

ORIGINAL



0000020917

108 E. Avenue I
San Manuel, AZ 85631
July 05, 2005

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Ms. Lyn Farmer
Chief, Hearing Division
Attn: Docket Control
Arizona Corporation Division
1200 West Washington Street
Phoenix, AZ 85007

Arizona Corporation Commission
DOCKETED

JUL 06 2005

DOCKETED BY	
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Dear Honorable Jane L. Rodda:

Docket #SW-04305A-05-0086
#SW-04305A-05-0087

Enclosed please find advertising used to promote San Manuel as THE AFFORDABLE DREAM " . . . with the facilities and advantages you'd expect from the most expensive large scale developments." According to the 2000 census San Manuel had a population of 4375 of whom approximately 52% are retirees.

On 05/27/92 we, Charles E & Julie A McBirnie, were named Buyers on a Residential Real Estate Purchase Contract in order to purchase 108 Avenue I, San Manuel AZ 85631 from Magma Copper Company with the close of escrow on or before 07/13/92. Included is our public report receipt along with a copy of the Public Report Reference No. 23,571 and the Easement Docket 93 Page 386.

I've included a receipt for our first sewer payment made to Magma Copper Company on 08/10/92. Sometime between 3/97 and 10/99, Julie McBirnie received the ENVIRONMENTAL STATUS OF SAN MANUEL, PINAL COUNTY, ARIZONA; by Eldon D. Helmer, Corporate Director of Environmental Affairs; Magma Copper Company of San Manuel AZ 85631. This document states, "Water quality in the area is excellent and waste handling facilities are modern and efficient." On the reverse side of this same document under WASTE WATER DISPOSAL it reads: "Wastewater from San Manuel is treated at an aerobic wastewater treatment facility located one mile northeast of the town. This facility is operated by certified wastewater operators as a part of Magma Copper Company's wastewater treatment system." The ADDITIONAL INFORMATION section states: "Information on file with the Arizona Department of Environmental Quality is available through the following departments:

- Office of Air Quality at 602-257-2308
- Office of Waste Programs at 602-257-2318
- Office of Water Quality at 602-257-2305"

Please see the newspaper article: **BHP says smelter could be closed "for years"** (quoted BHP officials in Australia). "BHP purchased the US mines in 1995 when it

bought Magma Copper Co. for \$2.8 billion. Since then the company has written off much of the value of the acquisition." Laid off were about 3,000 people.

On November 1, 1999 (after the mine's shutdown) Jeff J. Parker, BHP Manager Environmental Affairs, San Manuel, responded to concerns about air quality in a letter to Dr. Diane Lemley, Ed. D. Pincipal, Mammoth Elementary School. This same letter was postmarked November 19, 1999, and forwarded by the Arizona Department of Environmental Quality to Mr. Charles McBirnie in response to his complaint concerning heavy dust in San Manuel.

Following the mine shutdown there was a push for incorporation encouraged by BHP. At a public forum Jeff Parker, BHP Manager Environmental Affairs, San Manuel, stated BHP was not in the sewer business. Incorporation would've relieved BHP of its wastewater responsibilities to San Manuel. However, concerned citizens drafted a flyer (enclosed) and circulated flyers from door to door. In the process of creating the flyer they discovered the information found in Consideration No. 3: "Maintenance of the interior sewer system will be the responsibility of Magma Copper Company. The State Health Department advises that sewage disposal is by San Manuel Townsite." (Assumed by BHP Copper) Enclosed is a copy of the letter of inquiry made by Henry Vazquez through Representative Ernest Bustamante's office and answered by the State of Arizona Department of Real Estate's Public Information Officer, Liz Carrasco. Please see news article of Wednesday, August 4, 2004. ". . . drive to incorporate . . . is over for the time being." Enough signatures to put it up for a vote could not be collected.

Ray Ford was one of the two attending the hearing before you. Ray's MEETING NOTICE for 06/28/05 was postmarked 04/19/05. Prior to that date our 2003 annual sewer fee was dated 06/25/03, our 2004 annual sewer fee was dated 09/15/04, and our annual sewer fee due date for 2005 was 03/31/05 and was our first invoice handled through Pivotal Utilities on behalf of BHP Copper, Inc. To add to this irregular and confusing billing pattern was the MEETING NOTICE as well as the enclosed article published Wednesday, February 23, 2005, "Kline (affiliated in some capacity with BHP) noted that the new sewer plant is currently going through all the various permitting requirements needed before work begins there." (One could easily assume from this article BHP was going to build the new sewer plant.)

Re: 219 W. Main St., San Manuel AZ (See Document Details)
The most recent residential property sold by BHP Copper Corporation recorded 08/10/04. Thus far we have not made contact with the Grantee to find out if any wastewater disclosure was provided by the Grantor (BHP Copper Corporation).

Re: 518 S. D. Ave., San Manuel AZ (See Document Details)
A newly built property recorded 04/19/04 and became BHP Copper Corporation's newest sewer customer. We intend to contact this Grantee to see if BHP Copper Corporation provided any wastewater disclosure information as to its current status, the apparent need for a Certificate of Convenience.

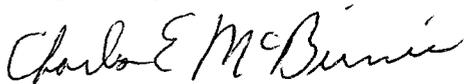
After the June 28, 2005 hearing, Ray Ford informed a number of San Manuel residents of his findings at the hearing. On the following evening, June 29, 2005, fortyone concerned residents (see enclosed list of names) attended a presentation of the facts as Ray had heard them. We hope that all of the enclosed information will give you an idea of the why and how there has been so much confusion surrounding this issue and in part is the reason for only two people at the hearing. The other reason is many people do not recall receiving the meeting notice (nor do we).

From the facts presented within this communication we feel the first issue to address is whether BHP Copper, Inc. even has the right to divest itself of its contractual obligations to the residents of San Manuel. And if they do in fact have such a right the Utilities Division should not pass the costs of the private company via bond to the public. Furthermore, since BHP Copper, Inc. is able to meet the 40/60 equity guideline for a new builder, the citizens of San Manuel should be protected by the Utilities Division from a sewer builder who has less equity than what exists with the current obligated sewer provider, BHP Copper, Inc.

During a public information meeting formed to discuss the mine shutdown process, a disgruntled lady expressed concern that San Manuel would have no sewer. In answer to her concern Jeff Parker, Manager Environmental Affairs, San Manuel, informed the attendees: You will have a sewer. It is BHP's responsibility to continue to supply San Manuel sewer service.

In order to allow our community time and opportunity to access legal council so a precise examination of the facts can be made on our behalf, please hold off your decision on these proposals.

Respectfully submitted,

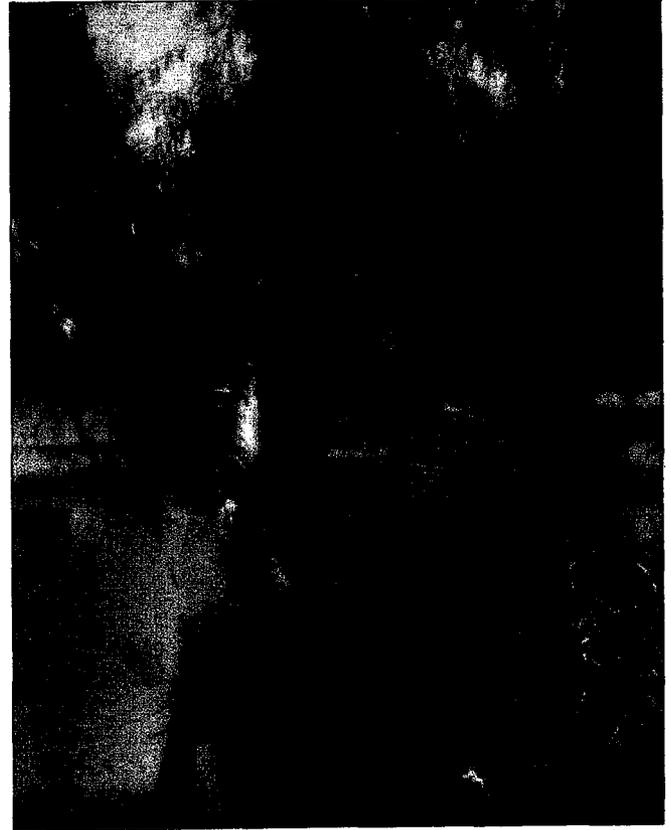


Charles E McBirnie



Julie A McBirnie

THE AFFORDABLE DREAM



Offered Exclusively by
Coldwell Banker Real Estate
Broker Cooperation Welcomed
Sales Office and Model Home Complex
Open Daily from 10 a.m. to 6 p.m.
223 McNab Parkway
San Manuel, Arizona 85631
Phone: (800) 662-2294
Directions to San Manuel: From Tucson, take Oracle Road north to
Highway 77 south to San Manuel, then to McNab Parkway. For
directions from other areas call the toll-free number above.



We purchased at Sales Office
22 McNab PKWY
San Manuel AZ 85631

A quality, single-family home in a desirable community has been only a dream for many families. San Manuel can now bring that dream to reality. Refurbished, high-quality homes in beautiful San Manuel provide the finest quality construction and home design at prices unheard of in many years.

(When you buy a San Manuel home you will also become a part of a beautiful and warm small town with the facilities and advantages you'd expect from the most expensive large-scale developments. San Manuel is a thriving community of 6,000 and an easy 45-minute drive from nearby Tucson. Its 3,500-foot elevation provides scenic mountain views and a much more pleasant year-round climate than either neighboring Tucson or Phoenix.

San Manuel homes are priced within the range of almost all families. The two- and three-bedroom homes have starting prices in the "thirties"...and with VA, FHA and excellent conventional financing, you can look forward to only a small or no down payment. Most will also find monthly payments to be easily within their range. These homes are priced so that you will still be able to afford many of life's other pleasures.

Home purchase counselors from Coldwell Banker Real Estate's San Manuel office will be pleased to assist and guide you throughout the financing and home purchase process. Buyers will find a variety of Del Webb-built homes and excellent locations in four basic plans from which to choose. Each home will be refurbished with the front yard fully landscaped.

REQUIRED RECEIPT FOR PUBLIC REPORT

The law and regulations of the Real Estate Commissioner require that the owner, agent or subdivider of this subdivision (or unsubdivided land) furnish you, as a prospective customer, with a copy of the public report. It is recommended that you read the report before you make any written offer to purchase or lease an interest in subdivided or unsubdivided land, and before you pay any money or other consideration toward the purchase or lease of an interest in subdivided or unsubdivided land.

FOR YOUR PROTECTION, PLEASE DO NOT SIGN THIS RECEIPT UNTIL YOU HAVE RECEIVED A COPY OF THE REPORT AND HAVE HAD THE OPPORTUNITY TO READ IT.

.....
(File No.)

San Manuel Townsite
.....
(Tract No. or Name)

I understand the report is not a recommendation or endorsement of the subdivision, but is for information only.

Julie A. McBirnie
Charles E. McBirnie
.....
(Name)

1548 6th St.
.....
(Address)

5-27-92
.....
(Date)

Boone, IA 50036
.....

State of Arizona
DEPARTMENT OF REAL ESTATE

FINAL
SUBDIVISION PUBLIC REPORT
on
TOWNSITE OF SAN MANUEL

REFERENCE NO. 23,571

THE COMMISSIONER
OF THE ARIZONA DEPARTMENT OF REAL ESTATE
REQUIRES THAT:

1. The purchaser or lessee BE GIVEN this Subdivision report;
2. YOU SIGN A RECEIPT indicating that you received this report;

AND RECOMMENDS:

1. You DO NOT SIGN ANY AGREEMENT before you have read this report;
2. You see the EXACT PROPERTY you are interested in BEFORE SIGNING any document for lease or purchase.

ARIZONA LAW STATES:

1. Any sale or lease of subdivided land prior to issuance of this report shall be voidable. Action to void must be brought within 3 years from date of execution of Purchase Agreement.

ARIZONA

SUBDIVISION PUBLIC REPORT

For
TOWNSITE OF SAN MANUEL
A SUBDIVISION OF PORTIONS OF SECTIONS 31 AND 32, T9S, R17E,
AND SECTION 5 AND 6, T10S, R17E, AS RECORDED IN BOOK 7, PAGE 21
OF AMENDED PLAT OF ORIGINAL TOWNSITE OF SAN MANUEL, BOOK 7,
PAGE 46 REPLAT OF BLOCKS 33 AND 34, BOOK 9, PAGE 24 REPLAT OF
BLOCKS 33 AND 34 AND BOOK 15, PAGE 13 REPLAT OF
BLOCKS 33 AND 34, G. & S. R. & M.
PINAL COUNTY, ARIZONA
REFERENCE NO. 23,571
DEVELOPER

MAGMA COPPER COMPANY
A DELAWARE CORPORATION
P.O. BOX M
SAN MANUEL, ARIZONA 85631

FEBRUARY 12, 1988
Effective Date

STATE PROPERTY REPORT DISCLAIMER

This report is NOT A RECOMMENDATION NOR AN ENDORSEMENT by the State of Arizona of this land.

This report reflects information provided by the developer and obtained by the department in its review process in accordance with the provisions of Title 32, Chapter 20, Article 4, of the Arizona Revised Statutes, as amended.

SPECIAL NOTES:

1. MAP OF THIS DEVELOPMENT IS RECORDED IN BOOK 7 OF MAPS, PAGE 21 OF AMENDED PLAT OF ORIGINAL TOWNSITE OF SAN MANUEL, BOOK 7, PAGE 46 REPLAT OF BLOCKS 33 AND 34, BOOK 9, PAGE 24 REPLAT OF BLOCKS 33 AND 34 AND IN BOOK 15, PAGE 13 REPLAT OF BLOCKS 33 AND 34, RECORDS OF PINAL COUNTY, ARIZONA. YOU ARE ADVISED TO OBTAIN A COPY OF SAID MAP AND NOTE ALL EASEMENTS, RESTRICTIONS AND STATEMENTS CONTAINED THEREON.
2. THIS REPORT INCLUDES BLOCK 1, LOTS 2, 4 THRU 11, INCLUSIVE, 13 THRU 19, INCLUSIVE, 21, 23, 25, 26, 27, 29, 30, 33, 34, 35, 36, 37, 40, 41, 42, 44, 45, 46, 47, 49, 51, 52 AND 53;
BLOCK 2, LOTS 2 THRU 40, INCLUSIVE AND 43 THRU 51, INCLUSIVE;
BLOCK 3, LOTS 1, 2, 3, 6, 7, 9, 10, 11, 12, 13 AND 15 THRU 32, INCLUSIVE;
BLOCK 4, LOTS 1 THRU 7, INCLUSIVE, 9 THRU 14, INCLUSIVE, 16, 17, 18, 20, 21, 22, 23, 24, 26, 27, 28 AND 29;
BLOCK 5, LOTS 1 THRU 20, INCLUSIVE, 22, 24 THRU 39, INCLUSIVE, AND 41 THRU 47, INCLUSIVE;
BLOCK 6, LOTS 2 THRU 27, INCLUSIVE;
BLOCK 7, LOTS 5 THRU 23, INCLUSIVE;

BLOCK 8, LOTS 1 THRU 10, INCLUSIVE;

BLOCK 10, LOTS 1, 2, 3, 5 THRU 11, INCLUSIVE, 13 THRU 18, INCLUSIVE, 20, 21, 22, 23, 25 AND 27 THRU 41, INCLUSIVE;

BLOCK 12, LOT 1, EXCEPT THE EASTERLY 6.5 FEET THEREOF, LOTS 3, 4, 5, 6, 7 AND 10 THRU 13, INCLUSIVE;

BLOCK 13, LOTS 1 THRU 6, INCLUSIVE;

BLOCK 14, LOTS 1 THRU 4, INCLUSIVE, 6, 7 AND 9 THRU 16, INCLUSIVE;

BLOCK 15, LOTS 1 THRU 4, INCLUSIVE, 6 AND 8;

BLOCK 17, LOTS 1, 2, 4, 5, 6, 8 AND 11 THRU 13, INCLUSIVE;

BLOCK 19, LOTS 1, 2, 3, 6, 7, 8, 9, 14, 15, 17, 18, 20, 21, 22, AND 25 THRU 31, INCLUSIVE;

BLOCK 20, LOTS 2, 3, 6, 7, 8, 11, 12, 13, 14, 16, 18 THRU 24, INCLUSIVE AND 27 THRU 32, INCLUSIVE;

BLOCK 21, LOTS 2 THRU 9, INCLUSIVE, 11 THRU 16, INCLUSIVE, 18, 19, 20, 23 AND 24;

BLOCK 22, LOTS 2 THRU 7, INCLUSIVE, 11, 13 THRU 17, INCLUSIVE, 19 THRU 27, INCLUSIVE, 30, 31, 33, 34, AND 35;

BLOCK 23, LOTS 2, 4 THRU 16, INCLUSIVE, 18, 20 THRU 29, INCLUSIVE, 31 AND 33;

BLOCK 24, Lots 2, 3, 4, 5, 9, 10, 13, 15 AND 18 THRU 28, INCLUSIVE;

BLOCK 25, LOTS 1, 3, 4, 5, 9 AND 12;

BLOCK 26, LOTS 4 THRU 11, INCLUSIVE, 13 AND 14;

BLOCK 27, LOTS 3, 4, 6, 7, 8, 10, 11, 12, 14, 15, 17, 19 THRU 23, INCLUSIVE, 25, 27, 29, 30 AND 32, EXCEPT THE EASTERLY 1.10 FEET OF SAID LOT 32;

BLOCK 28, LOTS 1, 2, 4, 5, 6, 9, 11 THRU 15, INCLUSIVE, 17, 18, 19, 21 THRU 26, INCLUSIVE AND 28 THRU 32, INCLUSIVE;

BLOCK 29, LOTS 3, 4, 6, 11, 12, 14, 15, 16, 17, 19 THRU 23, INCLUSIVE, 25, 28 AND 29;

BLOCK 30, LOTS 10 THRU 16, INCLUSIVE, 19 THRU 22, INCLUSIVE, 25, 26, 29 THRU 31, INCLUSIVE, 34, 35, 37 AND 40 THRU 48, INCLUSIVE;

BLOCK 31, LOTS 20, 21 AND 22;

BLOCK 35, LOTS 4, 5, 6, 8, 9, 11 AND 13 THRU 30, INCLUSIVE;

BLOCK 36, LOTS 3 THRU 8, INCLUSIVE, 10, 12, 13, 14, 15, 17, 18, 19, 21, 22, 23, 25, 26, 28, 29, 30, 34 AND 35;

BLOCK 37, LOTS 1 THRU 7, INCLUSIVE, 9, 11, 12, 15 THRU 24, INCLUSIVE, 27 AND 28;

BLOCK 38, LOTS 2 THRU 17, INCLUSIVE, AND 23 THRU 34, INCLUSIVE;

BLOCK 39, LOTS 1 THRU 7, INCLUSIVE, 9 THRU 22, INCLUSIVE AND 24 THRU 30, INCLUSIVE;

BLOCK 40, LOTS 2 THRU 19, INCLUSIVE, 22, 23 AND 24;

BLOCK 41, LOTS 2, 3, 5, 7 AND 8;

BLOCK 42, LOTS 2 THRU 4, INCLUSIVE AND 6 THRU 13, INCLUSIVE; AND

BLOCK 43, LOTS 1, 3 THRU 11, INCLUSIVE, 13, 14, 15, 17, 18 AND 19, AND TRACTS 1 THRU 7, INCLUSIVE, 9 AND 10, ACCORDING TO THE PLAT ENTITLED AMENDED PLAT OF THE ORIGINAL TOWNSITE OF SAN MANUEL, FILED OCTOBER 14, 1954, IN BOOK 7 OF MAPS, PAGES 21, 21A, 21B, 21C, 21D AND 21E, RECORDS OF PINAL COUNTY, ARIZONA.

EXCEPT FROM SAID TRACT 10, PARCELS A, B AND C:

PARCEL 2:

BLOCK 34, LOTS 12 THRU 17, INCLUSIVE, ACCORDING TO PLAT ENTITLED REPLAT OF BLOCKS 33 AND 34 ORIGINAL TOWNSITE OF SAN MANUEL, FILED NOVEMBER 15, 1955, IN BOOK 7 OF MAPS, PAGE 46, RECORDS OF PINAL COUNTY, ARIZONA.

PARCEL 3:

BLOCK 9, LOTS 1 THRU 14, INCLUSIVE, 16, 17, 18, 19, 21 THRU 34, INCLUSIVE AND 36; AND

BLOCKS 11, LOTS 1 THRU 27, INCLUSIVE, ACCORDING TO PLAT ENTITLED REPLAT OF BLOCKS 9 AND 11 OF THE ORIGINAL TOWNSITE OF SAN MANUEL, FILED JULY 10, 1959, IN BOOK 9 OF MAPS, PAGE 24, RECORDS OF PINAL COUNTY, ARIZONA.

PARCEL 4:

BLOCK 44, LOTS 1 THRU 13, INCLUSIVE; AND

BLOCK 45, LOTS 2 THRU 8, INCLUSIVE, ACCORDING TO PLAT ENTITLED, ADDITION OF BLOCKS 44 AND 45 TO THE ORIGINAL TOWNSITE OF SAN MANUEL, FILED JULY 10, 1959, IN BOOK 9 OF MAPS, PAGE 25, RECORDS OF PINAL COUNTY, ARIZONA.

PARCEL 5:

BLOCK 30, LOTS 1 THRU 7, INCLUSIVE;

BLOCK 31, LOTS 1 THRU 15, INCLUSIVE, AND 27 THRU 34, INCLUSIVE;

BLOCK 38, LOTS 19, 20, 21 AND 22, ACCORDING TO PLAT ENTITLED REPLAT OF AMENDED PLAT OF ORIGINAL TOWNSITE OF SAN MANUEL, PINAL COUNTY, ARIZONA (BLOCKS 30 THRU 34 AND BLOCK 38, FILED JUNE 19, 1970, IN BOOK 15 OF MAPS, PAGE 13, RECORDS OF PINAL COUNTY, ARIZONA.

PARCEL 6:

BLOCK 45, LOTS 9 THRU 17, INCLUSIVE;

BLOCK 46, LOTS 1 THRU 20, INCLUSIVE;

BLOCK 47, LOTS 1 THRU 17, INCLUSIVE;

BLOCK 48, LOTS 1 THRU 15, INCLUSIVE;

BLOCK 49, LOTS 1 THRU 20, INCLUSIVE;

BLOCK 50, LOTS 1 THRU 19, INCLUSIVE;

BLOCK 51, LOTS 1 THRU 15, INCLUSIVE;

BLOCK 52, LOTS 1 THRU 12, INCLUSIVE;

BLOCK 53, LOTS 5 THRU 12, INCLUSIVE;

BLOCK 54, LOTS 1 THRU 16, INCLUSIVE;

BLOCK 55, LOTS 1 THRU 16, INCLUSIVE;

BLOCK 56, LOTS 1 THRU 16, INCLUSIVE; AND

BLOCK 57, LOTS 1 THRU 22, INCLUSIVE, AND ALL OF TRACTS 12 AND 22, ACCORDING TO PLAT ENTITLED SAN MANUEL TOWNSITE EXPANSION NO. 2, FILED JUNE 19, 1970, IN BOOK 15 OF MAPS, PAGE 14, RECORDS OF PINAL COUNTY, ARIZONA.

NOTE: This report covers the above mentioned lots and coincides with the Arizona Department of Environmental Quality Health Certificate issued February 2, 1988, Exhibit "A".

3. PROSPECTIVE PURCHASERS ARE ADVISED TO READ THE WATER NOTE.
4. PURCHASERS ARE ADVISED THAT THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THIS SUBDIVISION PROVIDE FOR AN ARCHITECTURAL CONTROL COMMITTEE.
5. DEVELOPER HAS ADVISED OF THE FOLLOWING LAND USES WITHIN THE VICINITY OF THE TOWN. SEWER PLANT - APPROXIMATELY 1.5 MILES, AIRPORT LANDING STRIP - 2 MILES, SAN MANUEL ARIZONA RAILROAD - APPROXIMATELY 1.4 MILES, AND SMELTER - APPROXIMATELY 1.1 MILES FROM TOWN.
6. THE COVENANTS, CONDITIONS AND RESTRICTIONS STATE, IN PART:

SHOPPING AREAS ARE LOCATED IN TRACTS 1, 3 AND 10. PARK AREAS ARE LOCATED IN TRACTS 5, 6 AND 9. CHURCH OR PARK AREAS ARE LOCATED IN TRACT 7, SCHOOL OR PARK AREAS ARE LOCATED IN TRACT 8. NO BUILDINGS SHALL BE ERECTED ON TRACT 4. TRAILER PARK AREA IN TRACT 2 MAY BE USED AS A TRAILER PARK OR MOTOR COURT, OR FOR RETAIL BUSINESS AND SERVICE ESTABLISHMENTS, OR BOTH.

7. A LETTER FROM MR. ALEX ACOSTA, MAGMA COPPER, DATED OCTOBER 28, 1987 STATES, IN PART:

"MOST OF THE LOTS WHICH ARE THE SUBJECT OF THAT FILING ARE IMPROVED WITH RESIDENCES AND RELATED STRUCTURES WHICH WERE CONSTRUCTED IN THE 1950'S. RECENTLY, IN PREPARING THESE LOTS FOR SALE, MAGMA COPPER COMPANY (MAGMA) DISCOVERED THAT THERE ARE A NUMBER OF STRUCTURES WHICH ENCROACH ONTO

ADJACENT LOTS. FOR EXAMPLE, IN SEVERAL INSTANCES FENCES FROM ONE LOT ENCROACH ONTO THE ADJOINING LOT.

IN MOST CASES, THE ENCROACHING STRUCTURES HAVE BEEN IN EXISTENCE FOR MANY YEARS, AND MAGMA DOES NOT FEEL THAT IT WOULD BE APPROPRIATE TO CAUSE THE STRUCTURES TO BE REMOVED PRIOR TO ANY SALE OF THE SUBJECT LOT. ACCORDINGLY, MAGMA PROPOSES TO HAVE ALL OF THE LOTS SURVEYED IN ORDER TO IDENTIFY ANY SUCH ENCROACHMENTS, AND TO CONVEY THE PROPERTY WHICH IS SUBJECT TO ANY SUCH ENCROACHMENT TO THE ADJACENT LAND OWNER. FOR EXAMPLE, IF A FENCE FROM LOT 1 ENCROACHES ONTO THE WEST TWO (2) FEET OF LOT 2 OF THE SAN MANUEL TOWNSITE, MAGMA WOULD CONVEY TO THE PURCHASER OF LOT 1, "LOT 1 TOGETHER WITH THE WEST TWO (2) FEET OF LOT 2" AND TO THE PURCHASER OF LOT 2, "LOT 2 EXCEPT THE WEST TWO (2) FEET THEREOF."

AT THE PRESENT MAGMA CANNOT SPECIFICALLY IDENTIFY THE LOTS WHICH WOULD BE AFFECTED BY THIS PROCEDURE."

LOCATION AND SIZE: Highway 76 - approximately 6 miles southeast from intersection of Highways 76 and 77, San Manuel, Arizona.

This development is located on a parcel of land approximately 749 acres in size. It has been divided into 1057 lots in the entire subdivision.

TOPOGRAPHY: The land on which this development is located is gentle slopes between the San Pedro River and the foothills of the Santa Catalina Mountains.

PROPERTY BOUNDARY LINES: Developer advises lots will be staked.

RESTRICTIONS AND OTHER MATTERS OF RECORD: Conditions, reservations and restrictions that may run with the land including City or County zoning restrictions should be investigated by you. Copies of those items which are recorded may be inspected at the office of the Pinal County Recorder. Information about zoning may be obtained at the office of the County Planning and Zoning Commission. Restrictions are recorded in Docket 81, Page 518; and as amended in Docket 90, Page 48 and in Docket 120, Page 144.

TITLE:

Title to this development is vested in Magma Copper Company, a Delaware corporation.

Title is subject, among other things, to all taxes, assessments, covenants, conditions, restrictions, limitations, reservations, rights, obligations, powers, easements, rights of way, liens and charges of record. YOU SHOULD INVESTIGATE THE TITLE AND SATISFY YOURSELF AS TO WHAT EFFECT, IF ANY, THESE MATTERS MAY HAVE ON THE USE OF THE LAND. Title exceptions affecting the condition of your title are listed in a Preliminary Title Report dated September 8, 1987 issued by First American Title Insurance Company of Arizona. As a prospective purchaser, you should understand the effect of the listed exceptions.

The following liens and obligations encumber the development:

1. A Deed of Trust given to secure an indebtedness in the original principal amount of \$225,000,000.00; together with any and all other obligations secured thereby, dated July 22, 1987, recorded July 24, 1987, in Docket 1460, Page 001.
Trustor : Magma Copper Corporation, a Delaware corporation
Trustee : Transamerica Title Insurance Company, a California corporation
Beneficiary: Chemical Bank, a New York banking corporation as agent (the "Agent") for the banks (the "Banks") which are parties to that certain Credit Agreement, dated as of March 10, 1987 (the "Credit Agreement"), by and among the Trustor, Newmont Mining Corporation (the "Guarantor"), the Banks and the Agent
(Affects all parcels, and covers more property)
2. Some of the lots in this report are leased and sub-leased and any sale will be subject to these leases. Purchaser should determine the situation of the lot he may be interested in.

A portion of Tract 10 is leased to the following:

- a. Clovis Wayne Halcomb and Grace May Halcomb, husband and wife, DBA/Halcomb Inc. - a wholesale storage and supply outlet. The term of this lease shall be for ten (10) years and shall commence on March 1, 1987, and shall continue to and including February 28, 1997.
- b. Gordon Reay and Lois Reay, husband and wife, for the purposes of a grocery store. The terms of this lease shall be for a period of five (5) years and shall commence on September 1, 1986 and shall continue thereafter to and including August 31, 1991. Lessee shall have the option to renew this lease for a similar additional term of five years provided such option is exercised in writing no later than July 31, 1991.
- c. Copper Hill Post, Number 48, American Legion. The term of this lease shall be for a period of thirty years (30) and shall commence on August 1, 1977, and shall continue hereafter to and including July 31, 2007.
- d. Fritts and Sons, Inc., an Arizona corporation, for the purposes of a "Western Auto" store. The term of this lease shall be for a period of five (5) years and shall commence on September 1, 1984, and terminate on August 31, 1989.
- e. Colin Ward, dba/Cinema De San Manuel, Inc. The term of this lease shall be for a period of twenty-one (21) years ten (10) months.

NOTE: DEVELOPER HAS ADVISED THAT ARRANGEMENTS HAVE BEEN MADE WITH THE LENDER IN THE AFOREMENTIONED DEED OF TRUST FOR RELEASE OF INDIVIDUAL LOTS. DEVELOPER IS ALSO REQUIRED TO NOTIFY THE DEPARTMENT OF REAL ESTATE OF ANY FUTURE PLACEMENTS OF LIENS OR ENCUMBRANCES TO ENSURE COMPLIANCE WITH A.R.S. 32-2181, ET SEQ.

PURCHASE CONTRACT:

NOTE: THE PURCHASE CONTRACT IS A BINDING AGREEMENT. READ THOROUGHLY BEFORE SIGNING. IF NOT UNDERSTOOD, SEEK COMPETENT ADVICE PRIOR TO SIGNING. THE PURCHASE CONTRACT GIVES YOU CERTAIN RIGHTS AND REMEDIES. IN ADDITION, THE CONTRACT MAY CONTAIN CERTAIN WAIVERS, DISCLAIMERS AND/OR LIMITATIONS TO YOUR RIGHTS, REMEDIES AND WARRANTIES. CONTRARY TO THE TERMS AND PROVISIONS OF THE CONTRACT YOU MAY HAVE ADDITIONAL RIGHTS, REMEDIES AND WARRANTIES.

SALES:

DEED: Your vested interest/ownership interest in the property will be evidenced by the owner delivering a recorded deed to you and by your signing a Promissory Note and Mortgage or Deed of Trust for the unpaid balance, if any. You should read these documents before signing them.

X UTILITIES: Developer advises that these services are available as follows:

ELECTRICITY:

SUPPLIER: Arizona Public Service Company

GAS: NATURAL GAS

SUPPLIER: Southwest Gas Corporation

TELEPHONE:

SUPPLIER: Mountain Bell

WATER:

SUPPLIER: Arizona Water Company

Developer advises that above services are completed.

NOTE: CONTACT THE ABOVE UTILITIES REGARDING EXTENSION RULES AND REGULATIONS, SERVICE CONNECTIONS AND COSTS INVOLVED.

WATER: The Arizona Department of Water Resources in its report of July 6, 1988 states:

"Water for domestic use will be provided to each of the 1050 lots in the subdivision by the Arizona Water Company from wells owned by Magma Copper Company.

Adequacy of the water supply was reviewed by the Department with regard to the quantity, quality and dependability. The subdivision is located in the town of San Manuel. The water supply wells are located along the San Pedro River and receive water from the older basin fill sediments which form a confined aquifer. Depth to water in the supply wells range from 0 to 250 feet below the land surface. The available information indicates that there is sufficient quantity of groundwater of acceptable quality to supply the needs of the subdivision for a long period of time.

The Department of Water Resources, therefore, finds the water supply to be adequate to meet the subdivision's projected needs: Any change to the subdivision or its water supply plan may invalidate this decision."

PUBLIC STREETS: The developer has advised that the streets have been dedicated for public use. Developer also advised that the streets are built according to the minimum standards of the County.

They are surfaced with asphalt. The developer advises that the completed streets will be maintained by the County of Pinal which will take over the maintenance responsibility.

NOTE: THE COUNTY WILL NOT MAINTAIN THE STREETS UNTIL THEY HAVE BEEN CONSTRUCTED TO MINIMUM STANDARDS AND THE COUNTY APPROVES AND ACCEPTS THEM FOR MAINTENANCE. IF THE STREETS ARE NOT ACCEPTED FOR MAINTENANCE, THE FUTURE COST OF MAINTENANCE WILL HAVE TO BE PAID BY THE ADJACENT PROPERTY OWNERS. IF ADJACENT LOT OWNERS FAIL TO COOPERATE, THEN A LOT PURCHASER MAY HAVE TO INDIVIDUALLY BEAR THE ENTIRE COST OF MAINTAINING THE ROAD TO HIS LOTS.

FLOOD AND DRAINAGE DEVICES: The developer has advised that flood and drainage devices are installed and are maintained by Pinal County.

FIRE PROTECTION: The developer advises that fire protection for this development is provided by San Manuel Volunteer Fire Department.

SCHOOLS: The developer advises it is approximately 1.5 miles to First Avenue and Avenue B Grammar Schools; 1.5 miles to the Gardner Junior High School; 1.5 miles to the San Manuel High School; and that school bus service is available to the schools.

NOTE: YOU SHOULD CONTACT THE LOCAL SCHOOL BOARD REGARDING SCHOOL FACILITIES AND BUS SERVICE.

SHOPPING FACILITIES: Developer advises that the nearest community shopping center is approximately 2 miles from the development.

PUBLIC TRANSPORTATION: Developer advises that public transportation is not available from the development.

USE: Developer advises that the property will be offered for single family residential use and that you will be permitted to occupy your lot immediately upon purchase.

TAXES AND ASSESSMENTS: Developer further advises that you will be obligated to pay approximately:

\$14.2554 per \$100.00 of assessed valuation annual Property Tax. Based on 1987 tax rate.

NOTE: AMOUNT OF TAXES AND ASSESSMENTS SET FORTH ABOVE ARE APPROXIMATE ONLY AND SUBJECT TO CHANGE.

SPECIAL NOTE: THIS DEPARTMENT RECOMMENDS THAT YOU SEE BEFORE BUYING.

MJY:lp
REFERENCE NO. 23,571
TOWNSITE OF SAN MANUEL

E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS:

That SAN MANUEL COPPER CORPORATION, a Delaware Corporation, GRANTOR, for and in consideration of TEN DOLLARS, and other good and valuable consideration to it in hand paid by NASH REALTY CO., a Nevada Corporation, GRANTEE, does hereby convey unto GRANTEE easements through real property situated in Pinal County, State of Arizona, said easements being more particularly described as follows:

DESCRIPTION NO. 1: Easements in all streets and alleys in the ORIGINAL TOWNSITE OF SAN MANUEL for the installation and maintenance of sewer mains, laterals and manholes; provided, (1) that excavation in streets and alleys for sewer installation and maintenance, and replacement of such excavation, shall conform to engineering requirements of the governmental body having jurisdiction over such streets and alleys, and (2) the above described easements hereby conveyed are limited to those easements reserved by GRANTEE herein in the Dedication on that certain Plat of the ORIGINAL TOWNSITE OF SAN MANUEL filed in the Office of the County Recorder of Pinal County, Arizona, in Book 6 of Maps and Plats, at pages 57 through 61, inclusive, thereof. Said streets and alleys are those delineated on the above referred to Plat of the ORIGINAL TOWNSITE OF SAN MANUEL.

DESCRIPTION NO. 2: An easement ten (10) feet in width through parts of Sections Twenty-eight (28), Twenty-nine (29) and Thirty-two (32), Township Nine (9) South, Range Seventeen (17) East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, being five (5) feet at right angles to and on either side of and parallel and adjacent to the center of the installed pipeline for outfall sewer. The approximate center of the installed pipeline is described as follows: Beginning at a point South $35^{\circ} 00'$ East 31.50 feet from the intersection of the centerline of McNab Parkway and the Plant Baseline as delineated on that certain Plat of the ORIGINAL TOWNSITE OF SAN MANUEL filed in the Office of the County Recorder of Pinal County, Arizona, in Book 6 of Maps and Plats, at pages 57 through 61, inclusive, thereof; thence North $55^{\circ} 00'$ East 300.00 feet; thence North $12^{\circ} 38' 44''$ West 1277.50 feet; thence North $55^{\circ} 00'$ East 1164.12 feet; thence South $62^{\circ} 57' 30''$ East 1146.11 feet; thence North $55^{\circ} 00'$ East 847.08 feet; thence North $84^{\circ} 59' 14''$ East 130.00 feet.

TO HAVE AND TO HOLD the same unto the GRANTEE, forever;
SUBJECT, however, to the following conditions, reservations
and agreements, to-wit:

1. That if any of these easements shall cease to be used for the purposes herein specified, then it shall automatically cease and determine;
2. With respect to the easement described under DESCRIPTION NO. 2 above, (1) the GRANTEE shall bury any pipeline hereafter installed or replaced to the depth the pipeline now installed is buried, and (2) pending and during the installation, maintenance and replacement of the sewer outfall pipeline or pipelines on said easement, GRANTOR agrees to give GRANTEE license to use adjacent real property off said easement for ingress, egress and other necessary uses in connection with said installation, maintenance and replacement; provided, that such ingress, egress and other necessary uses shall not interfere with GRANTOR'S operations;
3. GRANTEE indemnifies and saves harmless the GRANTOR and SAN MANUEL ARIZONA RAILROAD COMPANY, an Arizona Corporation, from and against all loss, damage, liability, expense, claims and demands of whatsoever character, direct, indirect or consequential, including injuries to or death of any and all other persons, damage to or loss of property belonging to or in the custody or possession of GRANTOR or SAN MANUEL ARIZONA RAILROAD COMPANY, caused directly or indirectly by the installation, maintenance or replacement of sewer mains, laterals, manholes and outfall pipelines by GRANTEE and any adjuncts or appurtenances thereto;
4. It is understood that these easements are only for the purposes herein specified, and if any improvements installed hereunder shall interfere with the operations of GRANTOR or SAN MANUEL ARIZONA RAILROAD COMPANY or their use of the property covered hereby, GRANTOR may, at its sole expense, remove and relocate the same within or without the above described easements;
5. The conveyance of these easements includes no warranties of title, express or implied, and is and shall be expressly subject to:
 - (a) Reservations, exceptions and encumbrances contained in patents,
 - (b) All liens and other encumbrances of record in the Office of the County Recorder of Pinal County, Arizona, and

(c) Easement for railroad, telephone and telegraph lines to be hereafter granted SAN MANUEL ARIZONA RAILROAD COMPANY by GRANTOR;

6. This conveyance is and shall be expressly subject to the perpetual reservation, easement and exception that GRANTOR reserves to itself and its successors and assigns to disseminate, scatter and spread to, into, upon and over the above described easements, and in the air above such easements hereby conveyed, any and all vibrations, noises, smoke, fumes, dust, water, chemicals, gases and stenches, smells and all other matters and things, whether or not of like or unlike character to those specifically named and designated, arising or resulting from projected mining, milling, smelting and related operations of GRANTOR, or its successors and assigns, on lands of GRANTOR hereinafter described. GRANTOR, and its successors and assigns, shall never be liable to GRANTEE, or its successors or assigns, as owner of the easements hereby conveyed, for any injury, damage or loss to said easements hereby conveyed or the improvements thereon, or to persons in, upon or over said easements, in any manner arising from said vibrations, noises, smoke, fumes, dust, water, chemicals, gases, stenches, smells and all other matters and things, whether or not of like or unlike character to those specifically named and designated, arising or resulting from the mining, milling, smelting and related operations of GRANTOR or its successors or assigns. By the acceptance of this instrument conveying easements, GRANTEE binds itself and its successors and assigns, and said easements hereby conveyed, as a covenant running with the land, and as a perpetual easement and servitude in favor of GRANTOR and its successors and assigns and the lands of GRANTOR hereinafter described, for the full effectuation of said reservation, easement and exception. That the reservation, easement and exception is hereby declared for the benefit of and appurtenant to lands leased or owned by GRANTOR located in Pinal County, Arizona, in Townships Eight (8) and Nine (9) South, Range Sixteen (16) East, and Townships Eight (8), Nine (9) and Ten (10) South, Range Seventeen (17) East, and Townships Nine (9) and Ten (10) South, Range Eighteen (18) East, all in Gila and Salt River Base and Meridian, Pinal County, Arizona. The instruments evidencing title or other estate of the GRANTOR to said lands are all of record in the Office of the County Recorder of Pinal County, Arizona.

All provisions hereof shall bind and benefit the successors and assigns of all parties hereto, and shall benefit the succes-

sors and assigns of SAN MANUEL ARIZONA RAILROAD COMPANY.

IN WITNESS WHEREOF, GRANTOR and GRANTEE have caused this instrument to be signed in their respective corporate names by their respective Presidents or Vice Presidents, and their corporate seals to be hereunto affixed and attested by their respective Secretaries or Assistant Secretaries, this 23rd day of December, 1953.

SAN MANUEL COPPER CORPORATION

By W.P. Goss
President

ATTEST:

Edward J. Smith
Assistant Secretary

GRANTOR

NASH HEALTY CO.

By W. H. Johnson
President

ATTEST:

J. J. Hutchinson
Assistant Secretary

GRANTEE

REMIT TO: -->

MAGNA COPPER COMPANY
P O BOX M SAN MANUEL, AZ 85631-0460
(602) 385-3194

August 3 1992

CHARLES MCBIRNIE
108 AVENUE I
SAN MANUEL, AZ 85631

INVOICE #: 1151551

Please reference this invoice number on all correspondence.

115 / 55253 | TERMS: 30 DAYS

CHARGES FOR:	AMOUNT
ANNUAL SEWER FEES	20.00
INVOICE TOTAL \$	20.00

FOR THE PERIOD: AUG. 1 1992 THRU DEC. 31 1992

our 1st sewer bill

FOR PROPERTY AT: 108 AVENUE I

RECEIPT

DATE 8-10 1992 No. 7876

RECEIVED FROM Julie Mc Birnie

ADDRESS 108 Avenue I

FOR sewer fee DOLLARS \$ 20.00

Inv. # 1151551 1818 # 55253

ACCOUNT	AMOUNT	HOW PAID
AMT OF ACCOUNT	20.00	CASH
AMT. PAID	20.00	CHECK <input checked="" type="checkbox"/>
BALANCE DUE		MONEY ORDER

BY Diane Jones

Received sometime: 3/97 to 10/99

ENVIRONMENTAL STATUS OF SAN MANUEL, PINAL COUNTY, ARIZONA

By Eldon D. Helmer,
Corporate Director of Environmental Affairs
Magma Copper Company
P. O. Box M
San Manuel, AZ 85631
Phone: 602-385-3476

Introduction

The town of San Manuel was built to serve a brand new division of Magma Copper Company in the early 1950's. Up to that time, Magma's mining, milling and smelting of copper ores was entirely based in Superior, Arizona, some 60 miles north of San Manuel. The creation of a brand new town out in the middle of a so-called "desert" area in order to serve a brand new large scale copper mine was unique and got a lot of national press at the time. Not only did Magma build a town, they also included provisions for schools, recreational facilities, places of worship, and other support needed for a community which was anticipated to contain several thousand residents.

The town of San Manuel was built in phases with roughly 75% of the houses completed by 1953. Two expansion phases in the late 1960's and early 1970's added a few hundred more houses and a modern, attractive mobile home park. This was carried out in conjunction with expansion of the Magma Copper Company mining and processing facilities.

Quality of life has always been important to the residents of San Manuel. The peace and quiet, as well as the clean country air, have attracted many homebuyers to the San Manuel area in the last few years. A noteworthy rebuild of the Magma Copper Company smelter located 1/2 mile northeast of town has resulted in clean air, which surpasses the air quality in either Tucson or Phoenix as well as many other rural areas. Water quality in the area is excellent and waste handling facilities are modern and efficient.

Air Quality

The area which includes San Manuel and the surrounding desert nearby is in full attainment of the National Ambient Air Quality Standards for all criteria pollutants. At one time the Magma smelter emitted significant quantities of sulfur dioxide and particulate matter into the atmosphere as part of the smelting process. The copper ore from Magma's mine located six miles north of San Manuel contains a large amount of naturally occurring sulfur which must be burned off during the smelting process.

New technology called "flash smelting" has enabled Magma to remove more than 97.5% of the sulfur which comes to the smelter contained in the ore. As a result the emissions of sulfur dioxide

(over for
waste water
disposal)

are now extremely low and only an occasional faint plume of smoke is visible from the nearby smelter. When the air is very humid, cooling tower fog can be seen which dissipates readily as harmless water vapor into the atmosphere.

New scrubbers added to the San Manuel smelter in 1988 enabled the copper processing facilities to operate without emitting significant amounts of particulates into the air also. But even before the newest scrubbers were added, the area around San Manuel was officially designated by the U.S. Environmental Protection Agency as being in attainment of all particulate limits.

There are no toxic or hazardous air pollutants from any San Manuel industrial facilities which are emitted in concentrations which are harmful to persons or property nearby.

Water Quality

The San Manuel area is provided with potable water from the Arizona Water Company, an Arizona corporation which has been in the business of providing pure water to local residents for many years. Water is drawn from a series of wells drilled into a deep aquifer along the west bank of the San Pedro River to the northeast and east of San Manuel. These wells are a dependable supply of excellent water. Further information concerning the San Manuel drinking water supply may be obtained from the Arizona Water Company at its offices in San Manuel.

Waste Water Disposal

Wastewater from San Manuel is treated at an aerobic wastewater treatment facility located one mile northeast of the town. This facility is operated by certified wastewater operators as a part of Magma Copper Company's wastewater treatment system.

Additional Information

More specific information may be obtained if needed by contacting Mr. Eldon D. Helmer at Magma Copper Company at (602) 385-3476. Information on file with the Arizona Department of Environmental Quality is available through the following departments:

Office of Air Quality at 602-257-2308
Office of Waste Programs at 602-257-2318
Office of Water Quality at 602-257-2305

BHP satisfied with dust containment, but is looking at other measures

By Kimberly Ballard

After investing time, money and energy into their society-friendly efforts to prevent excess dust from the tailings ponds, BHP said last week that they are satisfied with Dust Off's containment, but are also looking into other options for the future.

The product was distributed across the ponds throughout the month of December and is designed to help retain and absorb moisture in the top two inches of the ponds. In the time prior to the product's addition, Parker stated that there had been concerns from residents as the amounts of dust that was circulating from the seasonal winds and that the Dust Off would help decrease, not eliminate the quantity in the air.

"We are in the process of mobilizing it," said Jeff Parker, manager of environmental affairs for BHP. "We will start applying another round in April... but we are looking at other options, this one is rather expensive... and we only get about sixth months out of it."

The \$700,000 project covered approximately 3,000 acres of tailings pond and was done not because BHP was in exceeding its permits for environmental safety, but because, he added, they just want to be a good neighbor to the community.

BHP says smelter could be closed "for years"

A story in last Thursday's *Arizona Republic* quoted BHP officials in Australia as saying that the "idled US copper operations are unlikely to re-open for years and that BHP has talked to potential buyers without success."

President of BHP's Non-Ferrous and Industrial Minerals, Jim Lewis, said, "Those have always been for sale. Lots of people have talked to us, but we've got nothing going."

BHP closed the operations at San Manuel and Pinto Valley in Arizona and Robinson in Nevada last August because they were losing money. About 3,000 people were laid off.

BHP purchased the US mines in 1995 when it bought Magma Copper Co. for \$2.8 billion. Since then the company has written off much of the value of the acquisition.

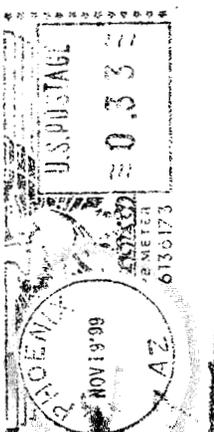
ARIZONA
DEPARTMENT OF
ENVIRONMENTAL
QUALITY

3033 N. Central Ave., Phoenix, AZ 85012

TS109B

800 236-2777

528-865-2921



466-9221

Mr. Charles Mc Birnie
108 Avenue I
San Manuel, AZ 85631

Attached Letter
forwarded to:



055973

52101-7-1111-00

Metals
BHP Copper

November 1, 1999

Dr. Diane Lemley, Ed.D.
Principal
Mammoth Elementary School
P.O. Box 406
San Manuel, Arizona 85618

RECENT AIR ISSUES

Dear Dr. Lemley:

Recent high winds have raised concerns in the local community regarding blowing dust, some of which is from BHP's San Manuel Tailings Facilities. The change in the BHP mine operations status to care and maintenance has resulted in a portion of the tailings dams becoming dry in recent months.

As a result of BHP's concern regarding dust from the tailings, a team of BHP Professionals including Operations, Engineering, Environmental, and outside Consultants have been meeting over the past several months to develop plans to institute additional dust control measures. In addition, the San Manuel Environmental Staff has been in communication with the State Mine Inspector's Office as well as the Arizona Department of Environmental Quality regarding this issue.

Specifically, BHP has been and will continue to utilize water as a means to keep the tailings wet to inhibit blowing dust.

BHP is also reviewing several options that will address the character of the tailings facilities, these include:

- Capping
- Revegetation
- Surfactant application
- Enhanced water distribution system

Each of these options will take time to evaluate the long term benefit and effect on the tailings. It is BHP's objective that whatever option(s) are chosen effectively enhance dust suppression. It should be noted that emissions from these tailings is permissible under existing permits and we are committed to maintaining an excellent compliance record.

We are committed to communicating on a regular basis with concerned parties as solutions to the problem are selected. BHP will utilize communications such as this, newsletters and/or meetings to update you on our progress on this extremely important matter.

Please feel free to contact me if you have any questions or concerns at 520-385-3581.

Regards,



Jeff J. Parker

Manager Environmental Affairs, San Manuel

CC: Harry Clark, Representative
Phil Howard, Arizona State Mine Inspectors Office
Paul Torres ADEQ
Galileo Gutierrez ADEQ
John Perry, BHP
Ken Driggs, BHP
Art Verdugo, BHP
Charles Taylor, BHP

WE SAY NO TO INCORPORATION!

Lois Abbott	Fern Caraway	John Dicus	C. Tad Halcomb	Marj Kincade	Sonia Mork	Rita Rider	Santiago Telles
Alex Acosta	James Carrender	Linda Doitch	Diana Hall	Verlyn Kincade	Karen Mullendore	Elsie Robertson	Katherine Thompson
Gloria Acosta	Eileen Carrender	William Doitch	Don Hall	Bobbie Kitchens	Erma Najera	Royce Robertson	Jon Thompson
Duane Adams	Marilyn Carter	Billy Doitch	Beverly Hallman	Hib Knape	J.R. Najera	Edward Robinson	Daisy Thompson
Mary Adams	Roy Carter	Maria Dominguez	Red Hallman	Mary Knape	Roger Neale	Gilbert Robles	Frank Torres
Luke Adams	Mary Jean Casillas	Jimmy Dominguez	Clarence Hallman	Anja Krouse	Fred Nehrmeyer	Pat Robles	Jonathan Torres
Robert Adams	Robert Castillo	Glenda Dougan	Sandy Hallman	Joe Krouse	Kellie Nehrmeyer	Cecilia Rodriguez	Joshua Torres
Beverly Agler	Dionicia Castillo	Jerry Dougan	L.C. Hankins	Betty Kuntz	Darrell Nielson	Cynthia Rodriguez	Wendy Torres
Joe Aguilar	Tanya Castillo	Pat Dunagan	C.R. Harre	Gar Kuntz	C.T. Norden	David Rodriguez	Pete Tovar
Betty Allen	Robert Castillo Jr.	Adele Early	Donna Harre	Kenny Laabs	Bill Norton	Roman Rodriguez	Lena Tovar
Darlene Allen	Chris Z. Cazares	Michele Encinas	Gail Harrington	Linda Laabs	Corislee Norton	Tony Romero	Tony Romero
Feisha Amador	Ernestine Cazares	Richard Encinas	Mark Harrington	Maria Laprada	Bea Ortiz	Alma Ruiz	Nanda Traweek
Mattie Armbrust	Carlos Cazares	Mary Estrada	Mollie Hatmaker	Louisa Lara	Jennifer Ortiz	Fredrick Ruiz	Firman Troyer
Rossana Atrian	Dale Cline	Wayne Evans	Gene Helgeson	Robert J. Lee	Mike Ortiz	Connie Ruiz	Freda Troyer
Lawrence Barela	Debbie Cline	Cheryl A. Ewald	Wanda Helgeson	Nancy Lewallen	Bernie Ortiz	Conrad Salaiz	Heather Tuca
Grace Barela	Ben Clingan	G.C. Fairchild	Ed Hernandez	Tiffany Lewallen	Jesus Parra	Margaret Salaiz	Rick Tuca
Deanna Barney	Earl Clinton	Laura Fairchild	Annette Hernandez	Ron Lewallen	Rosa Parra	Terry Salaiz	Irene Urquijo
Robert Barney	Wanda Clinton	Kenneth Farrar	Esmeralda Hill	Abelardo Llamas	Orren Parsons	Frank Salas	Jesse Urquijo
Deborah Bartel	Linda Collins	Rita Farrar	Lil Hill	Danny Lopez	Wally Pate	Juanita Salas	John Valentine
Mel Bartel	Tom Collins	April Fessenden	Rudy Hill	Patricia Lopez	Martha Pate	Carlos Salazar	Karen Valentine
Tom Begay	Tim Collins	Richard Fessenden	Avnel Hogan	R. Lopez	Frances Poulsen	Becky Sanchez	Stacy Van Haren
Bea Bejarano	Beth Collins	Charlie Fitts	Shelley Hogan	Richard Lopez	Ron Poulsen	Roland Sanchez	Tom Van Haren
Junior Bejarano	Shirley Cook	Jenny Fitts	David Hogan	Theresa Lopez	Steve Peraza	John Sanchez	Frank Vasquez
Carlton Bell	Manny Corona	Martha B. Fitts	Sharon Hogan	Cheryl A. Lopez	Teri Peraza	Regina Sargent	Isabel Vasquez
Margaret Bell	Frank Corona	Janice Fletcher	Lee Hogan	Modeso Lopez	Francisco Perea	Bobby Saunders	R. Velasquez
Carol Beneitone	Terry Corona	Paul Fletcher	Pat Hogan	Consuelo Magallanes	Sherry Perea	Cathy Saunders	Ramon Velasquez
Doris Beneitone	Frank Cota	Elmer Flovin	Karen Hogg	Richard Magallanes	Francisco Perez	Betty Saunders	Rosalva Velasquez
Ray Beneitone	Sylvia Cota	Ray Ford	Lee Hogg	Louis Mancha Jr.	Josefina Perez	Butch Saunders	Eleanor Vigil
Joan Benavidez	Anna Croci	Shanea Ford	Grace Honea	Dale Martin	Jacque Phelps	Jerry Semmons	Elfido Vigit
Mike Benavidez	Cathy Cross	Bob Fortner	Leo Honea	Kay Martin	Mark Phelps	MaryLee Semmons	David Wagner
Faye Berry	Ed Cross	Rose Fortner	Joni Hudson	James May	Dennis Phipps	Loel Shaler	Ed Wagner
Shirley Berry	Earlene Cruce	Rachel Franco	Mary Lou Hudson	Opal May	Cathy Phipps	Ella Sherman	Grace Wagner
Gus Bogan	Richard Cruce	Esther Frias	Val Hudson	Bob Mayes	Terry Pickett	James Sherman	MacVoy Walker
Mary Jo Bogan	Rick Crumley	Henry Garcia	Jimmy Hughey	Vivian Mayes	Dora Pierson	Heather Shult	Owen Walker
Brian Boisvine	Tracy Crumley	Barbara Gardner	Joyce Hughey	Ed McBirnie	Frank Pierson	Paul Shutt Jr.	Kathy Warner
Leah Drake Boisvine	Alana Crumley	Jimmy Gardner	Lynda Hughey	Julie McBirnie	Bob Plageman	Boze Sims	Terry Warner
Kim Bone	Vic Crumley	Mary Gardner	LeWayne Hussey	Tim McBirnie	Angie Plageman	David Sims	Isidro Wasco
Richard Bone	Flora Cunningham	Margarito Gonzales	Orean Hussey	Betty McDade	Joyce Pyritz	Mary Sims	Vicky Wasco
Ed Bonner	Jim Cunningham	Rachel Gonzales	Tracy Irish	Bruce McDade	Sam Pyritz	Bob Smith	Robert Weaver
Michael Bonner	Paul Cushing	Virginia Gonzales	Richard Ivy	Cindy McDade	William Pyritz	Sue Smith	Daisy Willeford
Tina Bonner	Tom Cushing	Jimmy Gonzales	Yvonne Ivy	Doug McDade	Michelle Quick	Audrey Smith	Patty Williams
Jessie Borquez	Jessilee Dahlin	Gloria Gorden	Jerrel Jackson	Mike McDade	Mark Ramirez	John Smith	Eva S. Wilson
Jerrel Box	Ted Dahlin	Evelyn Gorham	James Jones	James McGinnis	Cheryl Ramirez	William Smith	Louise Windham
Sharon Box	Robert Dailey	Jack Gorham	Laura Jones	Dorothy Meadows	Margaret Reeves	Christina Soto	Tom Windham
Cecil Brogdon	Holly Davis	Teresa Gradillas	Robert Jones	Tommie Mendoza	Norman Reeves	Carlos Soto	Fred Winkler
LaRoyce Brogdon	Eddie Deen	Bonnie Graser	Bill Karle	Bill Karle	Bee Merrill	Bryan Stoner	Sallie Winkler
Linda Brooks	John Deen	Jim Graser	Judy Karle	Louis R. Molina	Anthony Renteria	Ann Swart	Bruce Wolf
Lynn Brooks	Gene Delauder	Larry Graves	Mike Kalich	Charlene Monfred	Art Renteria	Bob Sweeney	Dee Wolf
Joy Brooks	Denee Delauder	Barbara Hagan	Ruth Kalich	Mike Monfred	Bianca Renteria	Nila Sweeney	Sharon Wolf
DeAnne Buelna	Danielle Derrick	Charlie Hagan	Dick Kay	Michael Monfred Jr.	Tanya Renteria	Cecil Tafoya	Nancy Wright
Jeannie Bunch	Murrell Derrick	Darlene Hailer	Donna Kay	Frank Morales	Duane Rhodes	Clara Tafoya	
Michael Butler	Paul V. Derrick	George Hailer	Clifford Kelly	Kay Morales	Gwenith Rhodes	Claudia Tafoya	
John Cathoun	Jamie Dicus	Cathy Halcomb	Jackie Kincade	Robert Mork	John Rider	John Tardiff	

PINAL COUNTY TELEPHONE NUMBERS

Main Toll Free Number	1-800-208-6897	Planning & Development/Zoning	1-800-208-6897 X-6442
(Extensions not listed can be accessed from here)		PI & Dev./Zoning - Oracle	896-9216
		Recorder	1-800-208-6897 X-7100
Air Quality	1-800-208-6897 X-6949	Reporting Hazards health, fire, safety etc	1-800-208-6897 X-7309
Animal Control	1-800-208-6897 X-7228	Roads/Public Works - Florence	1-800-208-6897 X-6411
Assessor	1-800-208-6897 X-6361	Roads/Public Works - Oracle	896-2272
Attorney's Office	1-800-208-6897 X-6271	School Supt., County	1-800-208-6897 X-6580
Building Dept.	1-800-208-6897 X-6455	Schools Chief Deputy	1-800-208-6897 X-6579
Clerk of the Court	1-800-208-6897 X-	Sheriff - Florence Main No.	1-800-420-8689
Environmental Health	1-800-208-6897 X-7309	Sheriff - San Manuel	385-2222
Health - Mammoth	487-2110	Solid Waste	1-800-208-6897 X-6683
Health - Oracle	896-9777	Supervisor Lionel Ruiz	1-800-208-6897 X-7831
J. P. - Mammoth	487-2262	Supervisor Mammoth Office	487-2941
J. P. - Oracle	896-9250	Treasurer	1-800-208-6897 X-6425

DON'T SIGN A PETITION FOR AN ELECTION TO INCORPORATE

YOUR SIGNATURE COULD BE YOUR VOTE! HERE'S HOW:

If 10% of the registered voters sign the petition, there will be an election.

If 2/3 of the registered voters sign the petition, INCORPORATION IS AUTOMATIC.

(Source: Arizona Revised Statute - (ARS) 9-101)

CONCERNS & CONSIDERATIONS OF INCORPORATION

1. NOT A PROPERTY OWNER? When taxes go up—rents go up.

ANNEXATION BY MAMMOTH? - NOT POSSIBLE! The annexing city/town must collect signatures in support of annexation from owners representing more than 50% of the assessed value of the area & more than half of the property owners in the area. At least 300 ft of the area to be annexed must adjoin the annexing city/town boundary. (Source: ARS 9-471A4, ARS 9-471H)

SEWAGE DISPOSAL? "Maintenance of the interior sewer system will be the responsibility of Magma Copper Company." The State Health Department advises that sewage disposal is by San Manuel Township. A SEPARATE sewer system does NOT require incorporation. (Source: State of Arizona Department of Real Estate, Final Subdivision Public Report, Township of San Manuel)

GROWTH? Final County P&Z/Development and BHP share an interest in attracting industry and business & development to San Manuel. Incorporation is not required for growth.

POTENTIAL? San Manuel's rural nature, simplicity, natural beauty, affordable housing & tax rates are its major assets. Tourism & seasonal residents are its immediate potential. San Manuel is not a thoroughfare - our population will virtually be our sole source of financial support.

TAXES? Incorporation MUST result in increased taxes. State shared revenues & Federal revenues (if available) will not support a city government that will maintain our CURRENT LEVELS of service. It would become necessary to add some or all: "City sales, City property, City business & occupational license taxes; City fees for utilities or users, City franchises, City permits, City development fees; as well as City fines & forfeitures." (Source: Choices for Unincorporated Communities in AZ)

CITY BUDGETS? - The Exploratory Committee on the Future of San Manuel presented an **ESTIMATED** incorporated San Manuel annual **BUDGET** (revenues=expenditures) totaling \$1.4 million for **MINIMUM** levels of service, based on a population of 4,375 inhabitants. Compare this to **WILCOX**, POPULATION 3,733 - ACTUAL TENTATIVE BUDGET for 2002-2003 is \$8.5 MILLION DOLLARS! (www.wilcoxaz.org/wilcoxcity/Pages/Jan01)

GOVERNMENT? - Adding a City Government means paying twice for services, equipment, buildings, utilities, INSURANCE, and maintenance that already exist - PLUS paying for another set of salaries and benefits for city employees.

POLICE PROTECTION, DISPATCHERS, ATTORNEY, COURT STAFF? - See **GOVERNMENT**, above. Can we afford the additional cost to maintain at our current level?

LIABILITY & ENVIRONMENTAL? Insurance is expensive, lawsuits even more so! Wildcat dumping is a major problem and hazard - can we afford to assume these financial liabilities?

EXISTING COUNTY SERVICES? - Adult Day Care Transit Program, Adult Detention, Airport, Air Quality, Animal Care & Control, Assessor, Board of Supervisors, Building Safety, Clerk of the Court, County Attorney, County Manager, Flood Administration, Justice Court & Constable, Library District, Long Term Care, Housing, Medical Examiner, Parks and Recreation, Planning & Development, Probation Services - Adult & Juvenile, Public Defender, Public Health, Public Works, Recorder, School Superintendent, Sheriff, Superior Court, Treasurer & others. *USE these county services paid for by your taxes. Contact numbers are listed on back. Post near your phone!*

ALTERNATIVES TO INCORPORATION? - An effective Community Council (voluntary - no bureaucracy & minute cost) can maintain the status quo, AND/OR determine and implement community improvements by working closely with our experienced county government. One good example of this is Green Valley.

"In Arizona, a variety of methods to enhance self-governance are available to citizens, and not all are as costly as creating a new city or town." - Tantis J. Salant, D.P.A., Director, Institute for Local Government, University of Arizona and speaker at the Exploratory Committee meeting March 8, 2003. (Source: Fyfe, Nicole, Choices for Unincorporated Communities in Arizona, UofA, May 2001)



STATE OF ARIZONA
DEPARTMENT OF REAL ESTATE

ARND NARPHO LIANO
GOVERNOR

ELAINE RICHARDSON
COMMISSIONER
DESIGNATE

2910 NORTH 44TH STREET, SUITE 100 • PHOENIX, ARIZONA 85018
TELEPHONE: (602) 468-1414 • FACSIMILE: (602) 468-0562

100 WEST CHAPARRIL STREET, SUITE 511 • TUCSON, ARIZONA 85701
TELEPHONE: (520) 628-6780 • FACSIMILE: (520) 628-6741

Phoenix, Arizona
April 22, 2003

Henry Vazquez
920 6th Avenue
San Manuel, Arizona 85031

RE: Request for information

Dear Mr. Vazquez,

We are in receipt of your request for information that was forwarded from the office of Representative Ernest Bustamante.

Representative Bustamante's office shared via fax a copy of a Public Report filed on February 12, 1988 on behalf of Magma Copper Company. Arizona state law requires that land developers file a public report with the Department of Real Estate for subdivided lands per ARS 32-2183A.

The fax received from Rep. Bustamante's is a copy of a Public Report that is on file with our Department. Should you have any further questions, please do not hesitate to contact our office.

Sincerely,

Liz Carrasco
Public Information Officer

LC

cc: Representative Ernest Bustamante

State of Arizona
DEPARTMENT OF REAL ESTATE

FINAL
SUBDIVISION PUBLIC REPORT
on
TOWNSITE OF SAN MANUEL

REFERENCE NO. 23,571

THE COMMISSIONER
OF THE ARIZONA DEPARTMENT OF REAL ESTATE
REQUIRES THAT:

1. The purchaser or lessee BE GIVEN this Subdivision report;
2. YOU SIGN A RECEIPT indicating that you received this report;

AND RECOMMENDS:

1. You DO NOT SIGN ANY AGREEMENT before you have read this report;
2. You see the EXACT PROPERTY you are interested in BEFORE SIGNING any document for lease or purchase.

ARIZONA LAW STATES:

1. Any sale or lease of subdivided land prior to issuance of this report shall be voidable. Action to void must be brought within 3 years from date of execution of Purchase Agreement.

ARIZONA

SUBDIVISION PUBLIC REPORT

For
TOWNSITE OF SAN MANUEL
A SUBDIVISION OF PORTIONS OF SECTIONS 31 AND 32, T9S, R17E,
AND SECTION 5 AND 6, T10S, R17E, AS RECORDED IN BOOK 7, PAGE 21
OF AMENDED PLAT OF ORIGINAL TOWNSITE OF SAN MANUEL, BOOK 7,
PAGE 46 REPLAT OF BLOCKS 33 AND 34, BOOK 9, PAGE 24 REPLAT OF
BLOCKS 33 AND 34 AND BOOK 15, PAGE 13 REPLAT OF
BLOCKS 33 AND 34, G. & S. R. & M.
PINAL COUNTY, ARIZONA
REFERENCE NO. 23,571
DEVELOPER

MAGMA COPPER COMPANY
A DELAWARE CORPORATION
P.O. BOX M
SAN MANUEL, ARIZONA 85631

FEBRUARY 12, 1988

Effective Date

STATE PROPERTY REPORT DISCLAIMER

This report is NOT A RECOMMENDATION NOR AN ENDORSEMENT by the State of Arizona of this land.

This report reflects information provided by the developer and obtained by the department in its review process in accordance with the provisions of Title 32, Chapter 20, Article 4, of the Arizona Revised Statutes, as amended.

SPECIAL NOTES:

1. MAP OF THIS DEVELOPMENT IS RECORDED IN BOOK 7 OF MAPS, PAGE 21 OF AMENDED PLAT OF ORIGINAL TOWNSITE OF SAN MANUEL, BOOK 7, PAGE 46 REPLAT OF BLOCKS 33 AND 34, BOOK 9, PAGE 24 REPLAT OF BLOCKS 33 AND 34 AND IN BOOK 15, PAGE 13 REPLAT OF BLOCKS 33 AND 34, RECORDS OF PINAL COUNTY, ARIZONA. YOU ARE ADVISED TO OBTAIN A COPY OF SAID MAP AND NOTE ALL EASEMENTS, RESTRICTIONS AND STATEMENTS CONTAINED THEREON.
2. THIS REPORT INCLUDES BLOCK 1, LOTS 2, 4 THRU 11, INCLUSIVE, 13 THRU 19, INCLUSIVE, 21, 23, 25, 26, 27, 29, 30, 33, 34, 35, 36, 37, 40, 41, 42, 44, 45, 46, 47, 49, 51, 52 AND 53;
BLOCK 2, LOTS 2 THRU 40, INCLUSIVE AND 43 THRU 51, INCLUSIVE;
BLOCK 3, LOTS 1, 2, 3, 6, 7, 9, 10, 11, 12, 13 AND 15 THRU 32, INCLUSIVE;
BLOCK 4, LOTS 1 THRU 7, INCLUSIVE, 9 THRU 14, INCLUSIVE, 16, 17, 18, 20, 21, 22, 23, 24, 26, 27, 28 AND 29;
BLOCK 5, LOTS 1 THRU 20, INCLUSIVE, 22, 24 THRU 39, INCLUSIVE, AND 41 THRU 47, INCLUSIVE;
BLOCK 6, LOTS 2 THRU 27, INCLUSIVE;
BLOCK 7, LOTS 5 THRU 23, INCLUSIVE;

REFERENCE NO. 23,571 TOWNSITE OF SAN MANUEL

- BLOCK 8. LOTS 1 THRU 10, INCLUSIVE;
- BLOCK 10. LOTS 1, 2, 3, 5 THRU 11, INCLUSIVE, 13 THRU 18, INCLUSIVE, 20, 21, 22, 23, 25 AND 27 THRU 41, INCLUSIVE;
- BLOCK 12. LOT 1, EXCEPT THE EASTERLY 6.5 FEET THEREOF, LOTS 3, 4, 5, 6, 7 AND 10 THRU 13, INCLUSIVE;
- BLOCK 13, LOTS 1 THRU 6, INCLUSIVE;
- BLOCK 14, LOTS 1 THRU 4, INCLUSIVE, 6, 7 AND 9 THRU 16, INCLUSIVE;
- BLOCK 15, LOTS 1 THRU 4, INCLUSIVE, 6 AND 8;
- BLOCK 17, LOTS 1, 2, 4, 5, 6, 8 AND 11 THRU 13, INCLUSIVE;
- BLOCK 19, LOTS 1, 2, 3, 6, 7, 8, 9, 14, 15, 17, 18, 20, 21, 22, AND 25 THRU 31, INCLUSIVE;
- BLOCK 20, LOTS 2, 3, 6, 7, 8, 11, 12, 13, 14, 16, 18 THRU 24, INCLUSIVE AND 27 THRU 32, INCLUSIVE;
- BLOCK 21, LOTS 2 THRU 9, INCLUSIVE, 11 THRU 16, INCLUSIVE, 18, 19, 20, 23 AND 24;
- BLOCK 22, LOTS 2 THRU 7, INCLUSIVE, 11, 13 THRU 17, INCLUSIVE, 19 THRU 27, INCLUSIVE, 30, 31, 33, 34, AND 35;
- BLOCK 23, LOTS 2, 4 THRU 16, INCLUSIVE, 18, 20 THRU 29, INCLUSIVE, 31 AND 33;
- BLOCK 24, Lots 2, 3, 4, 5, 9, 10, 13, 15 AND 18 THRU 28, INCLUSIVE;
- BLOCK 25, LOTS 1, 3, 4, 5, 9 AND 12;
- BLOCK 26, LOTS 4 THRU 11, INCLUSIVE, 13 AND 14;
- BLOCK 27, LOTS 3, 4, 6, 7, 8, 10, 11, 12, 14, 15, 17, 19 THRU 23, INCLUSIVE, 25, 27, 29, 30 AND 32, EXCEPT THE EASTERLY 1.10 FEET OF SAID LOT 32;
- BLOCK 28, LOTS 1, 2, 4, 5, 6, 9, 11 THRU 15, INCLUSIVE, 17, 18, 19, 21 THRU 26, INCLUSIVE AND 28 THRU 32, INCLUSIVE;
- BLOCK 29, LOTS 3, 4, 6, 11, 12, 14, 15, 16, 17, 19 THRU 23, INCLUSIVE, 25, 28 AND 29;
- BLOCK 30, LOTS 10 THRU 16, INCLUSIVE, 19 THRU 22, INCLUSIVE, 25, 26, 29 THRU 31, INCLUSIVE, 34, 35, 37 AND 40 THRU 48, INCLUSIVE;
- BLOCK 31, LOTS 20, 21 AND 22;
- BLOCK 35, LOTS 4, 5, 6, 8, 9, 11 AND 13 THRU 30, INCLUSIVE;
- BLOCK 36, LOTS 3 THRU 8, INCLUSIVE, 10, 12, 13, 14, 15, 17, 18, 19, 21, 22, 23, 25, 26, 28, 29, 30, 34 AND 35;

REFERENCE NO. 26,404 VALLEY PARK SUBDIVISION

UTILITIES: Developer advises that these services are available as follows:

ELECTRICITY:

SUPPLIER: Arizona Public Service

NATURAL GAS:

SUPPLIER: Southwest Gas

TELEPHONE:

SUPPLIER: U.S. West Communications

WATER:

SUPPLIER: Arizona Water Company

Developer advises that above services are completed.

NOTE: CONTACT THE ABOVE UTILITIES REGARDING EXTENSION RULES AND REGULATIONS, SERVICE CONNECTIONS AND COSTS INVOLVED.

SEWAGE DISPOSAL: Developer advises that interior sewers within the development will be private. They are installed to individual lots and the cost will be included in the sales price of lots. Maintenance of the interior sewer system will be the responsibility of Magma Copper Company. The State Health Department advises that sewage disposal is by San Manuel Townsite.

You are to pay the cost of extension from lot line to building.

SOLID WASTE DISPOSAL: The State Health Department advises that garbage disposal is by HBI Brothers, Inc.

PUBLIC STREETS: The developer has advised that the streets have been dedicated for public use. Developer also advised that the streets are built according to the minimum standards of the County.

They are surfaced with asphalt. The developer advises that the completed streets will be maintained by the County of Pinal which will take over the maintenance responsibility.

NOTE: THE COUNTY WILL NOT MAINTAIN THE STREETS UNTIL THEY HAVE BEEN CONSTRUCTED TO MINIMUM STANDARDS AND THE COUNTY APPROVES AND ACCEPTS THEM FOR MAINTENANCE. IF THE STREETS ARE NOT ACCEPTED FOR MAINTENANCE, THE FUTURE COST OF MAINTENANCE WILL HAVE TO BE PAID BY THE ADJACENT PROPERTY OWNERS. IF ADJACENT LOT OWNERS FAIL TO COOPERATE, THEN A LOT PURCHASER MAY HAVE TO INDIVIDUALLY BEAR THE ENTIRE COST OF MAINTAINING THE ROAD TO HIS LOTS.

FLOOD AND DRAINAGE DEVICES: The developer has advised that flood or drainage devices will be installed and will be maintained by the County.

FIRE PROTECTION: The developer advises that fire protection for this development is provided by the San Manuel Fire Department.

REFERENCE NO. 26,404 VALLEY PARK SUBDIVISION

SCHOOLS: The developer advises it is approximately 1/4 mile to the First Avenue or Avenue B Elementary Schools; 3/10 mile to the Gardner Middle School; 3/10 mile to the San Manuel High School; and that school bus service is not available to the schools.

NOTE: YOU SHOULD CONTACT THE LOCAL SCHOOL BOARD REGARDING SCHOOL FACILITIES AND BUS SERVICE.

SHOPPING FACILITIES: Developer advises that the nearest community shopping center is approximately 3/10 mile from the development.

PUBLIC TRANSPORTATION: Developer advises that public transportation is not available from the development.

USE: Developer advises that the property will be offered for single family residential and commercial use and that you will be permitted to occupy your lot upon close of escrow.

TAXES AND ASSESSMENTS: Developer further advises that you will be obligated to pay approximately:

\$13.008 per \$100.00 of assessed valuation annual Property Tax. Based on 1989 tax rate.

NOTE: THE DEVELOPER ADVISES THAT A SEWER IMPROVEMENT DISTRICT MAY BE FORMED WITHIN 5 to 10 YEARS FOR MAINTENANCE OF SEWERS.

NOTE: AMOUNT OF TAXES AND ASSESSMENTS SET FORTH ABOVE ARE APPROXIMATE ONLY AND SUBJECT TO CHANGE.

SPECIAL NOTE: THIS DEPARTMENT RECOMMENDS THAT YOU SEE BEFORE BUYING.

DBT:lp
REFERENCE NO. 26,404
VALLEY PARK SUBDIVISION

San Manuel

Miller

Serving Oracle, Mammoth and San Manuel since 1953 - www.copperarea.com

Wednesday, August 4, 2004

Periodicals Postage Paid at San Manuel, Ariz. 85631

District Governor John Hart presents Johnny and Brenda Laguna with a check for \$500 toward a downpayment on a home because their mobile home was destroyed by a storm Monday last week.

ions, other local groups rally to help storm victims

The San Manuel-Oracle Lions Club held a press conference Friday to make presentations to families left homeless in the storm Monday last week at destroyed four mobile homes in the Rancho San Manuel Mobile Home

Galloway.

In his ruling he said, "That prior to the (Jan. 21) date petitions were circulated and signatures gathered by several individuals. Those petitions were identical in wording and format, a reasonable factual inference to be drawn therefrom and from other testimony presented... the Court finds that several individuals acted in concert, circulated petitions and gathered signatures, creating a defacto political activity committee, prior to the registration as a PAC..."

... submitted by the IS OWN attorney fees and costs.

San Manuel incorporation issue dead for now; petition short on signatures needed

The drive to incorporate San Manuel is over for the time being. People collecting signatures to put the issue to a vote did not collect enough before the June 30 deadline. Janice Rapp, one of those collecting signatures, indicated that there were not enough people out seeking signatures in the allotted time.

Weather			
BY BETTY THOMAS			
Date	High	Low	Pcp
July 25	92	73	
July 26	90	70	.45"
July 27	86	65	.60"
July 28	88	66	Tr.
July 29	89	65	
July 30	93	68	
July 31	95	74	Tr.
2004 Precipitation to date: 6.20"			
2003 Precipitation to July 31: 7.91"			
July 2004 Precipitation: 2.02"			
July 2003 Precipitation: 3.78"			
*Relative Humidity @ 5 p.m.			

50 Cents

Mail Payment to:

BHP Copper Inc.
Accounts Receivable Office
P.O. Box M, San Manuel, Arizona 85631
(520) 385-3189

CHARLES E & JULIE A MCBIRNIE
108 AVE I
SAN MANUEL AZ 85631

Invoice #: 06610-10-03 Charges for Annual Sewer Fee
Date: 6/25/2003
Terms: 30 Days
Due Date: 7/25/2003

<i>Parcel</i>	<i>Year</i>	<i>Physical Address</i>	<i>Rate Class</i>	<i>Property Class</i>	<i>Rate</i>	<i>Tax</i>	<i>Total</i>	<i>Paid</i>
11-307-07-099-0	2003	138 W 5TH AV	Residential	Residential	\$48.00	\$0.00	\$48.00	\$0.00
11-307-08-251-0	2003	108 E I AV	Residential	Residential	\$48.00	\$0.00	\$48.00	\$0.00
11-307-09-466-0	2003	613 W 3RD AV	Residential	Residential	\$48.00	\$0.00	\$48.00	\$0.00
<i>Total Charges:</i>					\$144.00	\$0.00	\$144.00	\$0.00

Mail check or money order payable to BHP Copper Inc. at the above address. To ensure proper credit, please reference the invoice number and return the bottom portion of this invoice with your payment. Please do not send cash. Incomplete payments are first applied to prior service years.

Mail Payment to:

BHP Copper Inc.
Accounts Receivable Office
P.O. Box M, San Manuel, Arizona 85631
(520) 385-3189

CHARLES E & JULIE A MCBIRNIE
108 AVE I
SAN MANUEL AZ 85631

Invoice #: 06610-10-04 Charges for Annual Sewer Fee
Date: 9/15/2004
Terms: 30 Days
Due Date: 10/15/2004

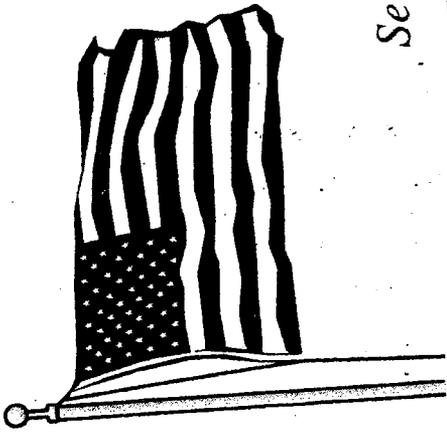
<i>Parcel</i>	<i>Year</i>	<i>Physical Address</i>	<i>Rate Class</i>	<i>Property Class</i>	<i>Rate</i>	<i>Tax</i>	<i>Total</i>	<i>Paid</i>
11-307-08-251-0	2004	108 E I AV	Residential	Residential	\$48.00	\$0.00	\$48.00	\$0.00
11-307-09-466-0	2004	613 W 3RD AV	Residential	Residential	\$48.00	\$0.00	\$48.00	\$0.00
Total Charges:					\$96.00	\$0.00	\$96.00	\$0.00

*Pd
9-24-04*

Mail check or money order payable to BHP Copper Inc. at the above address. To ensure proper credit, please reference the invoice number and return the bottom portion of this invoice with your payment. Please do not send cash. Incomplete payments are first applied to prior service years.

San Manuel

Miner



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Periodicals Postage Paid at San Manuel, Ariz. 8561

Wednesday, February 23, 2005

Volume 50 Number 11

Some metal parts are all that now remain of some of the buildings at the plant site of BHP Copper in San Manuel.

BHP continues to demolish plant site

By Gayle Carnes

Heaps of scrap metal and huge earth moving equipment mark the plant and mine sites of BHP as witnessed on the company's regular tour last week.

John Kline headed the latest tour, which began at the plant site, where many buildings have been reduced to rubble and the roof on the smelter is now being removed.

He told the school bus full of interested people that BHP has finished doing the extensive soil testing inside and outside of the plant area and found no contamination. Those results have also been sent to the Environmental Protection Agency (EPA) and to the Arizona Department of Environmental Quality (ADEQ). Both agencies, as well as the State Mine Inspector's Office,

regularly visit the closure site.

Kline said that haulage trucks are still being used to mine the Fort Grant quarry where fill is being mined and trucked to the various closure projects.

The mill has already been demolished and the rod plant will follow as soon as the items in it, which were sold at auction, are removed.

Kline said BHP is recycling whatever it can, selling what can be sold and sending any hazardous waste to Missouri for disposal. Eventually, the entire area will be leveled, covered with fill and vegetated - unless some other industry comes in first. The area will remain an industrial park for any future development.

He said the smelter stacks are scheduled to come down in 2006. "We will determine where we want them to fall and then dig trenches for the stacks to

fall into," he explained.

Kline noted that the new sewer plant is currently going through all of the various permitting requirements needed before work begins there.

Almost all of the buildings, which haven't been sold, have been removed at the mine site and have been replaced by all kinds of equipment as mountains become molehills and any questionable soil is disposed of.

Kline explained that blasting is done between certain hours and that the roads are constantly watered in an effort to keep the dust under control.

He said that BHP continues to be willing to answer any questions from the public as it continues to use the best available demonstrated control technology (BACT) in its policies and actions to achieve full closure of the San Manuel facility.

from 1000 service to paraprofess Barney as a high school volunteer Winter Basketball League referees Kim Laymon, Vanessa Sanchez at Resignations were accepted from education, who is retiring; Cheryl School; and from Head Football (A leave of absence for Sharon H surgery. She is now back at work. The next board meeting will be

Que Pasa

All items for Que Pasa must be the San Manuel Miner office by p.m. Monday for publication in following Wednesday's edition. Que Pasa listings are reserved for nonprofit groups and community announcements.

New listings will run for two weeks and recurring listings will run one month.

BLOCKWATCH MEETING
The San Manuel Blockwatch ne



Pinal County Recorder

Choose a d

Recorded

Recorder Search - Recorded Document Details

Fee Number: 2004-061152

Doc. Type: DEED.W

Scanned Images:

Docket/Page:

Recorded: 8/10/2004 4:16:00 PM

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Township: 10S

Range: 17E

Section: 05

Sub Sec:

Estimated Download Times:
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Additional TRS's: Legal Information:

LOT 15 BLOCK 37 SAN M

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Grantor(s):

- BHP COPPER CORPORATION

Recently divested
BHP property

Grantee(s):

- HYLAND, THOMAS W
- THOMAS W HYLAND REVOCABLE TRUST

Additional Information:

Parcel: 307-09-47209 § 47308

Atlas: 141-05

Tax Area Code: 0804

Sale Price: \$124,000.00

Situs Address: (View on Ma

219 W. MAIN ST.

SAN MANUEL, AZ 85631

Assessor Info | Treas

New Search

219 W Main St.

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Recorder Search - Recorded Document Details

Fee Number: 2004-027684

Doc. Type: DEED W

Docket/Page:

Recorded: 4/19/2004 11:00:00 AM

Township: 10S - Range: 17E

Section: 5 - Sub Sec:

Additional TRS's: Legal Information:

LOT 2 BLK 3 VALLEY PA

Newest & most recent sewer connection

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Grantor(s):

- REICHMUTH, DANIEL W

Grantee(s):

- JENSEN, KENT

Additional Information:

Parcel: 307-08-375A7

Atlas: 141-05

Tax Area Code: 0804

Sale Price: No information

Situs Address: (View on Ma

518 S. D AVE.
SAN MANUEL, AZ 85631

Assessor In

New Search

518 S. D Ave.

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June 29, 2005

(41)

Name Address & Phone Number

Gladius Dinmore 109 Park Pl. 385 3033

Brenda & Bernice Ortiz 608 Tierra Verde St. SM. 385-4687

Daniel & Norma Jirao 311 Manab, San Manuel 385-2989

to notification Don & Diana Ball 825 W. 1st Ave, S.M. 385-2537

Richard & Pamela Lewis 620 W. 5th Ave. S.M. 385-4029

Lisa Hogan & Pat 122 Ave. B S.M. 385-4047

Russell Rhodes & Bessie 630 W. 1st St S.M. 385-9282

Stan & Kay Poole 611 N. Webb St. San Manuel 385-4444

Irma Blasquez 616 N Webb 591-9099

R. Glenn Dyer 128 5th Ave 385-4089

Ed Valquez 107 5th Place 385-2114

Frank Delatorre 207 Ave H 385-2809

JERRY Ham 206 E. Ave G⁽⁵²⁰⁾ 349-7849

T.W. Norton 712 Ave G - 385-1179

Louise Norton 212 Ave H 385-1179

Emangelina & Robert Hageman 208 Ave G 385-4194

Lil Hill 207 Ave H.

Caren Satterjen 213 E. 4th 385-2076

William Piquiz 112 Ave A 385-2634

FRED D. HAYS 105 W. MAIN 385-2726

Teresa Figueroa 115 - Main 385-4364

Maria Dominguez 202 Ave B. 385-4104

Hib & MARY KNAPP 201 AVE B 385-4630

Ed & Julie McZime 108 Ave F 385-2425

Norma Mendoza 144 5AV 385-4475

Douane Adams 204 Ave B. 385-4995

Eddie NAW 209 AVE H 385-4016

MARK & SUSAN VANCLAS 305 N. MAIN 385-9364

DAVID KUHN 311 E 4th St. 385-4411

June 29, 2005

Helen & David Knudson 507 S Ave D 385-4239
Anne-Marie DeArman 514 San Carlos 385-2634
Rayford 385-9342