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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

CV6417

Contested Case No. **CV6417-33-5683**

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

CONTESTED CASE NAME: *In re Forest Service – Carlisle*
HSR INVOLVED: Silver Creek Hydrographic Survey.
DESCRIPTIVE SUMMARY: The Clerk of the Apache County Superior Court is directed to initiate CV6417-33-5683. The United States Forest Service shall file with the Special Master a statement declaring the claims that it intends to pursue no later than **June 1, 2026**, and, and draft abstracts no later than **July 31, 2026**.
NUMBER OF PAGES: 9

General Explanation

This order opens a case to determine rights to use water on land owned by the United States Forest Service (“USFS”).

In this case, Austin Frost filed statements of claimant (“SOCs”) 39-81451, L.R. Pearce filed SOC 39-83256, and the USFS filed SOC 39-89989, 39-90002–04, 39-90014, 39-90020–23, 39-90180, 39-90182–83, and 39-91654. Arizona Department of

1 Water Resources (“ADWR”) investigated the claims and prepared watershed file report
2 (“WFR”) no. 033-51-001, published in the Silver Creek Hydrographic Survey Report
3 (“HSR”). A copy of the WFR is attached as Attachment A. After ADWR issued the
4 WFR, objections were filed to the findings made in the WFR by Salt River Project.

5
6 **Claimant and Landowners**

7 WFR 033-51-001 lists the USFS as the owner of the land investigated. A map
8 depicting the locations of potential water rights is attached as Attachment B. The public
9 records of ADWR do not contain any assignments of the SOCs listed in the WFR. Further,
10 neither the state nor lessees appear to have filed any additional SOCs since the issuance
11 of the HSR.

12
13 **IT IS ORDERED:**

14 **1. Case Initiation.** This order initiates contested case CV6417-33-5683.

15 **2. Declaration.** USFS shall review all SOCs relevant to this contested case and
16 declare to the Court no later than **June 1, 2026**, the claims that it intends to
17 pursue in this contested case.

18 **3. Draft Abstracts.** USFS shall file draft abstracts no later than **July 31, 2026**.
19 Parties shall file any comments to the draft abstracts by **August 14, 2026**.

20 **4. Parties.** The litigants in this contested case are the current landowner, lessees,
21 and any party that filed objections to the watershed file report.

22 **5. Objections.** Copies of objections filed to this case can be found under the
23 respective case name and number on the following website:
24 <http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudi>
25 [cation/whatsNew.asp](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp).

26 **6. Court Approved Mailing List.**

27 **A.** The initial Court Approved Mailing List for this case shall include all persons
28 listed on Attachment C to this order. The list may be modified only by filing

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a motion with the Special Master. Litigants are responsible for using the current Court Approved Mailing List.

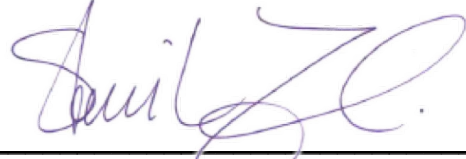
B. A copy of any pleading filed with the Clerk of the Apache County Superior Court in this case shall be served upon each person listed on the Court Approved Mailing List.

C. Claimants wishing to be added or removed from the mailing list shall file a motion with the Special Master. Parties allowed to intervene will be automatically added to the Court Approved Mailing List.

D. The Clerk of the Court will send copies of all minute entries and orders issued in this case to the parties listed on the Court Approved Mailing List.

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.

Signed this 23rd day of April 2026.



Sherri L. Zendri
Special Water Master

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

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ATTACHMENT A
Watershed File Report

LAND OWNER	WATERSHED FILE NO.	LESSEE/ALLOTTEE	LEASE-PERMIT ID
-----	-----	-----	-----
FS - APACHE-SITGREAVES	033-51-001	CARLISLE, J.D., FROST, A., PEARCE, L.R.	LINDEN 36

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
33-0094120	PERMIT	STOCKWATERING	.50	SWSE35	110N	210E	1987	SWSE35	110N	210E
36-0035581		REC/FISH/WLDFL	.25							
		DOMESTIC	.30				1886	SESE22	110N	210E
36-0036382		STOCKWATERING	.52				1878	SWNW12	100N	210E
36-0075965		STOCKWATERING	.10				1918	NENW31	110N	210E
38-0010488		REC/FISH/WLDFL								
		STOCKPOND	.10	SWNW06	110N	210E	1970	SWNW06	110N	210E
38-0010489		REC/FISH/WLDFL								
		STOCKPOND	.10	NESW34	120N	210E	1975	NESW34	120N	210E
38-0010501		REC/FISH/WLDFL								
		STOCKPOND	.10	NWNE32	120N	210E	1965	NWNE32	120N	210E
38-0010503		REC/FISH/WLDFL								
		STOCKPOND	.10	NESW32	110N	210E	1965	NESW32	110N	210E
38-0010504		REC/FISH/WLDFL								
		STOCKPOND	.10	NESE32	110N	210E	1965	NESE32	110N	210E
38-0075894		REC/FISH/WLDFL								
		STOCKPOND	.10	NWSE29	120N	210E	1955	NWSE29	120N	210E
38-0075897		REC/FISH/WLDFL								
		STOCKPOND	.10	SWSE09	110N	210E	1945	SWSE09	110N	210E
38-0075946		REC/FISH/WLDFL								
		STOCKPOND	.10	NESW20	100N	210E	1934	NESW20	100N	210E
38-0095435		REC/FISH/WLDFL								
		STOCKPOND		NWSW29	120N	210E	1990	NWSW29	120N	210E
39-0081451		REC/FISH/WLDFL								
		STOCKWATERING	4.64	SWNW12	100N	210E		SWNW12	100N	210E
39-0083256		STOCKWATERING	10.00				1931			
39-0089989		STOCKPOND	.71				1934	NESE20	100N	210E
39-0090002		STOCKPOND	.43				1965	NESE32	110N	210E
39-0090003		STOCKPOND	.35				1965	NESW32	110N	210E
39-0090004		STOCKPOND					1918	NENW31	110N	210E
39-0090014		STOCKPOND	1.43				1945	SWSE09	110N	210E
39-0090020		STOCKPOND	.50				1970	SWNW06	110N	210E
39-0090021		STOCKPOND	.86				1975	NESW34	120N	210E
39-0090022		STOCKPOND	.60				1955	NWNE32	120N	210E
39-0090023		STOCKWATERING	1.17				1955	NWSE29	120N	210E
39-0090180		STOCKWATERING	.30				1979	SESE34	110N	210E
39-0090182		STOCKWATERING	.50				1975	SENW22	110N	210E
39-0090183		STOCKWATERING	.30				1963	NENW17	110N	210E
39-0091654		STOCKPOND	.40	NWSW29	120N	210E	1976	NWSW29	120N	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
33-0094120	STOCKWATERING	STOCKWATERING		SW002
36-0035581	DOMESTIC	NONE		
	STOCKPOND	NONE		
36-0036382	STOCKWATERING	STOCKWATERING		SW001
36-0075965	STOCKPOND	STOCKPOND		SPO05
	REC/FISH/WLDFL	INCIDENTAL		
38-0010488	STOCKPOND	STOCKPOND		SPO09
	REC/FISH/WLDFL	INCIDENTAL		
38-0010489	STOCKWATERING	STOCKWELL		
	REC/FISH/WLDFL	STOCKWELL		
38-0010501	STOCKPOND	STOCKPOND		SPO03
	REC/FISH/WLDFL	INCIDENTAL		
38-0010503	STOCKPOND	STOCKPOND		SPO07
	REC/FISH/WLDFL	INCIDENTAL		
38-0010504	STOCKPOND	STOCKPOND		SPO06
	REC/FISH/WLDFL	INCIDENTAL		
38-0075894	STOCKPOND	STOCKPOND		SPO02
	REC/FISH/WLDFL	INCIDENTAL		
38-0075897	STOCKPOND	STOCKPOND	. 5	SPO04

FILING NUMBER	USES CLAIMED OR REFERENCED	USES FOUND BY DWR	APPLIES TO DIVERSIONS	APPLIES TO PWR NUMBERS
38-0075897	REC/FISH/WLDF	INCIDENTAL		
38-0075946	STOCKPOND	STOCKPOND		SPO08
38-0095435	REC/FISH/WLDF	INCIDENTAL		
	STOCKPOND	STOCKPOND		SPO01
	REC/FISH/WLDF	INCIDENTAL		
39-0081451	STOCKWATERING	STOCKWATERING		SW001
39-0083256	STOCKWATERING	STOCKWATERING		SW001
39-0089989	STOCKPOND	STOCKPOND		SPO08
	REC/FISH/WLDF	INCIDENTAL		
39-0090002	STOCKPOND	STOCKPOND		SPO06
	REC/FISH/WLDF	INCIDENTAL		
39-0090003	STOCKPOND	STOCKPOND		SPO07
	REC/FISH/WLDF	INCIDENTAL		
39-0090004	STOCKPOND	STOCKPOND		SPO05
	REC/FISH/WLDF	INCIDENTAL		
39-0090014	STOCKPOND	STOCKPOND		SPO04
	REC/FISH/WLDF	INCIDENTAL		
39-0090020	STOCKPOND	STOCKPOND		SPO09
39-0090021	STOCKWATERING	STOCKWELL		
	REC/FISH/WLDF	STOCKWELL		
39-0090022	STOCKPOND	STOCKPOND		SPO03
	REC/FISH/WLDF	INCIDENTAL		
39-0090023	STOCKPOND	STOCKPOND		SPO02
	REC/FISH/WLDF	INCIDENTAL		
39-0090180	STOCKWATERING	STOCKWELL		
39-0090182	STOCKWATERING	STOCKWELL		
39-0090183	STOCKWATERING	STOCKWELL		
39-0091654	STOCKPOND	STOCKPOND		SPO01
	REC/FISH/WLDF	INCIDENTAL		

U S E S

PWR #	SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCE	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
SW001	SESENE11	100N	210E		SURFACE		NO	INSTREAM USE
SW002	SWESE35	110N	210E		SURFACE		NO	INSTREAM USE

R E S E R V O I R S

PWR #	SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCE	PHOTO DATE	RESERVOIR NAME	STORAGE PURPOSE
SPO01	NENSW29	120N	210E		SURFACE	1983	DEBORAH TANK	STOCKWATERING WILDLIFE
SPO02	SWNWSE29	120N	210E		SURFACE	1983	LINDEN TANK	STOCKWATERING WILDLIFE
SPO03	NWNWNE32	120N	210E		SURFACE	1983	BACK STOP TANK	STOCKWATERING WILDLIFE
SPO04	NWNWNE16	110N	210E		SURFACE	1953	THISTLE TANK	STOCKWATERING WILDLIFE
SPO05	NENENW31	110N	210E		SURFACE	1953	COMMUNITY TANK	STOCKWATERING WILDLIFE
SPO06	SENESE32	110N	210E		SURFACE	1986	DRAW TANK	STOCKWATERING WILDLIFE
SPO07	NWNWSE32	110N	210E		SURFACE	1986	RIDGE TANK	STOCKWATERING WILDLIFE
SPO08	NENESW20	100N	210E		SURFACE	1986	JOE TANK	STOCKWATERING WILDLIFE
SPO09	SWSWNW06	110N	210E		SURFACE	1990	DREAMER TANK	STOCKWATERING WILDLIFE

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
SPO01	39-0091654	38-0095435	1983	1983 AERIAL PHOTO	SHOW LOW CREEK
SPO02	39-0090023	38-0075894	1955	38-75894	SHOW LOW CREEK
SPO03	39-0090022	38-0010501	1955	38-10501	SHOW LOW CREEK
SPO04	39-0090014	38-0075897	1945	38-75897	SHOW LOW CREEK

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	** APPARENT FIRST USE **		DRAINAGE AREA/ WATER SOURCE NAME
			DATE	DATA SOURCE	
SPO05	39-0090004	36-0075965	1918	36-75965	SHOW LOW CREEK
SPO06	39-0090002	38-0010504	1965	38-10504	SHOW LOW CREEK
SPO07	39-0090003	38-0010503	1965	38-10503	SHOW LOW CREEK
SPO08	39-0089989	38-0075946	1934	38-75946	SHOW LOW CREEK
SPO09	39-0090020	38-0010488	1970	38-10488	SHOW LOW CREEK
SW001	39-0081451 39-0083256	36-0036382	1931	36-36382	SHOW LOW CREEK
SW002	NONE	33-0094120			SHOW LOW CREEK
NONE	39-0090021 39-0090180 39-0090182 39-0090183	36-0035581 38-0010489			

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	
SPO03	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SPO04	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SPO05	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SPO06	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SPO07	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SPO08	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SPO09	MAX. AREA/CAP	< 2.0		< OR = 15.0 AF	
SW001					SEE VOLUME 1
SW002					SEE VOLUME 1

E X P L A N A T I O N

FILINGS AND DECREES

FILING 36-35581 CLAIMS STOCKWATERING AND DOMESTIC WATER USES FROM RODGER TANK.
 NO STOCKPOND OR DOMESTIC USE WAS FOUND AT THE CLAIMED LOCATION.

USES AND RESERVOIRS

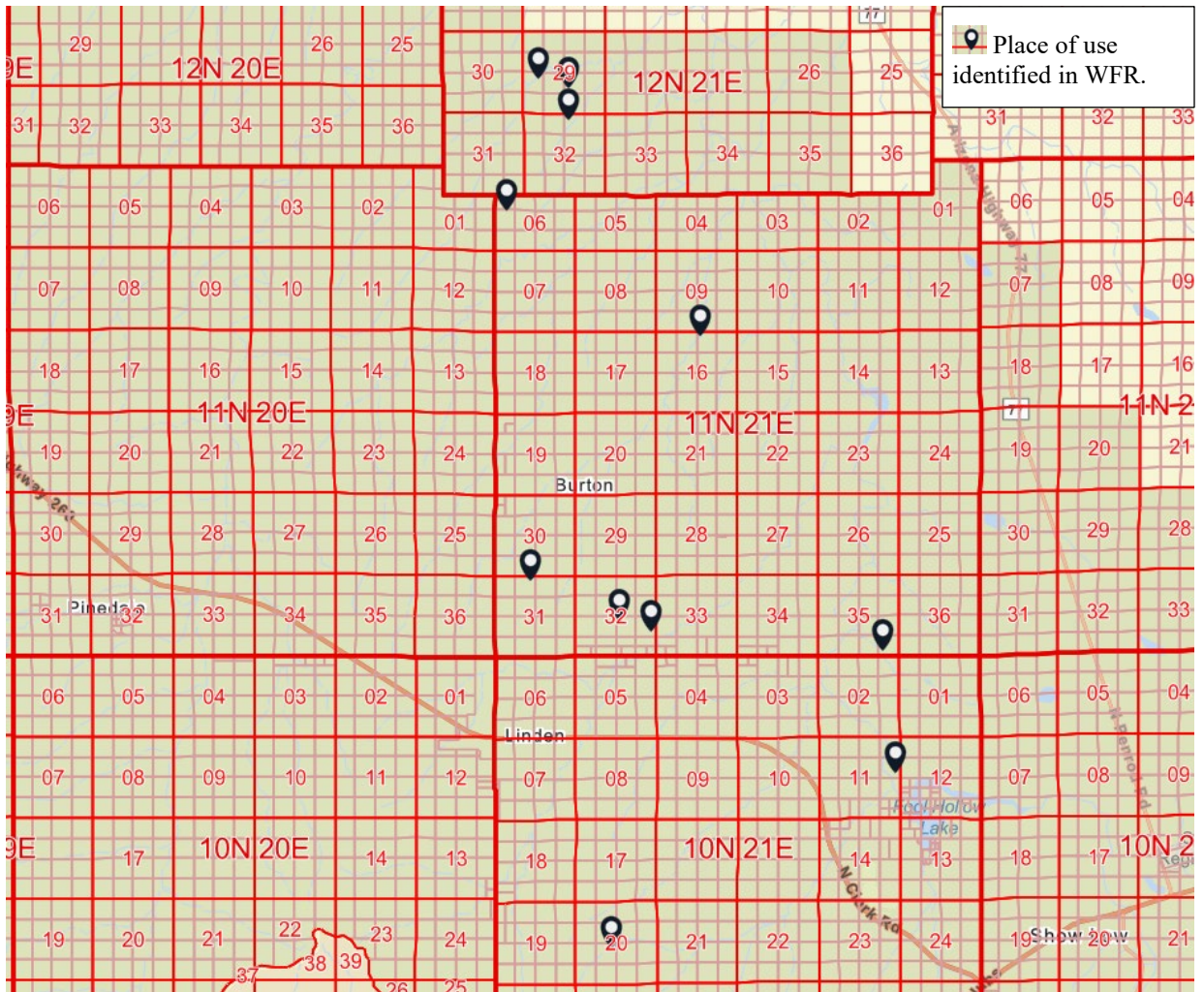
SP1-SP4, SP9 - STOCKPONDS LOCATED ON UNNAMED TRIBUTARIES TO SHOW LOW CREEK.
 SP5 - STOCKPOND LOCATED ON AN UNNAMED TRIBUTARY TO THISTLE HOLLOW.
 SP6 & SP7 - STOCKPONDS LOCATED ON AN UNNAMED TRIBUTARY TO LINDEN DRAW.
 SP8 - STOCKPOND LOCATED ON AN UNNAMED TRIBUTARY TO BAGNAL DRAW.
 SW1 - INSTREAM STOCKWATERING USE FROM AN UNNAMED TRIBUTARY TO SHOW LOW CREEK.
 SW2 - INSTREAM STOCKWATERING USE FROM SHOW LOW CREEK.
 ALL SURFACE WATER SOURCES AND USES ARE LOCATED WITHIN THE SHOW LOW CREEK DRAINAGE AREA.

DISPOSITION OF LAND OWNER/CLAIMANT COMMENTS

THE LOCATION OF DREAMER TANK (STOCKPOND SP9) WAS VERIFIED DURING A FIELD INVESTIGATION
 CONDUCTED ON 5-8-90 WITH U.S. FOREST SERVICE PERSONNEL

ATTACHMENT B

PWR Map



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ATTACHMENT C

Initial Court-Approved Mailing List

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

Mark McGinnis, Michael Foy, Katrina
Wilkinson, Kathryn Ust
Salmon, Lewis, and Weldon
2650 E. Camelback Rd. Suite 300
Phoenix, AZ 85016

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

Josh Edelstein Phoenix Field Solicitor
Office of the Solicitor
U.S. Department of the Interior
Sandra Day O'Connor US Courthouse
401 W. Washington St.
Ste. 404, SPC 44
Phoenix, AZ 85003

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

Mark Widerschein
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Washington, DC 20044