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4 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
5 IN AND FOR THE COUNTY OF APACHE  
6

7 IN RE THE GENERAL  
8 ADJUDICATION OF ALL RIGHTS  
9 TO USE WATER IN THE LITTLE  
10 COLORADO RIVER SYSTEM AND  
11 SOURCE  
12

CV6417

Case: **CV6417-33-5042**

**ORDER APPROVING ABSTRACTS  
AND INCLUSION INTO THE  
CATALOG OF PROPOSED WATER  
RIGHTS**

13  
14 CONTESTED CASE NAME: *In re Fost W. Flake*

15 HSR INVOLVED: Silver Creek Hydrographic Survey.

16 DESCRIPTIVE SUMMARY: This is an order granting approval of abstract and  
17 inclusion in the catalog of proposed water rights

NUMBER OF PAGES: 13

18 On August 26, 2024, Gaylan and Donna Flake, Lora Flake, Billy and Karen  
19 Rowling, Justin and Molly Stradling, Joy and Will Whipple, and Dee Flake (Personal  
20 Representative of the Estate of Marjory Flake) (“Claimants”) filed abstracts for five  
21 proposed water rights (“PWR”):

22 033-42-019-SP001

23 033-42-019-SP002

24 033-42-019-SP003

25 033-42-019-SP004

033-42-019-SP005

26 On June 24, 2025, Claimants provided documentation to the Special Master that  
27 processing of assignments by Arizona Department of Water Resources (“ADWR”) had  
28 been completed. Therefore,

**IT IS ORDERED** approving the following abstracts for proposed water rights included as attachment I to this order and adds it to the Catalog of Proposed Water Rights created pursuant to §15 of the Rules for Proceedings before the Special Master.

033-42-019-SP001

033-42-019-SP002

033-42-019-SP003

033-42-019-SP004

033-42-019-SP005

Signed this 2 day of July 2025

Sherri L. Zendri  
Special Water Master

On July 3, 2025, 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.

Emily Natale

Court Approved Mailing List  
In re Fost W. Flake  
CV6417-33-5042 (12 Names)  
Prepared by the Special Master  
7/3/2025

---

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

# ABSTRACT OF WATER RIGHT

## Silver Creek Watershed

Lower Valley Tank		
1.	Proposed Water Right.	033-42-019-SP001
2.	Owner of Right.	Gaylan K. Flake and Donna J. Flake
3.	Landowner.	Gaylan K. Flake and Donna J. Flake
4.	Statement of Claimant No.(s).	39-81270
5.	Statement of Claimant Name(s).	Gaylan K. Flake and Donna J. Flake
6.	Lessee or Permittee.	None
7.	Basis of Right.	36-35485 38-58223
8.	Beneficial Use.	Stockpond
9.	Priority Date.	01/31/1886
10.	Quantity.	Capacity: 1.8 AF, Continuous fill
11.	Place of Use. <sup>A</sup>	SW ¼ SE ¼ NE ¼ of Sec. 29, Township 14 North, Range 21 East, Gila and Salt River Base and Meridian, Navajo County, Arizona <u>GPS Coordinates:</u> 34.58002089 -110.1344407
12.	Point of Diversion. <sup>B</sup>	SW ¼ SE ¼ NE ¼ of Sec. 29, Township 14 North, Range 21 East, Gila and Salt River Base and Meridian, Navajo County, Arizona <u>GPS Coordinates:</u> 34.58002089 -110.1344407
13.	Source of Water.	Six Mile Draw

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<sup>A</sup> See the attached map.

<sup>B</sup> See the attached map.





● Stock Pond

□ APN

□ Section

0.2 Miles

**Contested Case No. 6417-33-5042**

**In re Fost W. Flake**

**Claimant: Gaylan and Donna Flake et al.**

# ABSTRACT OF WATER RIGHT

## Silver Creek Watershed

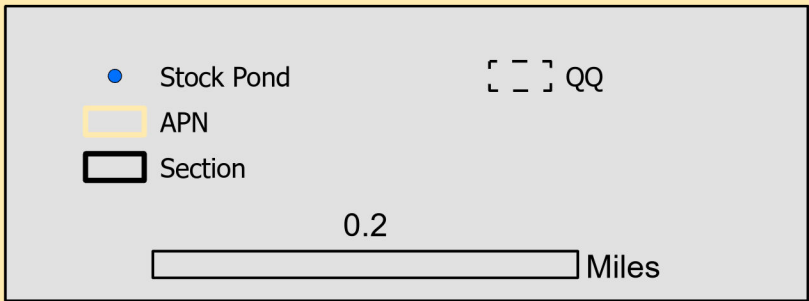
Lake Marjory		
1.	Proposed Water Right.	033-42-019-SP002
2.	Owner of Right.	Gaylan K. Flake and Donna J. Flake
3.	Landowner.	Gaylan K. Flake and Donna J. Flake
4.	Statement of Claimant No.(s).	39-81269
5.	Statement of Claimant Name(s).	Gaylan K. Flake and Donna J. Flake
6.	Lessee or Permittee.	None
7.	Basis of Right.	36-35484 38-58224
8.	Beneficial Use.	Stockpond
9.	Priority Date.	01/31/1886
10.	Quantity.	Capacity: 10.0 AF, Continuous fill
11.	Place of Use. <sup>A</sup>	NW ¼ NE ¼ SW ¼ of Sec. 29, Township 14 North, Range 21 East, Gila and Salt River Base and Meridian, Navajo County, Arizona <u>GPS Coordinates:</u> 34.57687741 -110.14366209
12.	Point of Diversion. <sup>B</sup>	NW ¼ NE ¼ SW ¼ of Sec. 29, Township 14 North, Range 21 East, Gila and Salt River Base and Meridian, Navajo County, Arizona <u>GPS Coordinates:</u> 34.57687741 -110.14366209
13.	Source of Water.	Six Mile Draw

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<sup>A</sup> See the attached map.

<sup>B</sup> See the attached map.





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**Claimant: Gaylan and Donna Flake et al.**

# ABSTRACT OF WATER RIGHT

## Silver Creek Watershed

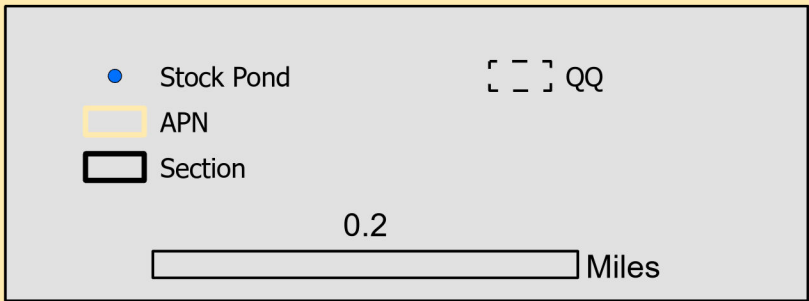
Grandfather Tank		
1.	<b>Proposed Water Right.</b>	033-42-019-SP003
2.	<b>Owner of Right.</b>	Gaylan K. Flake and Donna J. Flake
3.	<b>Landowner.</b>	Gaylan K. Flake and Donna J. Flake
4.	<b>Statement of Claimant No.(s).</b>	39-81263
5.	<b>Statement of Claimant Name(s).</b>	Gaylan K. Flake and Donna J. Flake
6.	<b>Lessee or Permittee.</b>	None
7.	<b>Basis of Right.</b>	36-35478
8.	<b>Beneficial Use.</b>	Stockpond
9.	<b>Priority Date.</b>	01/31/1886
10.	<b>Quantity.</b>	Capacity: 2.0 AF, Continuous fill
11.	<b>Place of Use. <sup>A</sup></b>	NE ¼ SW ¼ SW ¼ of Sec. 29, Township 14 North, Range 21 East, Gila and Salt River Base and Meridian, Navajo County, Arizona <u>GPS Coordinates:</u> 34.57452599 -110.145544
12.	<b>Point of Diversion. <sup>B</sup></b>	NE ¼ SW ¼ SW ¼ of Sec. 29, Township 14 North, Range 21 East, Gila and Salt River Base and Meridian, Navajo County, Arizona <u>GPS Coordinates:</u> 34.57452599 -110.145544
13.	<b>Source of Water.</b>	Six Mile Draw

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<sup>A</sup> See the attached map.

<sup>B</sup> See the attached map.





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**In re Fost W. Flake**

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# ABSTRACT OF WATER RIGHT

## Silver Creek Watershed

No. Two Tank		
1.	Proposed Water Right.	033-42-019-SP004
2.	Owner of Right.	Gaylan K. Flake and Donna J. Flake
3.	Landowner.	Gaylan K. Flake and Donna J. Flake
4.	Statement of Claimant No.(s).	39-81266
5.	Statement of Claimant Name(s).	Gaylan K. Flake and Donna J. Flake
6.	Lessee or Permittee.	None
7.	Basis of Right.	36-35481 38-58227
8.	Beneficial Use.	Stockpond
9.	Priority Date.	01/31/1886
10.	Quantity.	Capacity: 4.0 AF, Continuous fill
11.	Place of Use. <sup>A</sup>	NW ¼ SW ¼ SW ¼ of Sec. 31, Township 14 North, Range 21 East, Gila and Salt River Base and Meridian, Navajo County, Arizona <u>GPS Coordinates:</u> 34.55842057 -110.16690729
12.	Point of Diversion. <sup>B</sup>	NW ¼ SW ¼ SW ¼ of Sec. 31, Township 14 North, Range 21 East, Gila and Salt River Base and Meridian, Navajo County, Arizona <u>GPS Coordinates:</u> 34.55842057 -110.16690729
13.	Source of Water.	Six Mile Draw

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<sup>A</sup> See the attached map.

<sup>B</sup> See the attached map.





● Stock Pond  
□ APN  
□ Section

0.2 Miles

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**In re Fost W. Flake**

**Claimant: Gaylan and Donna Flake et al.**



# ABSTRACT OF WATER RIGHT

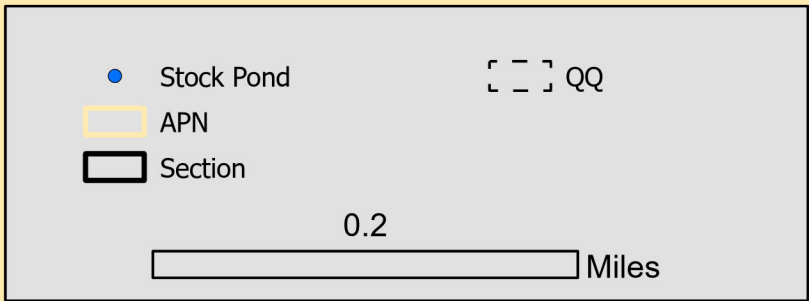
## Silver Creek Watershed

Vee Tank		
1.	Proposed Water Right.	033-42-019-SP005
2.	Owner of Right.	Gaylan K. Flake and Donna J. Flake
3.	Landowner.	Gaylan K. Flake and Donna J. Flake
4.	Statement of Claimant No.(s).	39-81267
5.	Statement of Claimant Name(s).	Gaylan K. Flake and Donna J. Flake
6.	Lessee or Permittee.	None
7.	Basis of Right.	36-35482 38-58226
8.	Beneficial Use.	Stockpond
9.	Priority Date.	01/31/1886
10.	Quantity.	Capacity: 1.9 AF, Continuous fill
11.	Place of Use. <sup>A</sup>	SE ¼ SE ¼ NE ¼ of Sec. 31, Township 14 North, Range 21 East, Gila and Salt River Base and Meridian, Navajo County, Arizona <u>GPS Coordinates:</u> 34.56472516 -110.14987438
12.	Point of Diversion. <sup>B</sup>	SE ¼ SE ¼ NE ¼ of Sec. 31, Township 14 North, Range 21 East, Gila and Salt River Base and Meridian, Navajo County, Arizona <u>GPS Coordinates:</u> 34.56472516 -110.14987438
13.	Source of Water.	Six Mile Draw

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<sup>A</sup> See the attached map.

<sup>B</sup> See the attached map.



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