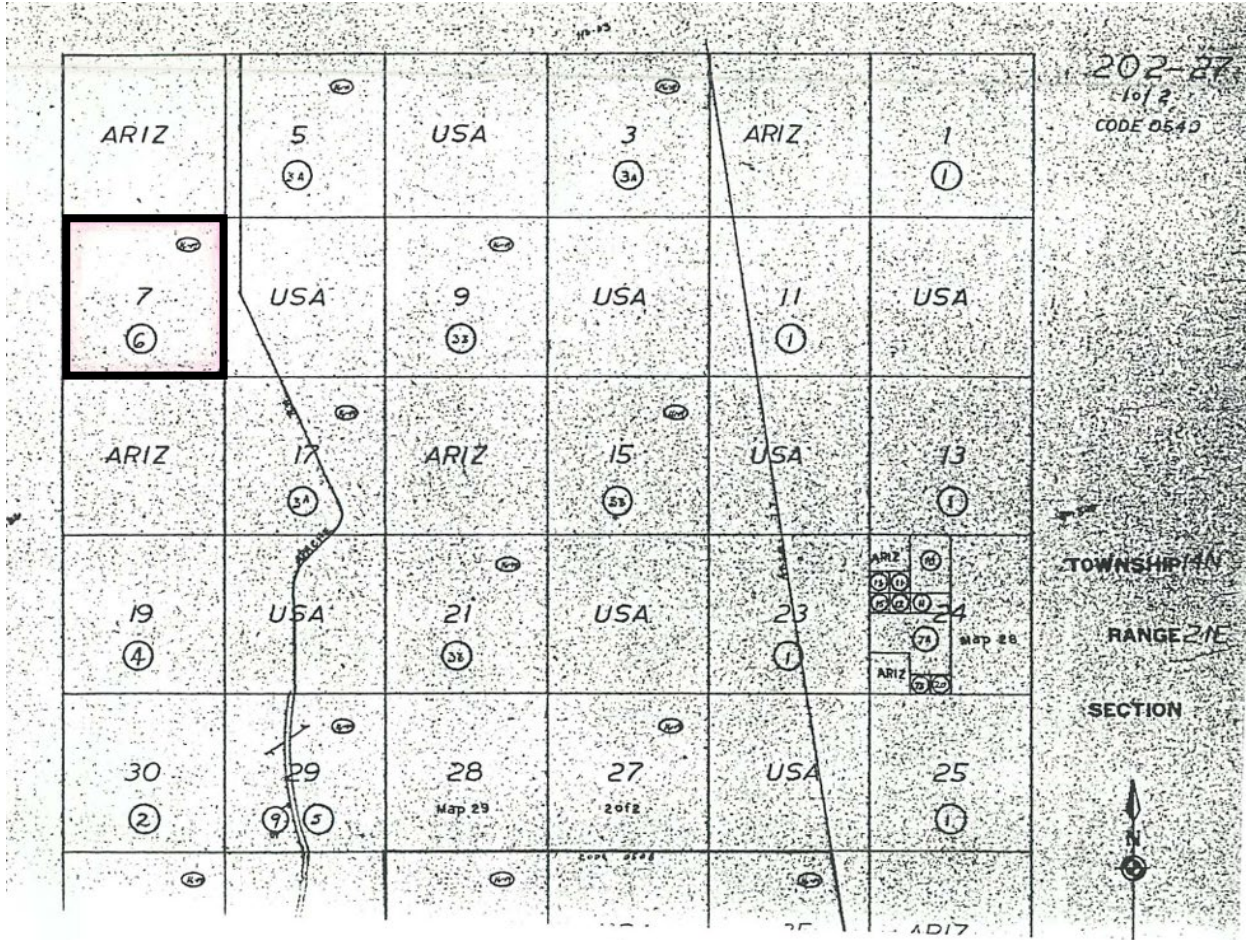
USES AND RESERVOIRS

SP1 - STOCKPOND LOCATED ON UNNAMED TRIBUTARY TO NINEMILE DRAW.
 SP2 - STOCKPOND LOCATED ON NINEMILE DRAW.
 STOCKPONDS SP1 & SP2 ARE LOCATED WITHIN THE SILVER CREEK DRAINAGE AREA.

ATTACHMENT C

ADWR Map of Area Investigated [section 7]

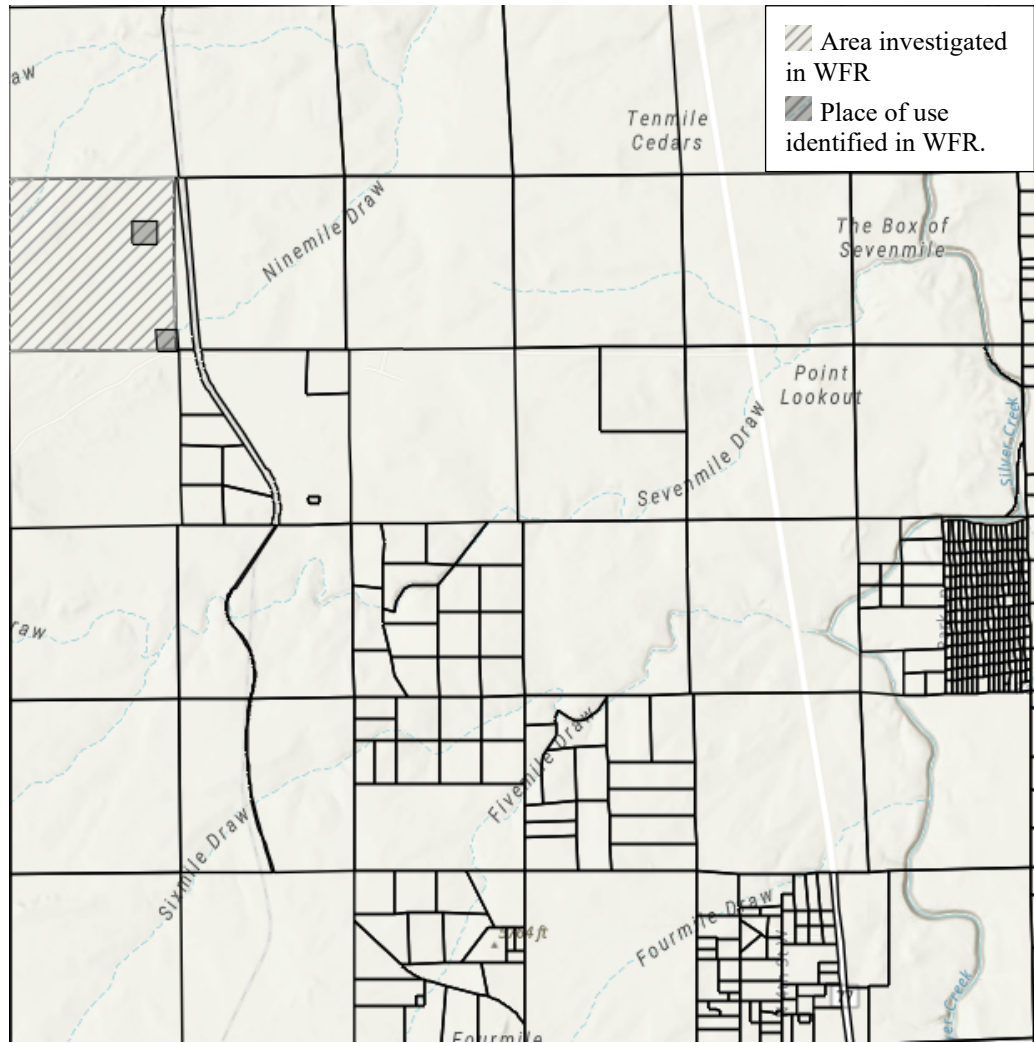
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



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

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

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

Flake Ranches LLC
c/o Gerald I Flake
1020 W. Flake Ave.
Snowflake, AZ 85937