

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

April 9, 2024

CLERK OF THE COURT

SPECIAL WATER MASTER
SHERRI ZENDRI

A. Parmar
Deputy

FILED: April 17, 2024

In re: the General Adjudication
Of All Rights to Use Water in the
Little Colorado River System and Source
Contested Case No. CV6417-33-5042

In Re: Fost W. Flake

MINUTE ENTRY

Central Court Building – Courtroom 301

9:30 a.m. This is the time set for a Status Conference to determine if the landowners are interested in pursuing potential water rights before Special Water Master Sherri Zendri.

The following attorneys and parties appear virtually through Court Connect:

- Garrett Perkins on behalf of the following property owners:
 - Gaylan Flake and Donna Flake
 - Laura Flake
 - Billy Rowley and Karen Rowley
 - Justin and Molly Stradling
 - Joy and Will Whipple
 - Estate of Marjorie Flake (Personal Representative, D. Flake)
- Alexa Penalosa on behalf of the United States Department of Justice, Environment and Natural Resources Division
- Katya Lancero on behalf of the Navajo Nation
- Brandon Delgado on behalf of the Hopi Tribe

- Karen Nielsen on behalf of Arizona Department of Water Resources (“ADWR”)
- Mark McGinnis observing on behalf of Salt River Project (“SRP”)

A record of the proceedings is made digitally in lieu of a court reporter.

Discussion is held regarding the parcels, the Court notes that Mr. Perkins is representing multiple property owners but the Court only shows three parcels. Mr. Perkins clarifies that he represents property owners that have an interest in one or multiple parcels as reflected on Attachment C of the Court’s *Order Initiating Contested Case* filed March 5, 2024.

The Court proposes that ADWR creates abstracts with the dates reflected in the Statement of Claimant.

Mr. Perkins indicates that their firm was retained last week. He requests 90 days to go through the filings, research the stockpond issue, and prepare their own draft abstracts.

Based on the discussion held,

IT IS ORDERED that Brown and Brown Law Offices, P.C. shall prepare and distribute their own draft abstracts by **July 9, 2024**. The parties shall attempt to resolve the objections and the Court will set another Status Conference in August.

LET THE RECORD REFLECT that Mr. Perkins indicates that the Court-approved mailing list has an incorrect address for Gaylan And Donna Flake.

IT IS FURTHER ORDERED correcting the Court-approved mailing list to reflect Gaylan and Donna Flake’s address as 465 E. Belly Button Ln, Snowflake, AZ 85937.

LET THE RECORD FURTHER REFLECT that by request of Mr. McGinnis, SRP will be added to the Court’s courtesy mailing list (not the Court approved mailing list).

10:38 a.m. Matter concludes.

LATER:

IT IS ORDERED setting a second status conference for **Tuesday, August 13, 2024, at 10:00 a.m.** before Special Water Master Zendri. The status conference will be held using the Court Connect program. Instructions for Court Connect are attached as Attachment A. If you receive this Order by email, click on the red box “Join Court Connect Hearing” on the attached instructions to make an appearance. If you do not receive this Order by email, log into the Court Connect program on the internet by typing <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet,

you may attend telephonically using the telephone number and access code included in the instructions for Court Connect.

A copy of this minute entry is provided to all parties on the Court approved mailing list.

Attachment A



Court Connect Hearing Notice for In re Fost W. 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 Fost W. Flake, Contested Case No. CV6417-33-5042

Start Date/Time: August 13, 2024 at 10:00 a.m.

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](#)