

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/12/2021

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

A Parmar
Deputy

FILED: February 19, 2021

In re: ASLD Bingham Sacaton Ranch II
Contested Case No. W1-11-2603

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

In re: Status Conference

MINUTE ENTRY

Central Court Building – Courtroom 301

1:30 p.m. This is the time set for a Status Conference before Special Water Master Susan Ward Harris to discuss whether the State intends to pursue irrigation and stockpond claims and whether an assignment of 36-27331 has been filed with ADWR.

The following attorneys appear telephonically:

- Kevin P. Crestin on behalf of the Arizona State Land Department (“ASLD”)
- John Burnside on behalf of BHP Copper
- Laurel A. Hermann and Joe P. Sparks on behalf of the San Carlos Apache Tribe
- Michael Foy and Mark McGinnis on behalf of the Salt River Project (“SRP”)
- Sue Montgomery on behalf of Yavapai Apache Nation (and observing on behalf of the Pascua Yaquai Tribe)
- Kimberly R. Parks on behalf of Arizona Department of Water Resources (“ADWR”)
- Bradley Pew on behalf of American Smelting and Refining Company (“ASARCO”)
- James Bingham, President of Bingham Sacaton Ranch, Inc. and Successor Trustee

Discussion is held regarding the remaining claim by the Arizona State Land Department for a water right for domestic use.

Mr. Crestin states that he has not obtained an assignment of 36-27331 because he believed that the 55- well registration number would be sufficient for the basis of the claimed right. The parties discuss whether a 55- well registration filing is sufficient. Mr. Crestin states that he can file suggested corrections to the proposed abstract and provide the new basis of right by March 15, 2021.

Mr. Bingham states that he has not filed an assignment and does not intend to file an assignment from the corporate entity to his trust. Mr. Bingham reports that the stockpond is silted in and the water runs by the stockpond and he has no intention to repair the pond for future use. Mr. Bingham states that is no longer pursuing stockpond 001.

Mr. McGinnis states that the watershed file report lists a potential water right for a small reservoir and a stockpond. Mr. Bingham states that there is only one pond on the property and the small reservoir and the stockpond are the same water source.

Based on the discussion held,

IT IS ORDERED that ASLD shall file an assignment of 36-27331 with ADWR prior to submitting the suggested corrections.

IT IS FURTHER ORDERED that no potential water rights identified in Watershed File Report 113-09-CB-008 will be adjudicated and are hereby dismissed except for the potential water right for domestic use claimed by the Arizona State Land Department.

1:41 p.m. Matter concludes.

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