

SUPERIOR COURT OF ARIZONA  
APACHE COUNTY

July 23 2024

CLERK OF THE COURT  
FORM V000

SPECIAL WATER MASTER  
SHERRI ZENDRI

M. Pritchard

Deputy

FILED: August 6, 2024

In re: Glen and Janet Flake  
Contested Case No. CV6417-33-5071

In re: the General Adjudication  
of All Rights to Use Water in the  
Little Colorado River System and Source

In re: Status Conference

**MINUTE ENTRY**

**Courtroom: CCB 301**

11:00 a.m. This is the time set for a Status Conference before Special Water Master, Sherri Zendri.

The following attorneys and parties appear telephonically:

- Property owner David Brimhall
- Katrina Wilkinson on behalf of Salt River Project (SRP)
- Kevin Crestin on behalf of the Arizona State Land Department (ASLD)
- William Crum and Alexis Penalosa on behalf of the United States (US)
- Brandon Delgado observing on behalf of the Hopi Nation
- Garrett Perkins observing on behalf of the Little Colorado River (LCR) Coalition
- Kimberly Parks on behalf of the Arizona Department of Water Resources (ADWR)
- Katya M. Lancero observing on behalf of the Navajo Nation

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

The Court inquires of Mr. Brimhall why he did not attend the last hearing on May 28, 2024 and if there are any updates for the Court regarding his potential water rights.

Mr. Brimhall explains that he was travelling during the last hearing and was unable to attend the hearing. He has spoken with his business partners and obtained clarification. Stormwater and runoff water flow into a detention basin which is not used by the company. The detention basin flows into Cottonwood wash. ADOT has installed a dam to control the flow into Cottonwood Wash. The company has no plans to use surface water.

The Court asks for clarification that the company does not use surface water and from where the company gets the water that they use.

Mr. Brimhall affirms that no surface water is used. The water the company uses comes from a well on the south side of Highway 277 and a recirculation pond on the property. The water is used for the wash plant operation and for dust control.

The Court affirms that Mr. Brimhall has no need for the water right in question.

Mr. Brimhall affirms.

The Court inquires if there are any objections to dismissing this case.

No objections are made.

Based on the discussion and for reasons stated on the record,

**IT IS ORDERED** dismissing case CV6417-33-5071. No further actions will be taken with respect to Watershed File Report# 033-42-052 and SOC# 39-81260 is dismissed

11:08 a.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court-approved mailing list.

**LATER:**

The Court notes that WFR# 033-42-052 also includes two certificates of water right: 10-0009115 and 10-0091104.

**IT IS ORDERED** that ADWR shall include a copy of this Minute Entry dismissing contested case CV6417-33-5071 and WFR# 033-42-052 in the record for certificates of water right; 10-0009115 and 10-0091104.