

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

**IN RE THE GENERAL  
ADJUDICATION OF ALL RIGHTS  
TO USE WATER IN THE GILA  
RIVER SYSTEM AND SOURCE**

W-1 (Salt)  
W-2 (Verde)  
W-3 (Upper Gila)  
W-4 (San Pedro)  
Consolidated

**CONTESTED CASE NO. W1-11-2603  
ORDER DISTRIBUTING A PROPOSED  
ABSTRACT**

**AND  
ORDER SETTING TELEPHONIC  
STATUS CONFERENCE**

**CONTESTED CASE NAME:** *In re ASLD - Bingham Sacaton Ranch II*  
**HSR INVOLVED:** San Pedro River Watershed Hydrographic Survey Report.  
**DESCRIPTIVE SUMMARY:** Case initiated to adjudicate claims for rights to water for irrigation, domestic, and stockpond uses investigated in Watershed File Report 113-09-CB-008. A telephonic status conference is set for 1:30 p.m. on **February 12, 2021**.  
**NUMBER OF PAGES:** 8  
**DATE OF FILING:** January 13, 2021

1 Watershed File Report 113-09-CB-008 identified six potential water right (“PWRs”).  
2 Three PWRs concern irrigation uses that Arizona Department of Water Resources (“ADWR”)  
3 determined had been discontinued for the previous five years. The remaining three PWRs are for  
4 domestic and stockpond uses. A proposed abstract for domestic use is attached as Attachment  
5 A.

6 The Arizona State Land Department stated at the Status Conference held on July 13, 2020,  
7 that it intended to pursue all of water uses except for the right denominated as a small reservoir  
8 (113-09-CB-008-SR001). At that Status Conference, James Bingham stated that he intended to  
9 claim the small reservoir PWR in his name. Currently, the applicable Statement of Claimant that  
10 ADWR associated with the small reservoir, 39-4972, is filed in the name of Bingham Sacaton  
11 Ranch. The public records maintained by ADWR do not include an assignment of Statement of  
12 Claimant 39-4972 from Bingham Sacaton Ranch to James Bingham. An assignment requires the  
13 filing of the completed form attached as Attachment B.


14  
15 **IT IS ORDERED** that any suggested corrections to the proposed abstract shall be filed on  
16 or before **March 15, 2021**.

17 **IT IS FURTHER ORDERED** setting a telephonic status conference for **February 12,**  
18 **2021** at 1:30 p.m. The Arizona State Land Department shall be prepared at the Telephonic Status  
19 Conference to:

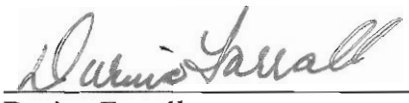
- 20  
21 1. State whether it intends to pursue irrigation and stockpond claims. If so, the Arizona  
22 State Land Department shall provide information about its efforts to resolve objections  
23 to the irrigation claims and it shall provide information about the documents that  
24 provide a basis and claim for a right to water for stockpond use.  
25 2. State whether it has obtained and filed an assignment of 36-27331 with ADWR.  
26  
27  
28

1 Mr. Bingham shall be prepared to report about the filing of an assignment of Statement of  
2 Claimant 39-4972 or if no assignment has been filed, whether he intends to move forward to claim  
3 a right to water for stockpond use.

4  
5 Instructions for telephonic appearance:  
6 Dial: 602-506-9695 (local)  
7 1-855-506-9695 (toll free long distance)  
8 Dial Participant Pass Code 357264#

9  
10   
11 \_\_\_\_\_  
12 Susan Ward Harris  
13 Special Master

14  
15 The original of the foregoing was delivered to the Clerk of  
16 the Maricopa County Superior Court on January 13, 2021,  
17 for filing and distributing a copy to all persons listed on the  
18 Court approved mailing list for this contested case.

19   
20 \_\_\_\_\_  
21 Durina Farrall

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ATTACHMENT A**

## Abstract of Water Right San Pedro Watershed

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

<b>1. Proposed Water Right No.:</b>	113-09-CB-008-DM001
<b>2. Owner of Water Right:</b>	State of Arizona – Arizona State Land Department
<b>3. Landowner</b>	State of Arizona – Arizona State Land Department
<b>4. Statement of Claimant No.(s):</b>	39-7161
<b>5. Statement of Claimant Name(s):</b>	Arizona State Land Department
<b>6. Lessee or Permittee:</b>	James Bingham
<b>7. Basis of Right:</b>	36-27331
<b>8. Beneficial Use:</b>	Domestic
<b>9. Priority Date:</b>	December 31, 1900
<b>10. Quantity:</b>	One (1) acre-foot annually
<b>11. Place of Use:</b>	NWNWNW sec. 16 T10S R18E of the Gila and Salt River Base and Meridian, Pinal County, Arizona
<b>12. Point of Diversion:</b>	NWNWNW sec. 16 T10S R18E of the Gila and Salt River Base and Meridian, Pinal County, Arizona
<b>13. Source of Water:</b>	Well, Registration No. 55-615733

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ATTACHMENT B**

**STATEMENT OF CLAIMANT**

**"39"**

**ASSIGNMENT**

**Gila River Adjudication**

**SUPERIOR COURT OF MARICOPA COUNTY**

By court order, a statement of claimant must be assigned whenever there is a change in ownership of land for which the claim for a water right was made, or there is a change in ownership of the water right that is either not appurtenant to land or that has been transferred from one parcel of land to another. This form is to be used to assign statements of claimant ("39s") filed in the general adjudication of the Gila River System and Source, which includes the Salt River, San Pedro River, Upper Gila River, Verde River, Agua Fria River, Lower Gila River and Upper Santa Cruz River watersheds. After the assignment is completed, the new owner will be substituted as a party in the Gila River adjudication.

**GENERAL INSTRUCTIONS**

Each side of this form must be completed, signed by each buyer and seller, and notarized. The name, address and phone number for each buyer and seller must also be provided. If necessary, additional copies of this form may be attached.

A copy of a legal document that establishes that a change of ownership has occurred must be submitted with this form. This requirement may be satisfied by providing either a copy of a duly recorded deed, a copy of the county assessor's tax parcel notice, or other similar document.

More than one statement of claimant may be assigned on a single form if the assignors (sellers) and assignees (buyers) are identical. Otherwise, a separate form must be submitted. For example, if the ownership of the land or the water right is subdivided and conveyed to different buyers, then a separate form must be completed for each of the different buyers.

After this form is completed, please submit it to the **Arizona Department of Water Resources, Attention: Adjudications, P.O. Box 36020, Phoenix, AZ 85067-6020**. The Department will record the assignment and forward this form to the Superior Court of Maricopa County. If you have any questions regarding this form, please contact the Arizona Department of Water Resources at (866) 246-1414.

**ASSIGNMENT**

The undersigned parties hereby notify the Superior Court of Maricopa County of the assignment of the following statements of claimant:

39-\_\_\_\_\_ filed in the \_\_\_\_\_ watershed.

39-\_\_\_\_\_ filed in the \_\_\_\_\_ watershed.

39-\_\_\_\_\_ filed in the \_\_\_\_\_ watershed.

39-\_\_\_\_\_ filed in the \_\_\_\_\_ watershed.

39-\_\_\_\_\_ filed in the \_\_\_\_\_ watershed.

Type of legal document enclosed to establish a change of ownership:



Recorded Deed (date, file number, county) \_\_\_\_\_

Tax Parcel Notice (date, county) \_\_\_\_\_

Other (date, description) \_\_\_\_\_

**ASSIGNOR (seller):**

**ASSIGNEE (buyer):**

\_\_\_\_\_  
Name (printed or typed)

\_\_\_\_\_  
Name (printed or typed)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
( )

\_\_\_\_\_  
( )

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

STATE OF ARIZONA )

STATE OF ARIZONA )

)

)

County of \_\_\_\_\_ )

County of \_\_\_\_\_ )

The foregoing instrument was  
acknowledged and signed before  
me this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_

The foregoing instrument was  
acknowledged and signed before  
me this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

My commission expires: \_\_\_\_\_