

## **Planet Ranch Land and Water Approval**

### **Motion 15-003**

### **PDD 15-002**

On April 22, 2015, the Steering Committee approved, by consensus, Reclamation entering into a long-term lease with Freeport Minerals Corporation for \$8,300,000 to secure 3,418 acres and 5,549 acre-feet/year of water rights at Planet Ranch as part of the Big Sandy River – Planet Ranch Water Rights Settlement Agreement with the following conditions:

- Freeport will have constructed and included in the lease and donation agreement irrigation facilities capable of delivering at least 5,549 acre-feet per year of water over 923.5 acres, and an active irrigation of crops is occurring on at least 923.5 acres of land, as specified in Section 4.2.1(vii) of the Big Sandy River-Planet Ranch Water Rights Settlement Agreement before the lease is effective.
- The ADWR conditional order severing and transferring 5,549 acre-feet of LCR MSCP Planet Ranch water rights to the LCR MSCP Lease Property for LCR MSCP purposes becomes effective on the Enforceability Date, which shall occur no later than December 15, 2015.
- The lease shall be effective on the Enforceability Date, which shall occur no later than December 15, 2015.
- The land and water rights shall be donated and the lease assigned to Arizona Game and Fish Commission to be effective on the Enforceability Date, which shall occur no later than December 15, 2015.
- There are no suits or other legal proceedings concerning Planet Ranch pending as defined in the Escrow Agreement Section 5.1 and 5.2.
- The agreements to implement the Bill Williams River Water Settlement Act of 2014 stay in substantially the same form as they were when the Settlement Act was signed into law, except for any changes needed to conform to the Settlement Act.
- The following language will be added to the lease “If the LCR MSCP permits or similar successor ESA authorizations are renewed at the completion of the Program, all parties agree to extend the Lease for the new time period at no additional costs to the Program beyond continuing land management costs.”

(Moved by Wade Noble, seconded by Dale Turner, approved based on lack of sufficient votes for a dispute - see April 22, 2015 meeting notes for voting and dispute procedure)