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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. **CV6417-33-5722**

**ORDER REINITIATING CONTESTED  
CASE AND SETTING FILING  
DEADLINES**

CONTESTED CASE NAME: *In re ASLD – Whipple*  
HSR INVOLVED: Silver Creek Hydrographic Survey Report.  
DESCRIPTIVE SUMMARY: The Clerk of the Apache County Superior Court is directed to reinstate CV 6417-33-5722. Arizona State Land Department shall file with the Special Master a statement declaring the claims that it intends to pursue by **May 8, 2026**, and draft abstracts by **June 8, 2026**.  
NUMBER OF PAGES: 9

**General Explanation**

This order opens a case to determine rights to use water on land owned by the Arizona State Land Department (“ASLD”).

In this case, ASLD and Larry H. Whipple filed statements of claimant (“SOC”) 39-85746 and 39-87458. The Arizona Department of Water Resources (“ADWR”) investigated the claims and prepared watershed file report (“WFR”) 033-51-046, published in the Silver Creek Hydrographic Survey Report (“HSR”). A copy of the WFR

1 is attached as Attachment A. A map illustrating the area investigated in the WFR is  
2 attached as Attachment B.

3 After ADWR issued the WFR, objections were filed to the findings made in the  
4 WFR by the Arizona State Land Department (“ASLD”). It appears that in 1992, the  
5 Special Master held a scheduling conference for this case.<sup>1</sup> The Special Master does not  
6 appear to have taken any further action regarding this case.

7  
8 **Claimant and Landowner**

9 WFR 033-51-046 lists the Arizona State Land Department (“ASLD”) as the owner  
10 of the land investigated. ASLD records indicate that the property investigated currently  
11 comprises Navajo County Assessor parcel **304-11-038** and a portion of ASLD parcel **05-**  
12 **078820**. A map depicting the relevant lands is attached as Attachment C. The public  
13 records of ADWR do not contain any assignments of the SOC listed in the WFR. Further,  
14 neither the state nor lessees appear to have filed any additional SOCs since the issuance  
15 of the HSR.

16 **IT IS ORDERED:**

17 **1. Case Initiation.** This order reinitiates contested case CV6417-33-5722.

18 **2. Declaration.** By **May 8, 2026**, ASLD shall review all SOCs relevant to this  
19 contested case, file with ADWR all amendments or additional claims that it intends  
20 to pursue, and declare all such claims to the Court.

21 **3. Draft Abstracts.** By **June 8, 2026**, ASLD shall file draft abstracts for claims  
22 eligible for summary adjudication.

23 **4. Parties.** The litigants in this contested case are the current landowner and any  
24 lessees.

25 **5. Objections.** Copies of objections filed to this case can be found under the  
26 respective case name and number on the following website:

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<sup>1</sup> CV6417-33-0110, Minute Entry (July 23, 1992).

1 [http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudicati](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)  
2 [on/whatsNew.asp.](http://www.superiorcourt.maricopa.gov/SuperiorCourt/GeneralStreamAdjudication/whatsNew.asp)

3 **6. Court-Approved Mailing List.**

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

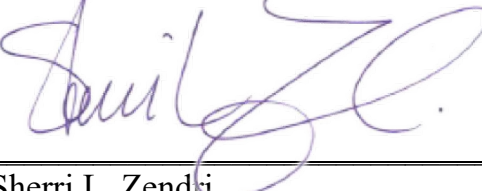
8 **B.** A copy of any pleading filed with the Clerk of the Apache County Superior  
9 Court in this case shall be served upon each person listed on the Court-  
10 approved mailing list.

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

14 **D.** The Clerk of the Court will send copies of all minute entries and orders issued  
15 in this case to the parties listed on the Court-approved mailing list.

16 **E.** Claimants who would like to receive courtesy copies of minute entries and  
17 orders may request inclusion on an email list by sending a request to  
18 emily.natale@jbazmc.maricopa.gov.

19  
20 Signed this 8th day of April 2026.

21 

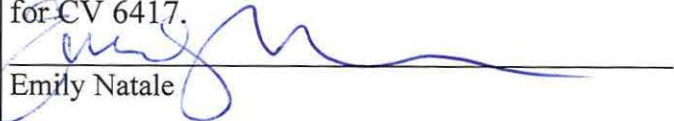
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24 Sherri L. Zendri  
25 Special Water Master  
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On April 8, 2026, the original of the foregoing was delivered to the Clerk of the Apache County Superior Court for filing and distributing a copy to 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
----- SLD	----- 033-51-046	----- WHIPPLE, LARRY H.	----- 05-84304

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
36-0000101		STOCKWATERING REC/FISH/WLDF	.33	NWNE10	110N	220E	1886	NWNE10	110N	220E
39-0085746		STOCKWATERING REC/FISH/WLDF	.22				1884	NENWNE10	110N	220E
39-0087458		STOCKWATERING	5.00				1880	10	110N	220E

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
36-0000101	STOCKWATERING REC/FISH/WLDF	STOCKWATERING INCIDENTAL		SW001
39-0085746	STOCKWATERING REC/FISH/WLDF	STOCKWATERING INCIDENTAL		SW001
39-0087458	STOCKWATERING	STOCKWATERING		SW002

U S E S

PWR #	LOCATION SECTION	TWNP	RNGE	SUPPLIED BY DIVERSIONS	WATER SOURCE	PHOTO DATE	SOURCE CHANGE	FACILITY NAME
SW001	NENWNE10	110N	220E		SURFACE		NO	INSTREAM USE

P W R S U M M A R Y

PWR #	APPLICABLE ADJ FILINGS	APPLICABLE PRE FILINGS	** APPARENT FIRST USE DATE	** DATA SOURCE	DRAINAGE AREA/ WATER SOURCE NAME
SW001	39-0085746	36-0000101	1886	36-101	SILVER CREEK
NONE	39-0087458	NONE			

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
SW001					SEE VOLUME 1

E X P L A N A T I O N

USES AND RESERVOIRS

SW1 - INSTREAM STOCKWATERING USE FROM MEXICAN LAKE.  
 SW2 - INSTREAM STOCKWATERING USE FROM WHITE MOUNTAIN LAKE.  
 INSTREAM STOCKWATERING USES SW1 & SW2 ARE LOCATED WITHIN THE SILVER CREEK DRAINAGE AREA.

**ATTACHMENT B**

**Map Illustrating Area Investigated in WFR**

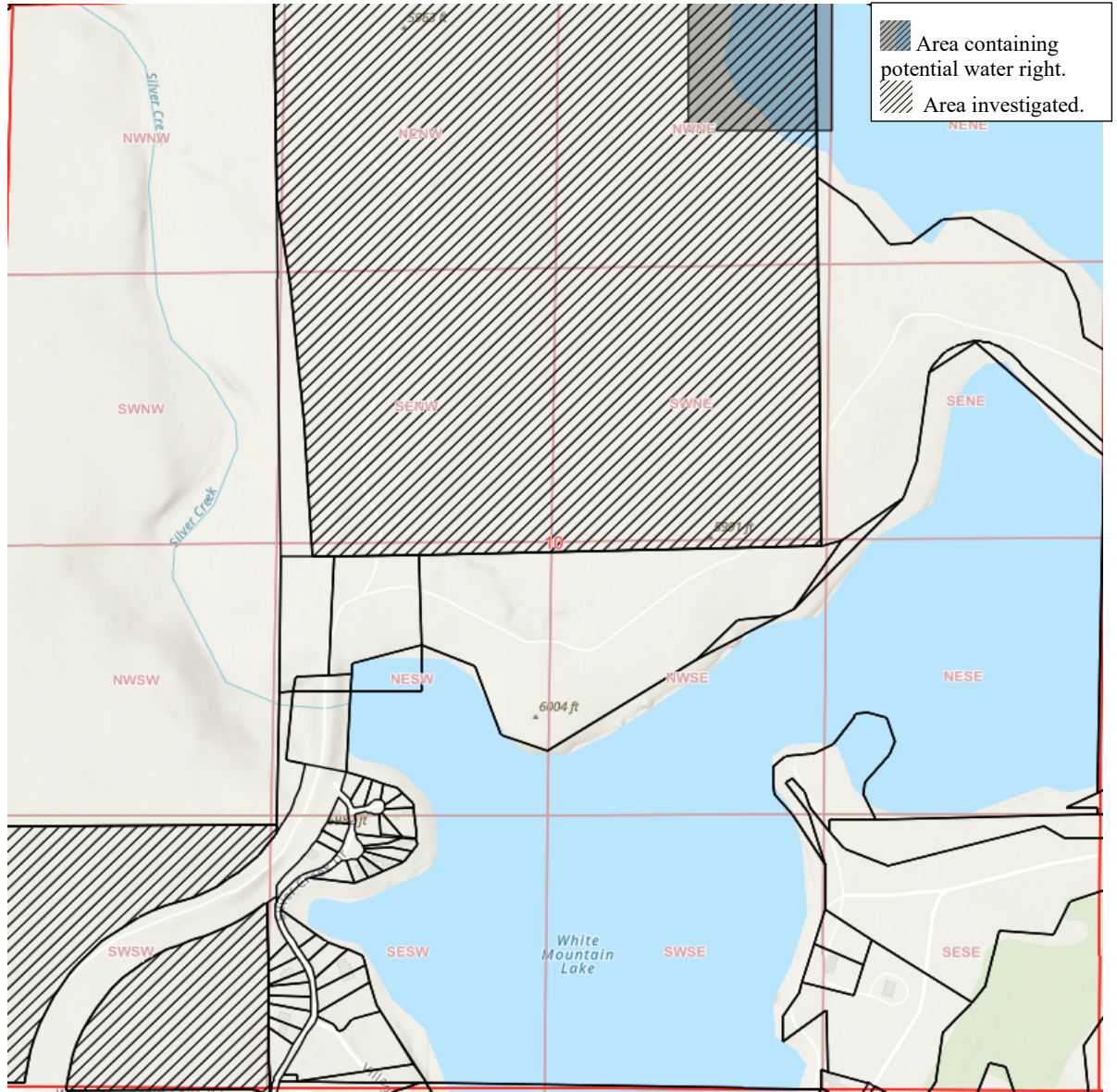


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**ATTACHMENT C**

**Parcel Map**

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**ATTACHMENT D**

**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

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

Special Master Sherri Zendri  
Superior Court of Arizona  
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Courtroom 301  
Phoenix, AZ 85003

David Jacobs, Kevin Crestin, &  
Eric Wilkins  
Arizona Attorney General Natural  
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PO Box 1671  
Show Low, AZ 85901