SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

September 18, 2025

CLERK OF THE COURT
A. Parmar
Deputy

SPECIAL WATER MASTER
SHERRI ZENDRI

FILED: 10/02/2025

In Re The General Adjudication of
All Rights to Use Water in the Gila
River System and Source
W-1, W-2, W-3, W-4 (Consolidated)

In re: James K. and Wanda L. Bell
Contested Case No. W1-11-001506

MINUTE ENTRY

Courtroom 301 – Central Court Building

10:02 a.m. This is the time set for a Status Conference to receive an update from the property owners before Special Water Master Sherri Zendri.

The following parties/attorneys appear virtually through Court Connect:

- Katrina Wilkinson on behalf of Salt River Project ("SRP")
- Laurel Herrmann on behalf of the San Carlos Apache Tribe
- Michael Carter on behalf of the Gila River Indian Community
- Susan B. Montgomery on behalf of the Yavapai Apache Nation (and observing on behalf of Pascua Yaqui Tribe)
- John Burnside on behalf of BHP Copper
- Mark Widerschein on behalf of the United States Department of Justice, Environment and Natural Resources Division
- Margaret Hirchak on behalf of the Tonto Apache Tribe
- Bradley Pew observing on behalf of the St. David Irrigation District

- Karen Nielsen on behalf of the Arizona Department of Water Resources ("ADWR")
- Rhett Billingsley on behalf of American Smelting and Refining Company ("ASARCO")

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

The Special Master notes that none of the property owners have appeared today and informs the parties that Mr. Barajas sent some well information to this office. The information will be provided to the parties as an attachment to today's Minute Entry for any parties that did not receive that correspondence.

Counsel Nielsen provides an update to the Special Master regarding Mr. Baeurlen. He has submitted an application for permit to ADWR. The protest period ends tomorrow so a permit should be issued under 33-97067 soon if no protests are received. Counsel Nielsen further states that the property owners may have had trouble locating the link for today's hearing as they emailed her office to obtain the link for the last status conference.

The Special Master will provide further instruction for the property owners as a "LATER" in the Minute Entry.

Counsel Nielsen states that she will provide an update to the Special Master's assistant regarding the permit by email tomorrow.

10:11 a.m. Matter concludes.

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

LATER:

None of the current property owners in this contested case attended this status conference. This is the second failure to attend by the Weaver Family Trust, Nancy Luyten, and Caleb and Kimberly Barajas. As noted in the minute entry for the February 13, 2025, status conference, should any of these property owners fail to attend any further conferences without notice to the Court they will be removed from the Court-approved mailing list.

IT IS ORDERED removing the Weaver Family Trust, Nancy Luyten, and Caleb and Kimberly Barajas from the court-approved mailing list for failure to participate in these proceedings.

The ADWR Surface Water Section confirmed that no protests on the Baeuerlen's Permit to Appropriate application related to the case – application #33-97067. However, the Baeuerlens failed to attend the status conference.

IT IS FURTHER ORDERED if the Baeuerlens remain interested in pursuing whatever potential water right they may have, they must file with the Court, no later than **November 3, 2025**, a written explanation of their failure to attend the September 18, 2025, status conference. The notice shall also include copies of their final statement of claimant they wish the Court to review.

If the Court receives no filings, or incomplete filings, the Baeuerlens will be removed from the court approved mailing list and their failure to participate in this proceeding may result in the forfeiture of potential water rights.

For questions regarding how to file documents with the Court, parties may contact the office of the Special Water Master at (602) 372-4115. Please note that the Office of the Special Water Master cannot give legal advice.

ATTACHMENT A

Arizona Department of Water Resources
1802 W Jackson St. Box #79
Phoenix, AZ 85007
(602) 771-8527 - www.azwater.gov

Pump Installation Completion Report

Pursuant to Arizona Revised Statutes (A.R.S.) 45-600(B), the person to whom a well is registered must notify Arizona Department of Water Resources (ADWR) of an installation of a pump on the well.

WELL REGISTRATION NUMBER
55-237435

SECTION 1. Registry Information

Location of Well

TOWNSHIP (N/S)	RANGE (E/W)	SECTION	160 ACRE	40 ACRE	10 ACRE	BOOK	MAP	PARCEL
16S	20E	8	SE	SW	SE	208	30	002Z

Well Owner

FULL NAME OF COMPANY, ORGANIZATION, OR INDIVIDUAL
CALEB & KIMBERLY BARAJAS

MAILING ADDRESS
2241 N. RIVERS EDGE ROAD

CITY / STATE / ZIP
BENSON, AZ 85602

SECTION 2. Equipment Installed

Date Pump Installed: 2/7/2023

Pump Type

SUBMERSIBLE **Other:**

Rated Pump Capacity: 25 Gallons Per Minute

Power Type

ELECTRIC MOTOR 1 - 5 HP **Other:**

Pitless Adaptor

Was a pitless adaptor installed? N

If Yes, depth below ground level the device was installed

[ ] Feet

SECTION 3. Pump Test

Test Data

Date Well Tested: 2/7/2023

Static Water Level: 65 Feet Below Land Surface

Pumping Water Level: Feet Below Land Surface

Drawdown: Feet Below Land Surface

Test Pumping Rate: Gallons Per Minute

Duration of Pump Test: Hours

Total Pumping Lift: Feet

For flowing well, Measured Shut in Head:

Method of Discharge Measurement

Other:

Method of Measuring Water

Other:

SECTION 4. Well Owner Signature

I HEREBY CERTIFY that the above statements are true to the best of my knowledge and belief.

PREPARED BY
Ed a monzingo

DATE
2/23/2023 6:05:28 PM

Arizona Department of Water Resources
Information Management Unit
1802 W Jackson St. Box #79
Phoenix, Arizona 85007
(602) 771-8527 • www.azwater.gov

Well Driller Report and Well Log

WELL REGISTRATION NUMBER	FILE NUMBER
55-237435	D(16-20) 8 DCD

SECTION 1. DRILLING AUTHORIZATION

Drilling Firm

Mail To:

NAME	DWR LICENSE NUMBER
WEBER DRILLING, INC.	272
ADDRESS: P.O. BOX 1419	TELEPHONE NUMBER: 520-720-4800
CITY / STATE / ZIP: BENSON, AZ 85602-1419	FAX

SECTION 2. REGISTRY INFORMATION

Well Owner

FULL NAME OF COMPANY, ORGANIZATION, OR INDIVIDUAL: CALEB & KIMBERLY BARAJAS

MAILING ADDRESS: 2241 N. RIVERS EDGE ROAD

CITY / STATE / ZIP: BENSON, AZ 85602

CONTACT PERSON NAME AND TITLE:

TELEPHONE NUMBER: 425-314-7008

FAX:

WELL NAME (e.g., MW-1, PZ-3, lot 25 Well, Smith Well, etc.):

COUNTY: COCHISE

ASSESSOR'S PARCEL ID NUMBER (MOST RECENT)

BOOK	MAP	PARCEL
208	30	002Z

Location of Well

WELL LOCATION ADDRESS (IF ANY):

TOWNSHIP (N/S)	RANGE (E/W)	SECTION	160 ACRE	40 ACRE	10 ACRE
16S	20E	8	SE 1/4	SW 1/4	SE 1/4

LATITUDE			LONGITUDE		
32 °	3 '	3 "N	110 °	3 '	3 "W

METHOD OF LATITUDE/LONGITUDE (CHECK ONE)
☑ *GPS: Hand-Held ☐ *GPS: Survey Grade ☐ TOPO ☐ Website Map

*LATITUDE/LONGTITUDE DATUM, GPS
☑ NAVD83 ☐ NGVD27 ☐ WGS84 ☐ Other

METHOD OF ELEVATION (CHECK ONE)
☐ *GPS: Hand-Held ☐ *GPS: Survey Grade ☐ TOPO ☐ Website Map

LAND SURFACE ELEVATION AT WELL
ELEVATION FEET ABOVE SEA LEVEL

*Elevation Datum
☐ NAVD88 ☐ NGVD29 ☐ Other

SECTION 3. WELL CONSTRUCTION DETAILS

Drilling Method

☑ Air Rotary
☐ Bored or Augered
☐ Cable Tool
☐ Dual Rotary
☐ Mud Rotary
☐ Rotary
☐ Reverse Circulation
☐ Driven
☐ Jetted
☐ Air Percussion/Odex Tubing
☐ Other

Method of Well Development

☑ Airlift
☐ Bail
☐ Surge Block
☐ Surge Pump
☐ Other

Method of Sealing at Reduction Points

CHECK ONE
☐ None
☐ Packed
☐ Swedged
☑ Welded
☐ Other (please specify)

Condition of Well

CHECK ONE
☑ Capped
☐ Pump Installed
☐ Abandoned

Construction Dates

DATE WELL CONSTRUCTION STARTED: 1/9/2023

DATE WELL CONSTRUCTION COMPLETED: 1/13/2023

WELL REGISTRATION NUMBER	FILE NUMBER
55-237435	D(16-20) 8 DCD

SECTION 4. WELL CONSTRUCTION DESIGN (AS BUILD)

Depth

DEPTH OF BORING	DEPTH OF COMPLETED WELL
1065 Feet Below Land Surface	1065 Feet Below Land Surface

Water Level Information

STATIC WATER LEVEL	DATE MEASURED	TIME MEASURED	IF FLOWING WELL, METHOD OF FLOW REGULATION
65 Feet Below Land Surface	1/13/2023		☐ Valve ☐ Other:

Borehole

DEPTH FROM SURFACE FROM (feet)	DEPTH FROM SURFACE TO (feet)	BOREHOLE DIAMETER (Inches)
0	76	12.25
76	1065	8

Installed Casing

DEPTH FROM SURFACE FROM (feet)	DEPTH FROM SURFACE TO (feet)	OUTER (Inches)	MATERIAL TYPE (T) STEEL	PVC	ABS	IF OTHER TYPE, DESCRIBE	PERFORATION TYPE (T) BLANK OR NONE	WIRE WRAP	SHUTTER SCREEN	MILLS KNIFE	SLOTTED	IF OTHER TYPE, DESCRIBE	SLOT SIZE (Inches) Width x Length
0	76	8.63	☑	☐	☐		☑	☐	☐	☐	☐		
76	1005	6.63	☑	☐	☐		☑	☐	☐	☐	☐		
1005	1065	6.63	☑	☐	☐		☐	☐	☐	☐	☑		0.13 x 6

Installed Annular Material

DEPTH FROM SURFACE FROM (feet)	DEPTH FROM SURFACE TO (feet)	ANNULAR MATERIAL TYPE (T) NONE	CONCRETE	NEAT CEMENT OR CEMENT GROUT	CEMENT-BENTONITE GROUT	BENTONITE GROUT	BENTONITE CHIPS	BENTONITE PELLETS	IF OTHER TYPE OF ANNULAR MATERIAL, DESCRIBE	FILTER PACK SAND	FILTER PACK GRAVEL	FILTER PACK SIZE (Inches) Width x Length
0	76	☐	☑	☐	☐	☐	☐	☐		☐	☐	

SECTION 5. GEOLOGIC LOG OF WELL

DEPTH FROM SURFACE FROM (feet)	DEPTH FROM SURFACE TO (feet)	Description: Describe material, grain size, color, etc.	Check (Y) every interval where water was encountered (if known)
0	45	BROWN SANDY CLAY W/ STREAKS OF VOLCANIC GRAVELS	N
45	66	WEATHERED GRANITE	N
66	975	SANDY RED CLAY	N
975	1065	SANDY RED CLAY W STREAKS OF GRAVELS	Y

DRILLER'S NOTES

I state that this notice is filed in compliance with A.R.S. § 45-596 and is complete and correct to the best of my knowledge and belief.

Prepared By: Donald Weber **Date:** 1/29/2023 5:48:14 PM

DWR 55-55

28968

Well information on well number 55-232417

Ryan and Kim Vanderholm

2241 N. Rivers Edge Rd. Benson AZ

4-12-2021

Clean out of existing 6" inch steel well

The well had fill at 125' with a well depth of 152'. We cleaned out the well with a top head drive rotary drill rig with high pressure water and air. While cleaning the perforations and jetting back into the formation to clean out any sand or mud. This didn't improve the water production. There was no visible signs of this well producing water of not much more than a seep.

January 9, 2023

Caleb and Kimberly Barajas

Drilled test hole approximately 200' north of original well, with no luck finding water at a total depth of 150'. Customer stated we have water so we have to have water so we have no choice but to drill for the artesian aquifer. The decision was made to move drill location further away from the river to the south west side of property for less cost of the surface seal and accessibility to the existing storage tank and pressure system. The results of the completed artesian well are:

76' of 8' surface seal with cement

Well depth of 1065' of 6" steel casing

Total cost of completed well $52,273.60

Jason Mangum
Weber Drilling

Client: Barajas, Robin
Project: Drinking Water
Work Order: 24D0489
Date Received: 04/16/2024

Case Narrative

All soil, sludge, and solid matrix determinations are reported on a wet weight basis unless otherwise noted.

ND Not Detected at or above the PQL

PQL Practical Quantitation Limit

DF Dilution Factor

Client: Barajas, Robin
Project: Drinking Water
Work Order: 24D0489
Lab Sample ID: 24D0489-01

Client Sample ID: Main Bathroom
Collection Date/Time: 04/16/2024 0655
Matrix: Drinking Water

Analyses	Result	PQL	Qual	Units	DF	Prep Date	Analysis Date	Analyst
ICP/MS Total Metals-E200.8 (5.4)								
Arsenic	0.00084	0.00050		mg/L	1	04/22/2024 1559	04/22/2024 1648	RAR
Lead	ND	0.00050		mg/L	1	04/22/2024 1559	04/22/2024 1648	RAR
Uranium	0.00063	0.00050		mg/L	1	04/22/2024 1559	04/22/2024 1648	RAR
Anions by Ion Chromatography-E300.0 (2.1)								
Fluoride	0.60	0.50		mg/L	1	04/16/2024 1000	04/16/2024 1846	ACG
Nitrogen, Nitrate (As N)	ND	0.50		mg/L	1	04/16/2024 1000	04/16/2024 1846	ACG
Coliform by Colilert-SM9223B								
E.Coli	Absent					04/16/2024 1143	04/17/2024 1349	SJS
Total Coliform	Absent					04/16/2024 1143	04/17/2024 1349	SJS

Client: Barajas, Robin
Project: Drinking Water
Work Order: 24D0489
Date Received: 04/16/2024

QC Summary

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Qual
Batch 2404215 - E200.8 (5.4)										
Blank (2404215-BLK1)				Prepared & Analyzed: 04/22/2024						
Arsenic	ND	0.00050	mg/L							
Lead	ND	0.00050	mg/L							
Uranium	ND	0.00050	mg/L							
LCS (2404215-BS1)				Prepared & Analyzed: 04/22/2024						
Arsenic	0.047	0.00050	mg/L	0.05000		95	85-115			
Lead	0.049	0.00050	mg/L	0.05000		97	85-115			
Uranium	0.050	0.00050	mg/L	0.05000		101	85-115			
LCS Dup (2404215-BSD1)				Prepared & Analyzed: 04/22/2024						
Arsenic	0.048	0.00050	mg/L	0.05000		96	85-115	1	20	
Lead	0.050	0.00050	mg/L	0.05000		100	85-115	3	20	
Uranium	0.052	0.00050	mg/L	0.05000		103	85-115	3	20	
Matrix Spike (2404215-MS1)		**Source: 24D0465-01**		Prepared & Analyzed: 04/22/2024						
Arsenic	0.053	0.00050	mg/L	0.05000	0.0041	97	70-130			
Lead	0.050	0.00050	mg/L	0.05000	0.000086	100	70-130			
Uranium	0.055	0.00050	mg/L	0.05000	0.00041	109	70-130			
Matrix Spike (2404215-MS2)		**Source: 24D0467-01**		Prepared & Analyzed: 04/22/2024						
Arsenic	0.051	0.00050	mg/L	0.05000	0.00085	99	70-130			
Lead	0.051	0.00050	mg/L	0.05000	0.000087	101	70-130			
Uranium	0.058	0.00050	mg/L	0.05000	0.0022	111	70-130			

Client: Barajas, Robin
Project: Drinking Water
Work Order: 24D0489
Date Received: 04/16/2024

QC Summary

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Qual
Batch 2404161 - E300.0 (2.1)										
Blank (2404161-BLK1)				Prepared & Analyzed: 04/16/2024						
Fluoride	ND	0.50	mg/L							
Nitrogen, Nitrate (As N)	ND	0.50	mg/L							
LCS (2404161-BS1)				Prepared & Analyzed: 04/16/2024						
Fluoride	2.0	0.50	mg/L	2.000		100	90-110			
Nitrogen, Nitrate (As N)	4.9	0.50	mg/L	5.000		97	90-110			
LCS Dup (2404161-BSD1)				Prepared & Analyzed: 04/16/2024						
Fluoride	2.0	0.50	mg/L	2.000		99	90-110	0.8	10	
Nitrogen, Nitrate (As N)	4.9	0.50	mg/L	5.000		97	90-110	0.08	10	

TURNER LABORATORIES INC
2445 N. Coyote Drive, Suite 104
Tucson, Arizona 85745
(520) 882-5880
Fax: (520) 882-9788
www.turnerlabs.com

CHAIN OF CUSTODY/LABORATORY ANALYSIS REQUEST FORM

TURNER WORK ORDER # 24D0489 DATE 4/16/24 PAGE 1 OF 1

PROJECT NAME _____ #

CONTACT NAME Robin Barajas

COMPANY NAME

ADDRESS 2241 N Rivers Edge Rd Benson AZ

ZIP 85602 PHONE 425-314-7713 EMAIL robinbaraa@hotmail.com

SAMPLER'S SIGNATURE

CIRCLE ANALYSIS REQUESTED AND/OR CHECK THE APPROPRIATE BOX

SAMPLE I.D.	DATE	TIME	LAB I.D.	SAMPLE MATRIX*	NUMBER OF CONTAINERS	Base Neutrals 625/8270 / Acids	Volatile Organics 624 / 524.2	TTHMS / 8260	Chloride / HAA5	NO3 / Sulfate / Resistivity	TPH / 1664 / TKN	VOA / Oil & Grease / TCLP Analysis	TCLP / Dissolved / Semi-VOA / Pest / Metals / Total / RCRA8	Total / Cyanide / Amen. / WAD	SDWA-INORGANICS PRIMARY / SECONDARY	MBN / Coliform / Plate	pH / Fecal / Cl2 / Turb	COD / TSS / BOD	As Pb / Fluoride / Uranium
main bathroom	4-16-24	1655			3					X					X	X			X

1. RELINQUISHED BY:
Signature
Robin Barajas
Printed Name
Firm
4-16-24 8:18
Date/Time

2. RECEIVED BY:
Signature
Printed Name
Firm
Date/Time

3. RELINQUISHED BY:
Signature
Printed Name
Firm
Date/Time

4. RECEIVED BY:
Signature
Bradley Gore
Printed Name
TURNER LABORATORIES, INC.
Firm
4/16/24 08:18
Date/Time

TURNAROUND REQUIREMENTS:
____ Standard (approx. 10 days)*
____ Next Day ____ 2 Day ____ 5 Day*
____ Email Preliminary Results
* Working Days

REPORT REQUIREMENTS:
____ I. Routine Report
____ II. Report (includes DUP, MS, MSD, as required, may be charged as samples)
____ III. Date Validation Report (Includes All Raw Data) Add 10% to invoice

INVOICE INFORMATION:
Account ____ Y ____ N
P.O. #
Bill to: Paid $142 w/ CARD

SAMPLE RECEIPT:
Total Containers 3
Temperature 7.2 IR-33
☒ Wet Ice
☐ Ambient
☐ Blue Ice

* LEGEND
SAMPLE MATRIX
DW = DRINKING WATER
GW = GROUNDWATER
SD = SOLID
SG = SLUDGE
SL = SOIL
ST = STORMWATER
WW = WASTEWATER

Compliance Analysis: ☐ Yes ☐ No		Custody Seals ☐	Preservation Confirmation ☒
ADEQ Forms: ☐ Yes ☐ No		Container Intact ☒	Appropriate Head Space ☒
Mail ADEQ Forms: ☐ Yes ☐ No		COC / Labels Agree ☒	Received Within Hold Time ☒

SPECIAL INSTRUCTIONS/COMMENTS: