0000125151

RECEIVED

2011 MAY 10 P 4: 29

AZ CORP COMMISSION
DOCKET CONTROL

ORIGINAL

Docket No. W-04254A-08-0361
Docket No. W-04254A-08-0362

Arizona Corporation Commission
DOCKETED

MAY 10 2011

DOCKETED BY

Arizona Corporation Commission
Utilities Division
1200 W. Washington St.
Phoenix, AZ 85007

The purpose of this document is to provide factual and documented information regarding the numerous allegations made by Ivo Buddeke and John Dougherty against MRWC. Since October of 2009, both Buddeke and Dougherty have harassed MRWC, and continue to do so unabatedly with malicious intent. Their mutual, publicly stated intentions of orchestrating the dissolution of MRWC have been witnessed by Mr. and Mrs. Barnes [Tab 11] and Judge Lundy. Dougherty himself stated, in the presence of MRWC, that his intentions are to "shut it down" [Tab 1]. Their malicious intent to dissolve MRWC and prevent its continued service to the community was further evidenced when Buddeke brandished his weapon at the construction crew contracted to install the water line connecting well #4 to well #1. Buddeke's behavior led to his arrest shortly thereafter. Dougherty, also present at the incident, ran away once the police arrived.

Allegations were originally made by Dougherty regarding MRWC's discharge into School House Wash which is behind Dougherty's house. MRWC was conducting a 72-hour pump test for the aforementioned well #4. The purpose of the pump test was to determine the capacity and quality of well #4. Dougherty then proceeded to accuse MRWC of polluting his property with poisonous, arsenic-laden water at the Yavapai County Planning and Zoning hearing; these allegations were misguided and unfounded. MRWC not only had a permit to discharge its tested water into School House Wash, but also a General Permit from ADEQ. However, Montezuma Well has been discharging, and often discharges, to School House Wash with arsenic levels as high as 150ppb. Yet, Dougherty at no time, has ever approached Montezuma Well regarding the alleged contamination inflicted on his property. As MRWC was able to refute Dougherty and Buddeke's continuous allegations, they reverted to other tactics. Finally, in order to solicit widespread opposition of MRWC, Dougherty and Buddeke used Montezuma Well as a primary catalyst to elicit aid in their favor.

Dougherty claims that well #4 will draw down the private wells in the vicinity and will affect his own private well. Heather Macauley, a former tenant of Dougherty in 2008, claims that they lived in his home with an insufficient water source [Tab 3]. Anna Brunner gives information on the "acres of grass" that are daily watered by the private well owners directly adjacent to well #4 [Tab 10].

A White Paper written by Robin Weesner, R.G., shows the proximity of the wells by MRWC and AWC [Tab 12]. However, AWC has a well that is much closer to Montezuma Well. This article also provides information as to the distance of MRWC's well #1. Well #1 is closer to Montezuma Well than Well #4. It should also be noted that withdrawal is based on demand. MRWC can only withdraw what its customer base demand requires. Ms. Weesner's article documents the acre feet withdrawal by both MRWC and AWC. The annual total withdrawal of water by these two companies totals ~246 acre feet per year. This equates to 80 million gallons of water for one year which is equal to 220,000 gallons per day. An email

received from Kathy Davis [Tab 15] states that discharge from Montezuma Well is 1.4-1.5 million gallons per day. This is recharge which enters Beaver Creek. Despite surrounding groundwater withdrawal, Beaver Creek is recharged at a rate of 1.4 – 1.5 million gallons per day. Montezuma Well discharges to Beaver Creek and to irrigation on an 8 day cycle. Thus, every eight days, for a period of eight days, Beaver Creek receives recharge from Montezuma Well, supplementing its base flow. The eight day cycle that is discharged to irrigation, still reaches and ultimately recharges Beaver Creek base flow because it is discharged in the immediate vicinity of Beaver Creek. This is information that has yet to be considered and taken into account when studying Beaver Creek and the affects of groundwater withdrawal.

Due to Dougherty's complaints, WIFA requested that an EID be completed. The attached email from Sara Conrad [Tab 13] numerates the issues that must be specifically addressed. Item 1 addresses "directly or indirectly affecting cultural resources" such as Montezuma Well. The Montezuma Well National Park Service addresses their domestic well(s) in response to the EID submitted by MRWC. However, domestic wells are not cultural resources and the review by AZTEC consulting allows and considers this information in their results of the EID which results in a request for an EIS. The Arizona Game and Fish also does not take into account the recharge which Montezuma Well provides to Beaver Creek. The Southwest Willow Flycatcher does not reside in the affected area considered in the EID. A letter from Yavapai County Development Services addresses the FEMA request from WIFA [Tab 14]. MRWC requested that it be allowed to respond to the review AZTEC consulting submitted to WIFA requesting the EIS. WIFA has refused the request.

The National Park Service requested the USGS conduct an investigation to determine the source of water to Montezuma Well. The 72 page document publishes the data collection and groundwater flow modeling. Interpretations will be published in journal articles at a later date. On April 7, 2011, Steve Ayers, Staff Reporter for the Bugle (Camp Verde), discusses the findings from the USGS article [Tab 2]:

- Because the water feeding the well comes from such a great depth, Johnson believes it is "relatively disconnected" from area wells that are tapping into the shallower lake deposits of the Verde formation, but could be impacted by deeper wells, up gradient from the Well.

Buddeke and Dougherty's allegations and harassment have suspended the installation of the arsenic treatment system. This suspension has and is affecting the health, safety, and welfare of the residents within MRWC's CCN. A declaration by Michael Van Dyke, Fire Chief of the Montezuma Rimrock Fire Department, portrays the importance of well #4 on the community [Tab 4].

Patricia Olson
MRWC

TAB 1

Douglas C. Fitzpatrick
49 Bell Rock Plaza
Sedona, Arizona 86351
(928) 284-2190
Bar ID #005152
fitzlaw@sedona.net
Attorney for Montezuma
Rimrock Water Company LLC

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

JOHN DOUGHERTY; FREDERICK SHUTE Plaintiffs, -vs- YAVAPAI COUNTY BOARD OF SUPERVISORS; MONTEZUMA RIMROCK WATER COMPANY, LLC DOES 1-10, Defendants.	Case No. P1300CV201000585 DECLARATION OF PATRICIA OLSEN

I, Patricia Olsen, certify as follows:

1. I am the owner of the Montezuma Rimrock Water Company, LLC ["MRWC"], a public utility which serves a portion of the community of Rimrock, Arizona.

2. In recent history, MRWC has had one functioning well ["Well #1"]. The well which is the subject of this lawsuit ["Well #4"] represents an additional source of water for my company to serve its customers.

3. My company paid $35,000 for the lot on which Well #4 is located. The well was originally drilled in 1986 [Tab 5], long before March 3, 2003, the effective date of the Yavapai County Water Well Code.

4. In 2007, MRWC spent $150,000 to re-drill the well and build the infrastructure which supports the well. This work was permitted by the Arizona Department of Water Resources and Arizona Department of Environmental Quality. Substantial additional funds will need to be spent to connect Well #4 to the system and build a required arsenic treatment system.

5. When Well #1 is inoperative, MRWC is unable to supply ***any*** water to its customers; neither is water available from my company to fight fires when the well is not functioning.

6. MRWC does not have adequate well and storage capacity at this time primarily because it relies solely on Well #1 as its water source.

7. The current well and storage capacity are adequate to serve up to 92 service connections. For the system to adequately serve all of its service connections, an additional 30,000 gallons of storage capacity are needed.

8. When Well #4 is in operation, MRWC's system would be adequate to serve all of its connections.

9. Without Well #4, there is inadequate water for fire suppression by the Montezuma-Rimrock Fire District.

10. On two occasions when water from my company's hydrants has been used to fight fires, the water supply was quickly exhausted so that no water was available for domestic use by my customers.

11. Because MRWC's water storage capacity is inadequate, the local fire district must often seek assistance from neighboring fire districts to suppress fires. Because of the time it takes for fire suppression apparatus to travel from neighboring communities to Rimrock, response times are unacceptable.

12. With respect to plaintiff Dougherty's claim that the site for Well #4 is visually

offensive to him and his wife, the equipment is surrounded by a privacy-slatted chain link fence which is required by the Environmental Protection Agency. Along one of the boundary lines of the Rimrock property owned by plaintiff is a chain link fence without privacy slats. Across the street from his property is a barbed wire fence. Photographs which depict the chain link and barbed wire fences in the immediate vicinity of plaintiff's residence are appended hereto under Tabs 8 and 9.

13. Plaintiff's claim that he and his wife find the site to Well #4 visually offensive is disingenuous given that they do not live in Rimrock. See Property Status Inquiry from the Yavapai County Assessor, Tab 6, which indicates the Legal Class for plaintiff's property as "04," meaning that it is "used solely as leased or rented property for residential purposes." See, too, the Declaration of Heather Macauley, one of plaintiff's former tenants, Tab 3.

14. There are approximately twelve private wells in MRWC's service area which draw upon the water table that would be used by Well #4. Plaintiff Dougherty's concern about problems to the water supply which serves his well is misplaced given that he has a history of water supply problems because his well was not dug deep enough.

15. Plaintiff Dougherty's wife, Liz Allen, stated at a meeting of the Montezuma Estates Property Owners Association on January 31, 2010 that she and her husband were experiencing problems with their well and that they may need to connect to MRWC's system.

16. At a hearing on March 5, 2010 in the Verde Valley Justice Court, plaintiff Dougherty communicated publicly his intention to put my company "out of business."

17. Plaintiff is concerned about the "dust, dirt and noise" he claims will be created by connecting Well #4 to a water treatment facility approximately 2,000 feet away. The trenching to connect Well #4 would create some noise for about two weeks. It is unlikely that such

construction would interfere with plaintiff's use and enjoyment of the property given that he and his wife do not live in Rimrock. Moreover, any inconvenience or loss of enjoyment caused by such construction activity would be sustained by the entire neighborhood, not just plaintiff Dougherty.

18. Appended hereto under Tab 7 are petitions signed by 100 of the 112 property owners served by MRWC expressing their support for my company.

19. I declare under penalty of perjury that the contents of the foregoing declaration are true and correct.

Dated 10-7-10

Patricia Olsen

TAB 2

The BUGLE

Thursday, April 07, 2011

Explore the mystery: Montezuma Well study goes public

Steve Ayers
Staff Reporter

Thursday, April 07, 2011

BEAVER CREEK - Montezuma Well has always been a mysterious place.

Home to an ancient culture and the point of origin for both the Yavapai and Apache, it has remained a curiosity to visitors and locals alike, ever since its existence was first reported to the outside world.

But like so many natural wonders, it now finds itself encroached upon by a modern society, one that has not only taken up residence at its doorstep, but has the means and motive to impact its unique springs.

Six years ago the National Park Service made a request to the U.S. Geological Survey for a comprehensive study of the well's hydrology, to determine if the

A U.S. Geological Survey study, done at the request of the National Park Service and using data collected by an NPS dive team in 2006, shows that the water emerging from the Well began as rain and snow on the Mogollon Rim, nearly 10,000 years ago. The spring water is directed upward from about 750 feet below by fractures, faults and volcanic dikes.

proliferation of wells surrounding the well posed a threat.

That study has been completed and will be presented to the public in the form of on-site tours and lectures on April 15 and 16.

According to USGS hydrologist Raymond Johnson, the study used a combination of geochemical analysis and geologic information gathered from well logs and other sources to determine where the water came from and how it made its way to the Well.

The hydrologic system that powers Montezuma Well and the impact of wells in close proximity will be the subject of a field trip and lectures sponsored by the National Park Service, Yavapai College, Friends of the Well and the Verde River Basin Partnership on April 15 and 16.

"The water comes from the Mogollon Rim, following the same stratigraphy (rock formations) that are exposed in the Grand Canyon," Johnson says. "The difference at Montezuma Well is that the rock layers are covered by lake deposits and basalt flows."

Johnson estimates it takes the water 10,000 years to make its way from the Rim to the Well.

"Our study shows the water comes up from the Redwall Limestone, a cavernous formation about 750 below and is directed to the surface by a combination of fractures, faults and impermeable basalt dikes," Johnson says.

Because the water feeding the well comes from such a great depth, Johnson believes it is "relatively disconnected" from area wells that are tapping into the shallower lake deposits of the Verde formation, but could be impacted by deeper wells, up gradient from the Well.

Johnson's field trips and lectures are designed for those who wish to gain an appreciation and understanding for the well's mysteries.

"I'm trying to hit dual audiences," he says. "One side is the science, the geology

and geochemistry, which is cool stuff, but also the practical side of what the Park Service and the community wants to know about protecting Montezuma Well."

Geologist Ed DeWitt, who coauthored the report, will join Johnson for the presentations.

Related Links:

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TAB 3

Douglas C. Fitzpatrick
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Bar ID #005152
fitzlaw@sedona.net
Attorney for Montezuma
Rimrock Water Company LLC

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

JOHN DOUGHERTY; FREDERICK SHUTE Plaintiffs, -vs- YAVAPAI COUNTY BOARD OF SUPERVISORS; MONTEZUMA RIMROCK WATER COMPANY, LLC DOES 1-10, Defendants.	Case No. P1300CV201000585 DECLARATION OF HEATHER MACAULEY

I, Heather Macauley, certify as follows:

1. My husband, Don Macauley, and I rented a residence located at 5225 N. Bentley Drive, Rimrock, Arizona from John Dougherty from March 15, 2008 through February 15, 2009.

2. During our tenancy at Mr. Dougherty's home, he lived with his family in Phoenix.

3. When we lived in Mr. Dougherty's home, we had ongoing problems with his well which frequently went dry.

4. For instance, when we watered the lawn for more than five minutes, the well would go completely dry and we were often left with no water for our personal use inside the home.

5. When we expressed our concerns about the well to Mr. Dougherty, he explained that

Heather Macauley

when he dug the well, he did not dig deep enough. Other deeper wells in the vicinity would drain the water from his well.

6. I declare under penalty of perjury that the contents of this declaration are true and correct.

Dated 11/30/2010

Heather Macauley

Heather Macauley

TAB 4

Douglas C. Fitzpatrick
49 Bell Rock Plaza
Sedona, Arizona 86351
(928) 284-2190
Bar ID #005152
fitzlaw@sedona.net
Attorney for Montezuma
Rimrock Water Company LLC

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

JOHN DOUGHERTY; FREDERICK SHUTE Plaintiffs, -vs- YAVAPAI COUNTY BOARD OF SUPERVISORS; MONTEZUMA RIMROCK WATER COMPANY, LLC DOES 1-10, Defendants.	Case No. P1300CV201000585 DECLARATION OF MICHAEL VAN DYKE

I, Michael VanDyke, certify as follows:

1. I am the fire chief of the Montezuma-Rimrock Fire District and have held this position since November 27, 2000.

2. Since I have been fire chief for this district, there have been several fires in the area, but only a couple that required the district's fire fighters to use water from the hydrants supplied by the Montezuma Rimrock Water Company [MRWC].

3. On one of those occasions, MRWC's water reserves were reduced to less than one hundred gallons available in less than two hours leaving the community with little if any water for personal use.

4. For small fires, the water that is available through MRWC may be adequate; for larger fires, MRWC's system is at best inadequate.

5. Because of the limited supply of water that is available from MRWC, our district uses Water Tenders to supplement fighting fires. Our district has one water tender which carries two thousand gallons of water; and there are seven or eight other water tenders that are available throughout the Verde Valley. Once the water tenders make it to our community the water tenders must fill at a different location than the hydrant being used. Usually this is at a hydrant that is in close proximity to the fire.

6. Response times to fires in that area of Rimrock for water tenders and fire fighters from other districts can be ten to fifteen minutes, depending upon traffic and other factors.

7. A response time of ten to fifteen minutes for additional help in these situations although normal can result in the unnecessary loss of life and property.

8. The area of Rimrock served by MRWC would be well served by another well, pump and storage tank in order for the Fire District to make the most effective use of the existing water system to accomplish its primary mission of saving lives and property while lessening the impact to the residents of that area.

9. I declare under the penalty of perjury that the contents of the foregoing declaration are true and correct.

Dated: December 6th, 2010

Michael VanDyke

TAB 5

RECEIVED NOV 13 1996 RECORDS MGT

ARIZONA DEPARTMENT OF WATER RESOURCES
500 North Third Street
Phoenix, Arizona 85004

WELL DRILLER REPORT

This report should be prepared by the driller in all detail and filed with the Department within 30 days following completion of the well.

1. HOLLAMON & SONS DRILLING
PO BOX 23
CAMP VERDE AZ 86322-0023

2. Owner Name: Robert Bedair
Address: 8630 Pleasant Valley Way (Street) Flagstaff (City) AZ (State) 86004 (Zip)

3. Location: 15 (N/S) (Township) 5 (E/W) (Range) 36 (Section) ¼ SW (10-acre) ¼ SW (40-acre) ¼ SE (160-acre)

4. Well Registration No. 55-556391 (Required)

5. Permit No. _____ (If issued)

DESCRIPTION OF WELL

6. Total depth of hole 111 ft.
7. Type of casing steel
8. Diameter and length of casing 6 in. from 0" to 42', in from _____ to _____
9. Method of sealing at reduction points _____
10. Perforated from _____ to _____, from _____ to _____ from _____ to _____
11. Size of cuts _____ Number of cuts per foot _____
12. If screen was installed: Length _____ ft. Diam _____ in. Type _____
13. Method of construction drilled (drilled, dug, driven, bored, jetted, etc)
14. Date started 10 (Month) 8 (Day) 96 (Year)
15. Date completed 11 (Month) 5 (Day) 96 (Year)
16. Depth to water 18 ft. (If flowing well, so state)
17. Describe point from which depth measurements were made, and give sea-level elevation if available _____
18. If flowing well, state method of flow regulation: _____
19. Remarks: _____

DO NOT WRITE IN THIS SPACE
OFFICE RECORD

Registration No. 55-556391
File No. A(15-5)36 DCC
Received _____ By _____
Entered _____ By _____
ENTERED NOV 14 1996

DWR-55-55-7/95 (Rev.)

TAB 6

13 405 25 580 B 2 11 17 10 05 24 10 PROPERTY STATUS INQUIRY COUNTY: YAVAPAI 13 405 25 580 B 2
CO BK MP PAR S C RUN DATE FILE DATE FOR: C C TAX YR: 2011 (CY) CO BK MP PAR S C

----- N A M E A N D A D D R E S S ----
1 DOUGHERTY JOHN EDWARD III
5 PO BOX 1365
6 RIMROCK AZ 86335

ADDR CODE AVG LAND FCV
MARKET AREA 16 SUB AREA 12
PSC B2

--S A L E S A N D T R A N S F E R---
DOCKET/PAGE
INSTR TYPE
DATE OF SALE
SALE PRICE

---- S P E C I A L D I S T R I C T ---
CODE UNITS CODE UNITS

---------- L A N D ----------
USAGE CLASS 0133
ASSMT RATIOS 10.0
% OF FCV 100
LEGAL CLASS 04
CUR FCV 45,900 AV 4,590
VALUE SOURCE 4
SITUS 5225 N BENTLEY DR
SECTION 0036 TOWNSHIP 15N RANGE 05E
PARCEL SIZE 1.27 ACRES
VALUATION
BASE PER

---------- T A X D A T A ----------
AREA CODE 2690
EXEMPT STATUS
FCV EXEMPT
LPV EXEMPT
ASSMT RATIOS: LPV LAND IMPR COMB
10.0 10.0 10.0 10.0
TOTAL FCV: 122,908 NET AV: 12,291
CUR LPV: 122,747 NET AV: 12,274
--------- PREVIOUS YEAR VALUES ----------
PY FCV: PY LPV:

--------- I M P R O V E M E N T S -------
USAGE CLASS 0133 VALUE SOURCE 1
ASSMT RATIOS 10.0
% OF FCV 100
LEGAL CLASS 04
FCV'S:
COST 77008
MARKET
COST/MKT
ASSESSOR
CNTY/BRD
ST BOARD
FREEZE YEAR
CUR FCV: 77,008 AV: 7,701

----- P E R S O N A L P R O P E R T Y --
CLASS ITEMS FCV LCL RATIO ASSESSED
TOTAL:

---------- M A R K E T D A T A ----------
APP DATE CONSTR YR CLASS STORIES ROOMS GRADE
EXT WALLS ROOF HEAT AIR COND BATH PATIO NUMBER
PHY COND LIVING GAR/CPT CAPACITY POOL

---------- L E G A L ----------
01 LAKE MONTEZUMA ESTATES UNIT 2 PER M&P 13/30 BEING LOTS 473 563
02 564 565 566 STR 36-15N-5E CONT 1.27AC

---------- N E W C O S T I M P R O V E M E N T S ----------

IMPR NBR	0001	SECTION	01	MOD/CLS	0133-D GRD A	LOG HOME		CONST YR	1997	% OWNED	1.0000
STORIES	1.0	ST HT	8	APPR DATE	02/08/99	UPDATE DATE	05/10/10	LOC	.950	REPL COST	142965
COND	1.00	GRND FLR AREA	1560	IPR	0	DEPREC	.100	MKT/ADJ	.63	LOC REP CST	135817
PCT COMP	1.00	SQFT N GRFLPRM	180	TOTAL AREA	1560	OBSOL	.00	MOD	1.00	ASSESS FCV	77008

*** END OF PIC RECORD ***

04 = Rental Property 2010

405-25-580B = 405-25-498 + 405-25-580A

RECEIVED
NOV 2 2010
YAVAPAI CO.
ASSESSORS OFFICE

13 405 25 580 A 3 11 17 10 PROPERTY PARCEL HISTORY REPORT COUNTY: YAVAPAI 13 405 25 580 A 3
CO BK MP PAR S C RUN DATE FOR: C C CO BK MP PAR S C

----- P A R C E L A D D E D -------- ----- P A R C E L D E L E T E D ----

DATE: 09/15/1998 TAX-YEAR: 1999 DATE: 08/06/2010 TAX-YEAR: 2011

---------- P A R C E L V A L U E H I S T O R Y ----------

HISTORY YEAR	********** LAND	H I S T O R Y IMPR	F C V VALUE-SRC	********** TOTAL	HISTORY LPV	LEGAL CLASS
2010	39,000	103,654	1	142,654	142,654	03
2009	39,000	148,281	1	187,281	170,612	03
2008	44,100	157,028	1	201,128	155,102	03
2007	24,000	134,692	1	158,692	139,760	03
2006	17,500	123,030	1	140,530	127,055	03
2005	9,000	106,505	1	115,505	115,505	03
2004	22,800	100,984	1	123,784	114,325	03
2003	12,000	91,932	1	103,932	103,932	03
2002	12,000	89,720	1	101,720	101,720	03
2001	12,000	81,969	1	93,969	93,969	03

---------- P A R C E L H I S T O R Y ----------

2000:B3 0131 ADD NEW HSE/CW 5-25-99GJ*2000 QCD 3724/403 B MCNALLY TO
J DOUGHERTY REC 01/12/00 WKD 01/27/00SGA*2005SENT RECL INQ 3-10-05
AMP*2010 COA/OWN PO BOX 1365 RIMROCK AZ 86335.11-24-09SLC*2011 CL03
TO CL04 PER RENTAL.4-20-10SAC*2011 A2 CL03 0131 TAC 2690 .86AC FCV
45900 LPV 122908 COMBINED WITH 490 TO 405-25-580B PER J E DOUGHERTY
III & MKC/CARTO (SENT TO DATA MGMNT) WKD 5/7/10JK*2011 NTC CHG:HOUSE
TRF TO 405-25-580B.5-10-10 KW*
*** END OF PIC RECORD ***

03 - Owner Occupied Residential

REC

YAVAPAI CO.
ASSESSORS OFFICE

13 405 25 580 A 3 11 17 10 00 00 0 PROPERTY STATUS INQUIRY COUNTY: YAVAPAI 13 405 25 580 A 3
CO BK MP PAR S C RUN DATE FILE DATE FOR: C C TAX YR: 2011 (CY) CO BK MP PAR S C

----- N A M E A N D A D D R E S S ----

ADDR CODE AVG LAND FCV
MARKET AREA SUB AREA
PSC

--S A L E S A N D T R A N S F E R---
DOCKET/PAGE
INSTR TYPE
DATE OF SALE
SALE PRICE

---- S P E C I A L D I S T R I C T ---
CODE UNITS CODE UNITS

---------- L A N D ----------
USAGE CLASS 0000
ASSMT RATIOS
% OF FCV
LEGAL CLASS
CUR FCV AV
VALUE SOURCE 0
SITUS 5225 N BENTLEY DR 86335
SECTION TOWNSHIP RANGE
PARCEL SIZE
VALUATION
BASE

---------- T A X D A T A ----------
AREA CODE
EXEMPT STATUS
FCV EXEMPT
LPV EXEMPT
ASSMT RATIOS: LPV LAND IMPR COMB

TOTAL FCV: NET AV:
CUR LPV: NET AV:
--------- PREVIOUS YEAR VALUES ----------
PY FCV: 142,654 PY LPV: 142,654

--------- I M P R O V E M E N T S -------
USAGE CLASS 0000 VALUE SOURCE
ASSMT RATIOS
% OF FCV
LEGAL CLASS
FCV'S:
COST
MARKET
COST/MKT
ASSESSOR
CNTY/BRD
ST BOARD
FREEZE YEAR
CUR FCV: AV:

----- P E R S O N A L P R O P E R T Y --
CLASS ITEMS FCV LCL RATIO ASSESSED

TOTAL:

---------- M A R K E T D A T A ----------
APP DATE CONSTR YR CLASS STORIES ROOMS GRADE
EXT WALLS ROOF HEAT AIR COND BATH PATIO NUMBER
PHY COND LIVING GAR/CPT CAPACITY POOL

---------- L E G A L ----------

*** END OF PIC RECORD ***

RECEIVED
YAVAPAI CO.
ASSESSORS OFFICE

TAB 7

TO: Arizona Corporation Commission

RE: Montezuma Rimrock Water Company, LLC
Compliance Order, Docket No. DW-14-10
Public Water System Number 13-017

We, the undersigned, are property owners and/or residents located within Montezuma Estates, Rimrock, Arizona. We support Montezuma Rimrock Water Company, LLC and want them to continue to provide water to our community.

We are aware of the issues facing this company as they have kept us informed as to the arsenic levels as required and understand they are working toward compliance.

We want to see this company succeed and continue to support them in this endeavor.

Name: Sarah Allen	Address: 5935 Burton Ct Rimrock, AZ 86335
Signature: Sarah Allen	Date: 5-8-10
Name: Art Martinez	Address: 5920 Burton CT
Signature: [illegible]	Date: 5/13/10
Name: Jennifer Yastic	Address: 5940 N. Bentley Ct.
Signature: Jennifer Yastic	Date: 5/13/10
Name: Barb Kugel	Address: 5925 N Bentley CT.
Signature: Barb Kugel	Date: 5/13/10
Name: Eloise Smith	Address: 5925 N. Bentley Dr Rimrock
Signature: Eloise Smith	Date: 5-13-10
Name: KEN DETHLEFS	Address: 5945 BENTLEY DR
Signature: Ken Dethlefs	Date: 5-13-10
Name: Kas Foreman	Address: 5940 N Thunder Ridge
Signature: [illegible]	Date: 5/13/2010
Name: Elizabeth Jahsman	Address: 5905 N Kramer
Signature: Elizabeth Jahsman	Date: 5-24-2010
Name: JANET GUIMOND	Address: 5960 KRAMER CT
Signature: Janet Guimond	Date: 5/24/10
Name:	Address:

TO: Arizona Corporation Commission

RE: Montezuma Rimrock Water Company, LLC
Compliance Order, Docket No. DW-14-10
Public Water System Number 13-017

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We want to see this company succeed and continue to support them in this endeavor.

Name: Joseph Betarano	Address: 5760 N Towers Rd.
Signature:	Date: 4/26/2010
Name: Paula Martinez	Address: 5710 Debbie lane
Signature:	Date: 4-26-2010
Name: Eliseo Gonzales	Address: 5580 N. Kramer Dr.
Signature:	Date: 04-27-2010
Name: Crystal Bassett	Address: 5625 Vicki Ln.
Signature:	Date: 4-27-10
Name: MAYRA ARAIZA	Address: 5625 DEBBIE LN
Signature: MAYRA ARAIZA	Date: 4-27-10
Name: Lie Robertson	Address: 4490 Stevenway
Signature:	Date: 4-27-10
Name: Corrie Aglitz	Address: 5775 Laura Ln.
Signature:	Date: 4-27-10

TO: Arizona Corporation Commission

RE: Montezuma Rimrock Water Company, LLC
Compliance Order, Docket No. DW-14-10
Public Water System Number 13-017

We, the undersigned, are property owners and/or residents located within Montezuma Estates, Rimrock, Arizona. We support Montezuma Rimrock Water Company, LLC and want them to continue to provide water to our community.

We are aware of the issues facing this company as they have kept us informed as to the arsenic levels as required and understand they are working toward compliance.

We want to see this company succeed and continue to support them in this endeavor.

Name: Susan Krupa	Address: 5680 N. Laura Ln
Signature: Susan Krupa	Date: 4-27-10
Name: Deborah Menig	Address: 5600 N. Laura Ln.
Signature: Deborah Menig	Date: 4-27-10
Name: Krystal Dudney	Address: 5720 N. Homer
Signature:	Date: 4.28.10.
Name: Mary Kampmeyer	Address: 5685 Vicki Lane
Signature: Mary Kampmeyer	Date: 4/28/10
Name: Daniel Elliott	Address: 5615 Debbie Lane
Signature:	Date: 4/28/10
Name: Bob McLean	Address: 5755 Laura Lane
Signature: Bob McLean	Date: 4/28/10
Name: David Castillo	Address: 5655 Laura Ln
Signature:	Date: 4/28/10

Arizona Corporation Commission - Residents

Name: ALICE Gottschalk	Address: 5620 N Laurel Ln
Signature: [illegible]	Date: 4/28/10
Name: Grosfer Adame	Address: 4540. E. goldwater
Signature: [illegible]	Date: 4-28-10
Name: Vella Colah	Address: 5765 N. Towers Road
Signature: Vella Colah	Date: 4-28-2010
Name: May Whitehead	Address: 4520 E Steven Way
Signature: May Whitehead	Date: 4-28-10
Name: [illegible]	Address: 4595 E. Steven Way
Signature: Shawn Lowman	Date: 4-28-2010
Name: JEFF Holowell	Address: 4610 Stevens way
Signature: Jeff Holowell	Date: 4-28-2010
Name: Roberta Valencia	Address: 5615 Caren Way
Signature: Roberta Valencia	Date: 4-28-2010
Name: Art Dykhuis	Address: 4785 Cross
Signature: [illegible]	Date: 5/2/10
Name: Heather Timmons-Rio	Address: 5555 N. Barbara Lane
Signature: Heather Timmons-Rio	Date: 5/2/10
Name: [illegible]	Address: 5585 N. Barbara Ln Rimrock Az.
Signature: Samantha Navarro	Date: 5/2/10

TO: Arizona Corporation Commission

RE: Montezuma Rimrock Water Company, LLC
Compliance Order, Docket No. DW-14-10
Public Water System Number 13-017

We, the undersigned, are property owners and/or residents located within Montezuma Estates, Rimrock, Arizona. We support Montezuma Rimrock Water Company, LLC and want them to continue to provide water to our community.

We are aware of the issues facing this company as they have kept us informed as to the arsenic levels as required and understand they are working toward compliance.

We want to see this company succeed and continue to support them in this endeavor.

Name: JAREE SCHULTS	Address: 5345 Barbara Lane - Rimrock
Signature: [illegible]	Date: 5-1-10
Name: Susan M. Darragh	Address: 5505 N. Barbara Ln, Rimrock
Signature: Susan M. Darragh	Date: 5-1-10
Name: Shelly VanKleeck	Address: 5530 W Barbara Ln Rimr
Signature: Shelly VanKleeck	Date: 5-1-10
Name: Angela Lerma	Address: ~~5-1-10~~ 4740 Beaver Creek Rd Rimrock
Signature: Angela Lerma	Date: 5-1-10
Name: Ashley Cajal	Address: 4604 E Monument
Signature: [illegible]	Date: 05/01/10
Name: [illegible]	Address: 4616 Monument Way
Signature: [illegible]	Date: 5-1-2010
Name: [illegible]	Address: 4700 monument way
Signature: [illegible]	Date: 05-01-10
Name: Joyce Carr	Address: 4690 Monument Way
Signature: [illegible]	Date: 5-01-10
Name: Angel Smith	Address: 5845 Bentley
Signature: [illegible]	Date: 5-2-10
Name:	Address:

TO: Arizona Corporation Commission

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Compliance Order, Docket No. DW-14-10
Public Water System Number 13-017

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Name: Fred Stone	Address: 5725 Bentley Dr.
Signature: Fred Stone	Date: 5-2-10
Name: BARON BURNS	Address: 5705 N BENTLEY
Signature: Baron Burns	Date: 5-2-10
Name: Ben Russell	Address: 4715 E Cathy Way
Signature: [illegible]	Date: 5/2/10
Name: Diana C Barr	Address: 4670 E. Cathy
Signature: DIANA C.BARR	Date: 5/2/10
Name: Kenneth + Ronda Rutter	Address: 5915 Thunder Ridge Rd #4
Signature: Kenneth J. Rutter	Date: 5/8/10
Name: DION DURAN	Address: 5915 Thunder Ridge #1
Signature: DION DURAN	Date: 5/9/10
Name: Joe Haldeman	Address: 5920 Thunder Ridge Rd unit 1 86335
Signature: Joe Haldeman	Date: 5/8/10
Name: DAVID Brook	Address: 5920 Thunder ridge rd #3
Signature: David Brook	Date: 5-18-10
Name: ~~[illegible]~~ KAREN Kapteyn	Address: 5920 Thunder ridge #2
Signature: [illegible]	Date: 5-8-10
Name:	Address:

TO: Arizona Corporation Commission

RE: Montezuma Rimrock Water Company, LLC
Compliance Order, Docket No. DW-14-10
Public Water System Number 13-017

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Name: Tamara Dickson	Address: 5920 Kramer court
Signature: Tamara Dickson	Date: 5/24/10
Name: Galeana Garner	Address: 5650 Debbie Ln
Signature: Galeana Garner	Date: 5/24/10
Name: Don M. Howard	Address: 5471 Kramer Dr.
Signature: DON M. HOWARD	Date: 5/24/10
Name:	Address:
Signature:	Date:
Name:	Address:
Signature:	Date:
Name:	Address:
Signature:	Date:
Name:	Address:
Signature:	Date:
Name:	Address:
Signature:	Date:
Name:	Address:

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Name: Pam Segelke	Address: 5745 N. Towers Dr
Signature: Pam Segelke	Date: 3-10-10
Name: Rosemary McClain	Address: 4525 Stevens Way
Signature: Rosemary McClain	Date: 3-10-10
Name: Robert Estrada	Address: 4495 E. Goldmine Rd
Signature: [illegible]	Date: 3/10/10
Name: Kelly Mcool	Address: 5680 Towers Dr.
Signature: Kelly Mcool	Date: 3-10-10
Name: Tony Thomure	Address: 5670 Towers Dr
Signature: [illegible]	Date: 3-10-10
Name: Harold W Laybourn	Address: 5650 N Towers ~~3-10-10~~
Signature: Harold W. Laybourn	Date: 3-18-10
Name: Donna Swann	Address: 5645 N-Towers Drive
Signature: Donna Swann	Date: 3-10-10

Arizona Corporation Commission - Residents

Name: MARTIN SULLIVAN	Address: 5710 TOWERS
Signature: M. Sul	Date: 3.8.10
Name: Rose M Barnes	Address: 4580 Tiemann
Signature: Rose M Barnes	Date: 3/13/10
Name: Donald Barnes	Address: 4580 Tiemann
Signature: Donald Barnes	Date: 3-13-10
Name: Linna Batterson	Address: 5625 N. Kramer dr.
Signature: Linna Batterson	Date: 4/22/10
Name: DAWN SMALL	Address: 5550 N KRAMER
Signature: Dawn Small	Date: 4.22.10
Name: Crystal Turnbell	Address: 5615 Kramer Dr.
Signature: Crystal Turnbell	Date: 4.22.10
Name: Ryan Turnbell	Address: 5615 Kramer Dr
Signature: Ryan Turnbell	Date: 4-22-10
Name: Tara Talbott	Address: 5635 Kramer Dr.
Signature: Talbott	Date: 4.22.10
Name: Susannah FOX	Address: 5655 Kramer Dr.
Signature: SFOX	Date: 4/22/10
Name: Jeff Smith	Address: 5775 Kramer Dr
Signature: Jeff Smith	Date: 4-22-10

TO: Arizona Corporation Commission

RE: Montezuma Rimrock Water Company, LLC
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Public Water System Number 13-017

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Name: Carlos Ortega M	Address: 5840. N Kramer Dr
Signature: Carlos O	Date: 4.22.10
Name: Mary Boyd Capell	Address: 5825 N Vicki Ln
Signature: Mary Capell	Date: 4-22-10
Name: Marco Araiza	Address: 5735 N Vicki LN.
Signature:	Date: 4/23/10
Name: Silvia Hernandez	Address: 5735 N. Vicki Ln
Signature: Silvia Hernandez.	Date: 4/23/10
Name: Chris Kneef	Address: 5710 N Vicki Ln.
Signature:	Date: 4/23/10
Name: Ken Fressel	Address: 5570 VICKI LANE
Signature:	Date: 4/22/10
Name: MARIA ELENA SANCHEZ	Address: 5485 N Kramer
Signature: Maria Elena Sanchez	Date: 4-25-10

TO: Arizona Corporation Commission

RE: Montezuma Rimrock Water Company, LLC
Compliance Order, Docket No. DW-14-10
Public Water System Number 13-017

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We want to see this company succeed and continue to support them in this endeavor.

Name: Brian Tackett & Mike Massick	Address: 5755 Kramer Dr.
Signature: [illegible] Tackett	Date: 04-24-10
Name: Herly Molina	Address: 5745 Kramer Dr
Signature: [illegible]	Date: 04-24-2010
Name: John T. BAKER	Address: 5645 N. Vicki Ln
Signature: [illegible]	Date: 04-24 2010
Name: Alexandra Wheeler	Address: 5555 N Vicki Lane
Signature: Alexandra Wheeler	Date: 04-24-2010
Name: JEFF UPSHAW	Address: 5560 N Debbie Lane
Signature: [illegible]	Date: 4-24-2010
Name: [illegible]	Address: 5575 Debbie Ln
Signature: Thomas Burkhardt	Date: 4-24-10
Name: [illegible]	Address: 5640 N. Debbie Ln
Signature: TYSON PETRIE	Date: 4-24-2010

TO: Arizona Corporation Commission

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We want to see this company succeed and continue to support them in this endeavor.

Name: PAUL ROBINSON	Address: 5650 N DEBBIE Lane
Signature: Paul Robinson	Date: 4/24/10
Name: Debra Watkins	Address: 5670 N. Debbie Ln.
Signature: [illegible]	Date: 4-24-10
Name: Sammie Rabino	Address: P.O. BOX 10107 / 5700 Debbie Ln.
Signature: Sammie Rabino	Date: 4-24-10
Name: BRAD GOLDRICK	Address: PO Box 661/5705 Debbie Ln
Signature: [illegible]	Date: 4-24-10
Name: B Scott Gilson	Address: P.O. BOX 746/5715 N. DEBBIE LN
Signature: B. SCOTT GILSON	Date: 4/25/10
Name: Lauri Anderson	Address: 5720 N Debbie Ln
Signature: [illegible]	Date: 4-25-10
Name: Brian Murdock	Address: 5735 Debbie Ln
Signature: Brian Murdock	Date: 4-25-10

TO: *Arizona Corporation Commission*

RE: Montezuma Rimrock Water Company, LLC
Compliance Order, Docket No. DW-14-10
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We want to see this company succeed and continue to support them in this endeavor.

Name: Laura M Spring	Address: 5775 Dobbie Lane
Signature: Laura M Spring	Date: 4/25/2010
Name: Kenneth Lobnow	Address: 5770 Lane
Signature: Kenneth Lobnow	Date: 4-25-10
Name: Christopher Bard	Address: 5685 N. Laura Ln.
Signature: Christopher D. Bard	Date: 4-25-10
Name: Mark Scanwell	Address: 4517 E Goldman Rd
Signature: Mark Scanwell	Date: 4 25 10
Name: MICHAEL SCHULMAN	Address: 4475 E. GOLDMAN RD
Signature: Michael Schulman	Date: 4/25/10
Name: BARBARA LASINSKI	Address: 5460 N. KRAMER DR.
Signature: Barbara J Lasinski	Date: 4/25/10
Name: TOM McDonald	Address: 5467 N. Kramer Dr
Signature: Tom McDonald	Date: 4-25-10

TAB 8

Chain Link Fencing

TAB 9

Barbed Wire Fencing

TAB 10

May 9, 2011

Arizona Corporation Commission
Utilities Division
1200 W. Washington St.
Phoenix, AZ 85007

To Whom It May Concern:

My name is Anna Barbara Brunner. I live at 4635 N. Tiemann Lane, Rimrock, AZ 86335. I moved to Rimrock in October of 1999. The following spring of 2000, I became an active board member of Montezuma Estates Property Owners Association (MEPOA). I learned pretty fast that the water company belonged to all the homeowners and the landowners of the subdivision of Lake Montezuma Estates Units I & II. Knowing that water is a very important natural resource, I decided to become an active board member. I was an active board member of MEPOA from 2000 until the time of the sale of the water company in July of 2005.

We had a lot of problems with breakage of the pipes and the valves. Some of the subdivision was not attached to the water company because the main lines went through washes and they were destroyed when the washes were flooded out. The water company was also in trouble with the Arizona Department of Environmental Quality. None of the people working with the water company had any official training to run the water company. There was also an inadequate amount of money to operate the water company. The board members were afraid that we could not serve any additional houses with water and the status of the wells at the time. The board decided to sell the water company but the shape we were in, nobody was interested. At no time did the Arizona Water Company put a proposal together to buy the water company. We were still on our own. More houses were built and more money came and we were able to repair more of the lines. But after a certain amount of time, we needed a certified operator. So, Patricia Arias was hired. Ms. Arias approached MEPOA to purchase the water company. The board agreed. So, we took the opportunity, since we had no better offer, to sell it to Ms. Arias. Still, up until the final sale of the water company, no other offers were presented to MEPOA. Any statements made by individuals stating that Arizona Water Company had interest in purchasing the water company from MEPOA, is false. There was never any offer on the table from Arizona Water Company. Arizona Water Company had stated that there were too many problems with the water system and they wanted no part of it.

The 12 years of my time in this subdivision, John Dougherty was not living in his house. He showed up once in a while to check on his renters. During those years John would never offer to do something for the water company owned by all of us or doing something good for the home owners association. Last year in 2010, I was gone for a few months. In that time, he showed up with his new wife to make the neighborhood crazy along with Ivo Buddeke. Ivo never wanted to help us with the water company. They are stating all the time that they have their own wells. After Ms. Arias bought the water company, we

had some money left from the sale. At that time, Patti, Ivo's wife got on the board and soon after that, Ivo did too. They made the decision to use the money to grade our bad roads. Ivo hired his brother in law to do the job. It did not take a lot of time to pass that the roads were back in bad shape. But the money was gone, $40,000.

We are a community of 250 houses. And we are all taxpayers and we have a right to the arsenic treatment, fire protection, and back up water supplies. I, as a homeowner, am willing to pay $15.00 a month for these assurances. Ms. Olsen has already taken it upon herself to proceed and install the pipeline to the main well site.

Ms. Olsen tried to do what is right for our community and meet the governments demands. You should support her and walk over those trouble makers. I am sitting in the middle of those guys and am in the middle of the sludge they are making.

We do not have the money to pay for the EIS too. I never heard of a tree who goes 400 feet down in the ground to get the water. For god's sake be reasonable for what you are asking her to do. Did Arizona Water Company make an EIS for their wells that are in closer proximity to Montezuma Well? I demand to see the EIS from them. The shallow wells from the homeowners around us are getting dry. They make an impact on the trees, those people having acres of green grass around them. We are in a drought for the last 10 years or more. They are depleting their own wells. We have lost so much in our house prices with lots of foreclosures. The people just don't have the money to add another extra charge for the EIS because Dougherty demands it.

I really think you need to help us 250 homeowners to go forward with Ms. Olsen's plan.

Thank you for listening and I hope you take into account what I am asking you to do.

Sincerely,

Anna Barbara Brunner

Anna B Brunner

TAB 11

May 9, 2011

Arizona Corporation Commission
Utilities Division
1200 W. Washington St.
Phoenix, AZ 85007

We, Donald and Rose Mary Barnes, certify as follows:

1. On January 30, 2010, during our Montezuma Estates Property Owners monthly meeting, Ivo Buddeke, John Dougherty and his wife, Liz Allen were in attendance along with approximately 12 neighbors. Throughout the first hour of the meeting Buddeke, Dougherty and Allen repeatedly yelled and interrupted Patsy Olsen, who was giving a presentation to the neighbors regarding MRWC. Buddeke and Dougherty repeatedly called Patsy a liar and Dougherty became so enraged that the entire room clapped when he announced he was leaving. After the meeting adjourned I walked up to Buddeke, who at the time was a close friend of ours, and asked him what was going on and why he himself, Dougherty and Allen were behaving so rudely and confrontational. He replied, "Five years ago we (MEPOA) had a chance to sell the water company to Arizona Water Company but we voted against it. Now we have the chance to make things right and let AWC take it over." Liz Allen stated to the remaining neighbors at the meeting that she and Dougherty were having problems with their well and might have to hook up with the water company at some point in time.
2. On March 5, 2010, we were in attendance during a hearing with Judge Lundy presiding, regarding Olsen v Dougherty. This hearing was to obtain a restraining order against Dougherty. The request was denied. Dougherty stated to Judge Lundy, "I make no bones about attacking their company. I want it to be shut down." A recorded copy of the hearing was obtained.

Donald Barnes

Rose Mary Barnes

TAB 12

WHITE PAPER #1
WELLS AND WATER USE NEAR MONTEZUMA WELL NAT'L MONUMENT

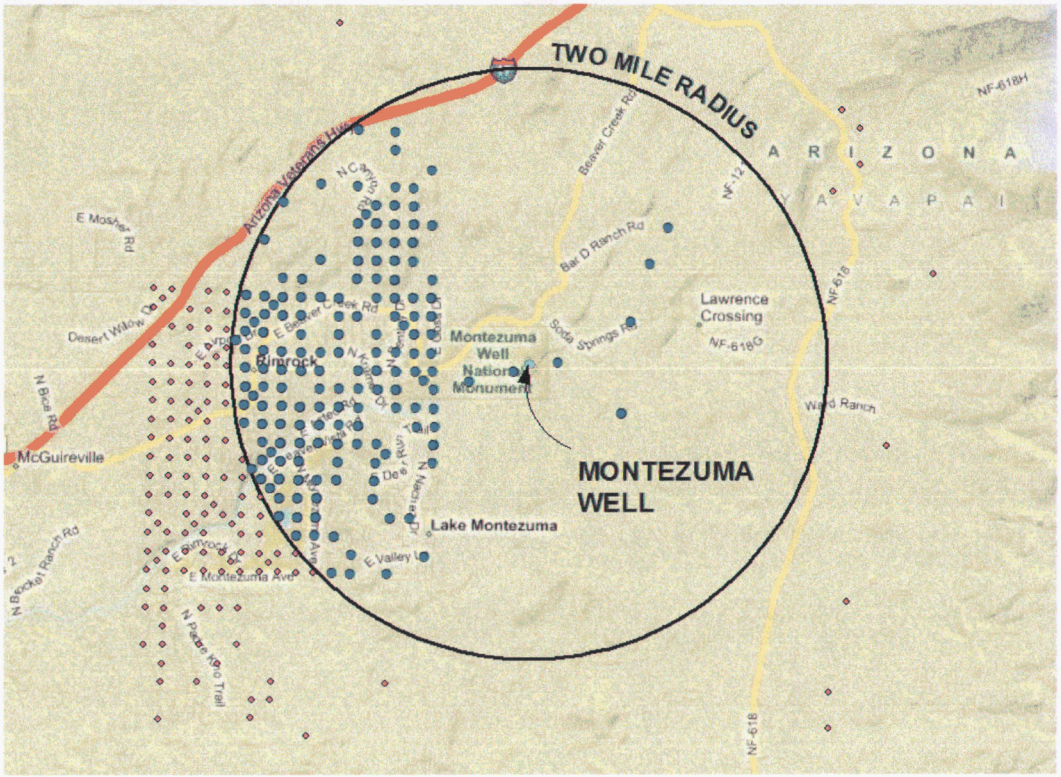
BASIC GROUNDWATER INFORMATION SERIES

By Robin G. Weesner, R.G.

04/06/2010

How many wells and where?

Arizona Department of Water Resources (ADWR) maintains a list of registered wells for the State of Arizona. The wells are only crudely located in their database (only within the nearest 10 acres). Using the ADWR data and projecting a 2 mile radius from the Montezuma Well itself yields 406 wells—located principally due west of the Well.



What Types of Wells?

ADWR classifies wells based on potential pumping rate and use. Exempt wells pump less than 35 gallons/minute and irrigate 2 or less acres. Exempt wells pump more and can be used for irrigation of larger areas or to serve water company customers. Generally, the larger pumping wells would be of more concern based on the ability to have a greater impact on groundwater conditions in the area. In the 2 mile radius, there are 31 non-exempt wells—8 belong to water companies [Arizona Water (5) and Montezuma Rimrock Water Company (3)]. The rest belong to the Beaver Creek School, ADOT, and private owners.

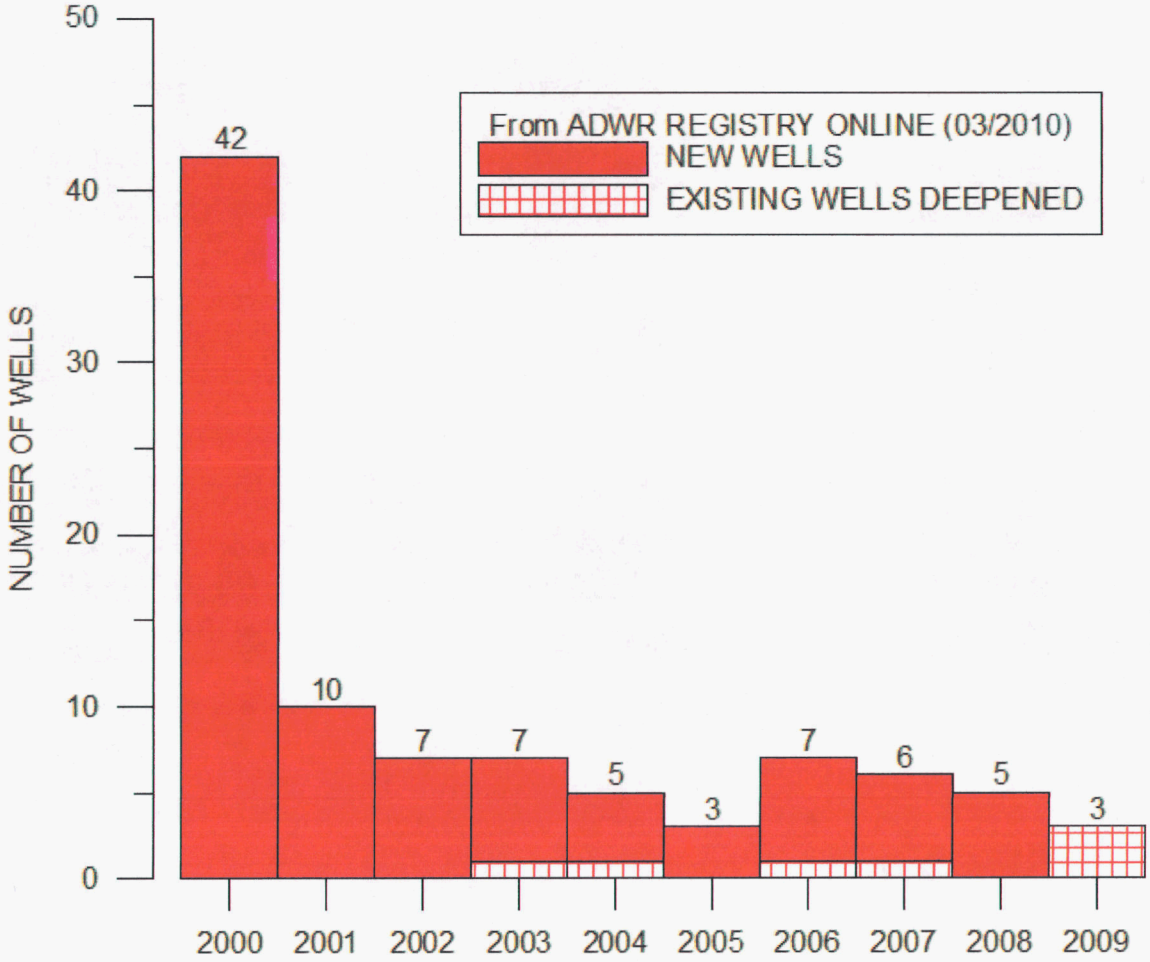
CONTENTS

How many wells and where?	*1*
What types of wells?	*1*
The past 10 years—a history of well activity	*2*
The Water Companies—significant users of groundwater	*3*
Water Company Wells—Distribution and Pumpage	*4*
Getting a handle on New Wells before they are Drilled	*5*
About SWMR and the author	*6*

SOUTHWEST WATER AND MINERAL RESOURCES

The past 10 years—a history of well activity

Looking back over the past 10 years, it is clear that well installation rates have varied dramatically within our 2 mile radius. Well activity is related to real estate activity and the economy. This graph shows a history.

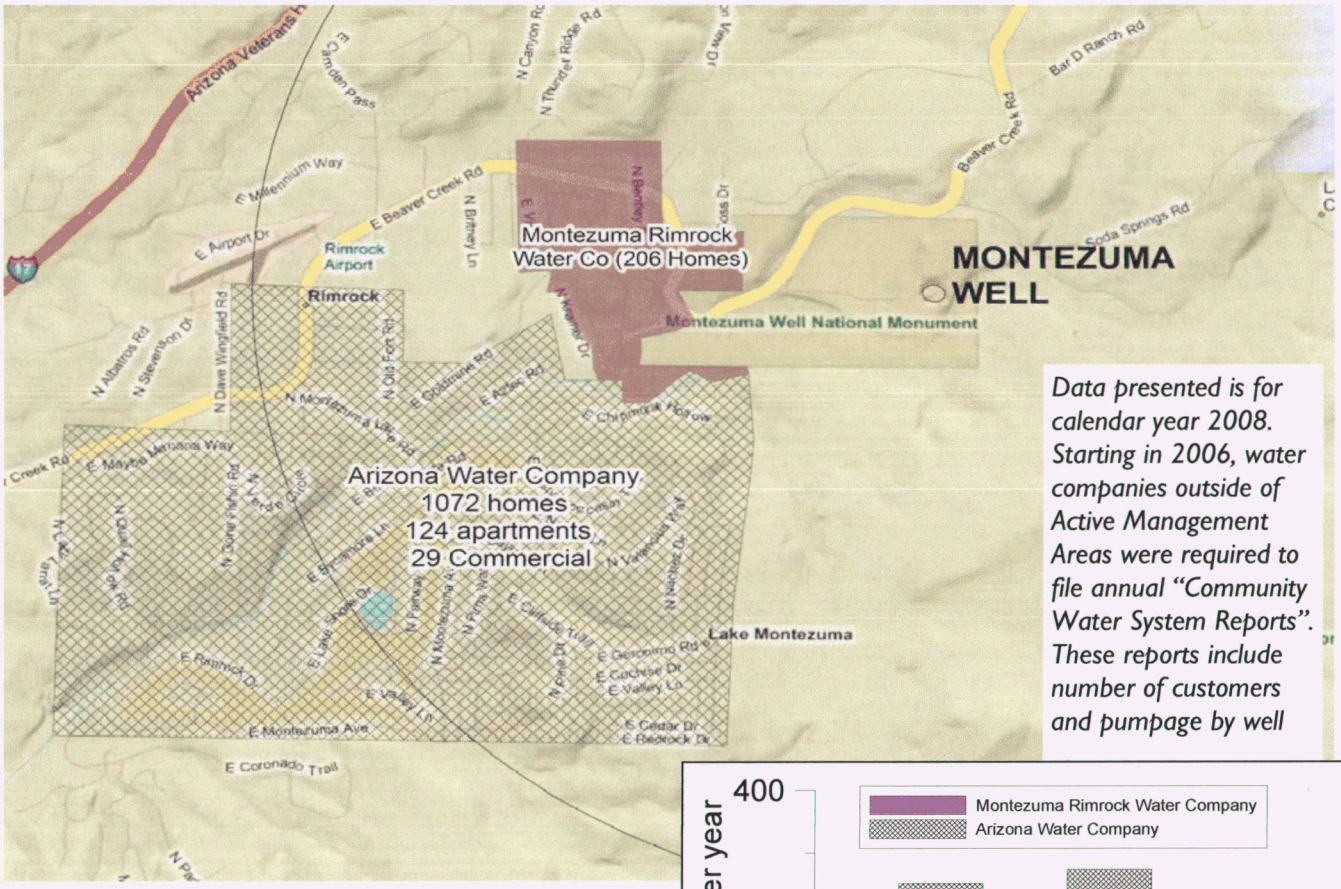


2000 was a big year because the developer of Thunder Ridge (3—8 acre subdivision) installed wells on lots prior to sale.

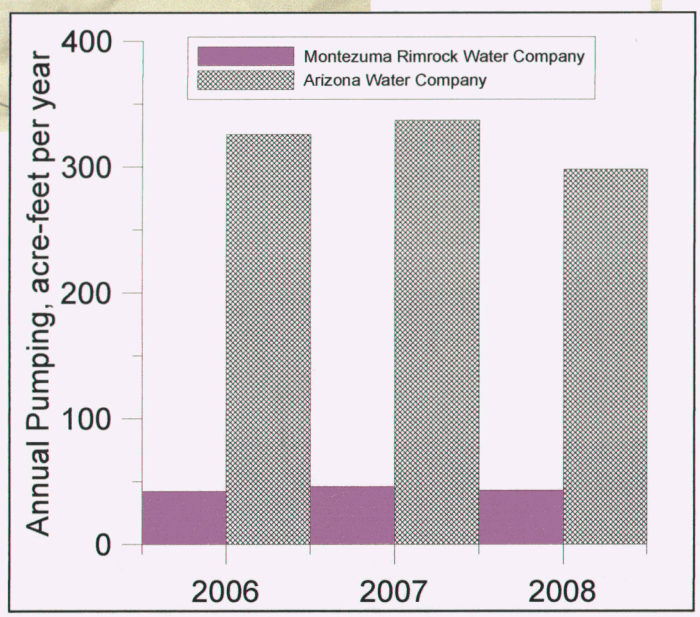
The cost of drilling and installing a pump in a new well is substantial (thousands of dollars) Sometimes deepening a well can also lead to significant costs. Given the current economic conditions, it is inconceivable that significant numbers of new wells will be drilled or deepened in the near term future. There will be at least one or two years (or more) to formulate any policies/strategies for the area for the protection of Montezuma Well.

The Water Companies—significant users of groundwater

There are no large scale users of water for irrigated agriculture in the 2 mile radius. The large majority of water users are for domestic use. Assuming that the roughly 375 wells are actively used for water supply for 375 homes, that leaves the rest of population to be served by the two major water companies in the area: Arizona Water Company (AWC) and Montezuma Rimrock Water Company (MRWC). By far, the most groundwater pumped in the area is by these two water companies.



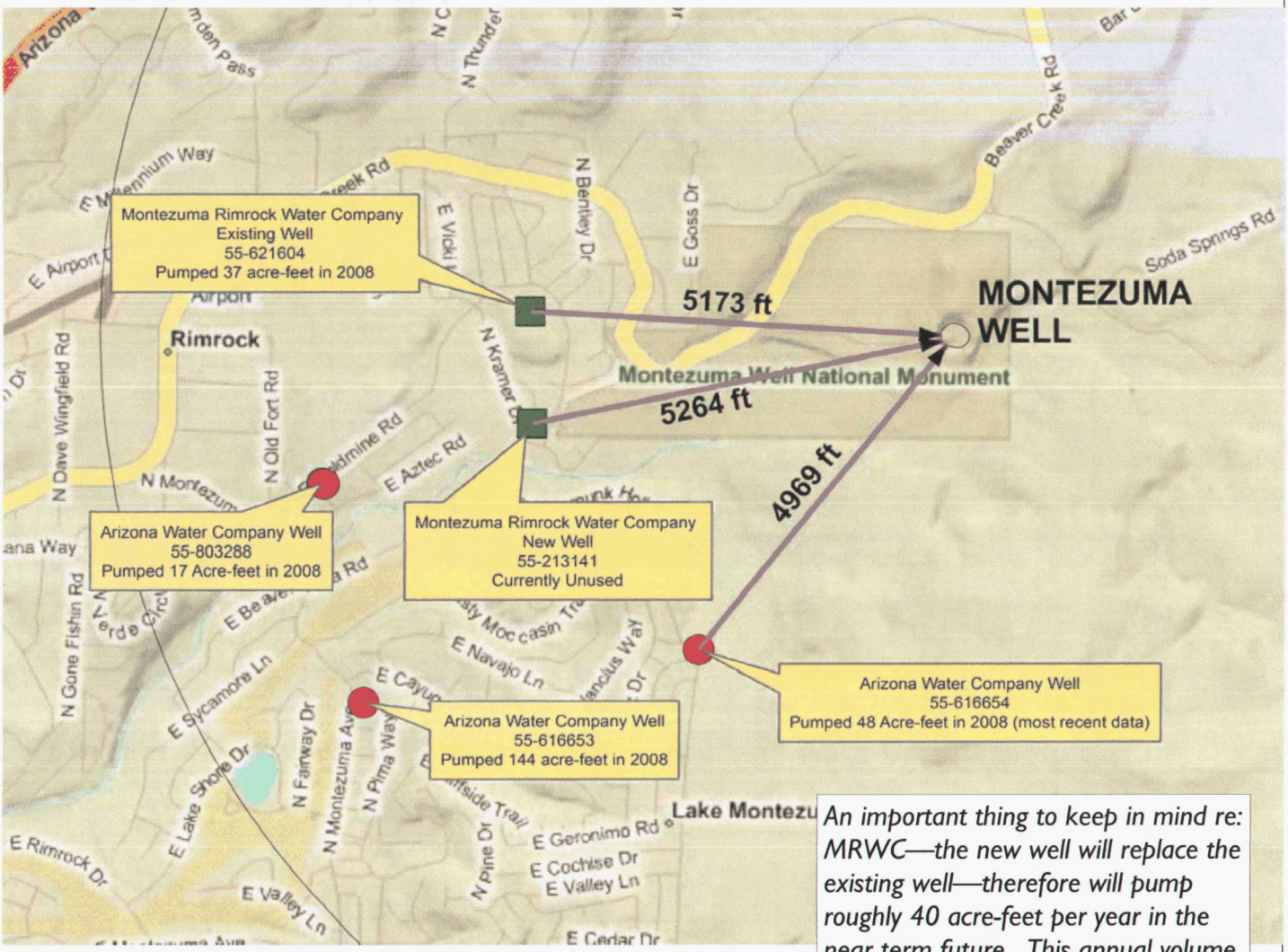
Data presented is for calendar year 2008. Starting in 2006, water companies outside of Active Management Areas were required to file annual "Community Water System Reports". These reports include number of customers and pumpage by well



There is very consistent water usage by the customers of the two water companies—there are more than 5 times as many customers of AWC than MRWC - and the difference in water use is at about the same proportion.

Water Company Wells—Distribution and Pumpage

When wells are drilled, the owners provide an estimate of how much it may pump. This can be based on testing or just a "guestimate" by the owner. In the case of water companies, they may state the "maximum" pumpage of a well on paperwork, but in reality the actual pumpage rate is based on aquifer productivity, customer demand, water system design, and on the condition of the production wells at any point in time. Below is a map of the closest water company wells to the Montezuma Well along with pumpage figures from 2008:



An important thing to keep in mind re: MRWC—the new well will replace the existing well—therefore will pump roughly 40 acre-feet per year in the near term future. This annual volume is equivalent to a continuous pumping rate of 26 gallons a minute—a far cry from the 750 gallons a minute rate being reported for this well

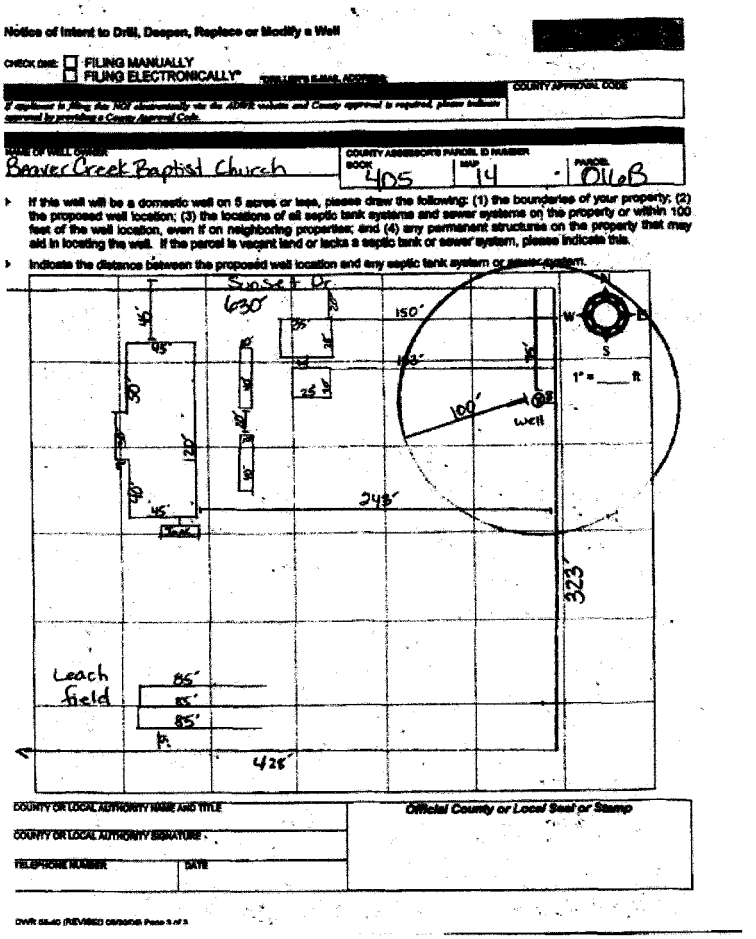
Getting a handle on New Wells before they are Drilled

The recent events surrounding the MRWC replacement well has underscored the desire of the County, the U.S. Park Service, and local individuals/groups to have a more timely notification of new groundwater wells (especially new water company wells).

The primary agency that regulates installation of new wells is Arizona Department of Water Resources (ADWR). This agency has an established paperwork submittal procedure that may not lend itself easily to early notification to interested parties. Earlier this year, ADWR has reduced its workforce by more than 50 staff positions due to state budgetary problems. It may be problematical to attempt to request that ADWR provide any special notifications to interested parties. Additionally, the on-line information at the ADWR web site is currently not sufficient to identify proposed new wells.

Yavapai County is involved in the approval process for all wells that are drilled on property sizes of 5 acres or less. The County is responsible for ensuring that all wells are drilled 100 feet or more away from septic systems.

In the case of wells in the Lake Montezuma/ Rimrock area, the Yavapai Development Services Department reviews a site plan (example from 2009 on right) and can perform an inspection. This plan check is performed for all well deepenings and for new wells that are drilled. If such a step were implemented and if the County or others wished to collect further information—the County would be required to create a procedure to hold up approval—because typically the approval from Development Services is completed within a couple days from date of receipt. In the case of the example to the right, request to drill the well was submitted 8/30/09 and approval to drill (after County approval) was given on 9/4/09.


Notice of Intent to Drill, Deepen, Replace or Modify a Well

CHECK ONE: ☐ FILING MANUALLY ☐ FILING ELECTRONICALLY*

COUNTY APPROVAL CODE

NAME OF WELL OWNER: Beaver Creek Baptist Church

COUNTY ASSESSOR'S PARCEL ID NUMBER: BOOK 405 MAP 14 PARCEL 016B

- If this well will be a domestic well on 5 acres or less, please draw the following: (1) the boundaries of your property; (2) the proposed well location; (3) the locations of all septic tank systems and sewer systems on the property or within 100 feet of the well location, even if on neighboring properties; and (4) any permanent structures on the property that may aid in locating the well. If the parcel is vacant land or lacks a septic tank or sewer system, please indicate this.
- Indicate the distance between the proposed well location and any septic tank system or sewer system.

COUNTY OR LOCAL AUTHORITY NAME AND TITLE

COUNTY OR LOCAL AUTHORITY SIGNATURE

TELEPHONE NUMBER | DATE

Official County or Local Seal or Stamp

A second (and more efficient method for the short term) is to request that both water companies provide a designated contact with information regarding any major changes to their water systems (drilling new wells, well deepening or shifting of pumpage locations, etc.).

White Paper #1

Robin G. Weesner, R.G.
Southwest Water and Mineral
Resources, LLC
PO Box 508
Rimrock, Arizona 86335

SOUTHWEST WATER AND
MINERAL RESOURCES

Robin G. Weesner, R.G. is a principal in a small consulting firm Southwest Water and Mineral Resources, L.L.C (SWMR). She has 29 years of working experience in surface water hydrology and hydrogeology—27 of those years working in the State of Arizona and throughout the western U.S. She is a registered geologist in the States of Arizona and California.

She has worked for Arizona Department of Water Resources in the Assured/Adequate Water Supply Section and has worked for nationally recognized environmental consulting firms ERM-West and Hargis + Associates, Inc. Areas of specialty include water supply studies, groundwater contamination assessment and remediation, geographic information system development and database creation and maintenance.

Gary D. Weesner, C.P.G is also a principal of SWMR. He has 30 years of working experience in surface water hydrology and hydrogeology. He has worked for the U.S. Geological Survey, Harza Engineering Company and Franzoy-Corey Engineers prior to starting SWMR. He specializes in work relating to groundwater production wells for large irrigation districts and for real estate developments.

They reside in the Rimrock/Lake Montezuma area.

Why Prepare White Papers?

Recent events surrounding replacement of a MRWC well have occurred that has highlighted the need for factual information regarding groundwater use and groundwater conditions in the Rimrock/Lake Montezuma Area. This is the first of a series of white papers to be prepared in order to fill the "information void" and to allow decision-making to be based on facts, rather than speculation and emotion. These white papers are being produced pro-bono as a public service to the community and are not copyrighted. As such, they can be distributed without the prior permission of the author. However, the author does request proper citation be provided if the information herein is used. All of the data included in this paper was collected from publically available as of the publication date.

TAB 13

From: Sara Konrad (skonrad@azwifa.gov)
To: patsy@montezumawater.com;
Date: Wed, February 3, 2010 10:11:19 AM
Cc: jnavarrete@azwifa.gov;
Subject: Environmental Information Document for Montezuma Rimrock Water Company.

As you are aware, the Categorical Exemption previously issued for this project may not have been warranted as WIFA has recently received information that the project does not qualify under one or more of the categories in R18-15-107 (B).

WIFA must further verify conditions surrounding this project. To do so, you will need to prepare an Environmental Information Document (EID). I have attached the template for that document prescribing the required format. To expedite WIFA's review and development of an Environmental Assessment (EA) from the EID, it is vital that the EID thoroughly address each of the sections in the document.

Specifically for this project, the following issues have been raised and the Environmental Information Document must specifically address each with a formal letter from the appropriate federal or state agency:

1. The project is known or expected to directly or indirectly affect cultural resources: Montezuma's Well (National Park Service, U.S. Department of the Interior)
2. The project is known or expected to directly or indirectly affect habitats of endangered or threatened species: Southwest Willow Flycatcher in Wet Beaver Creek (U.S. Fish and Wildlife and/or AZ Game and Fish)
3. The project is known or expected to directly or indirectly affect the 100 year floodplain (FEMA).

If it so happens that these issues are not significant, then WIFA can, upon receipt of the EID, issue a Finding of No Significant Impact (FONSI). At that point, WIFA will publicly notice the FONSI for a period of 30 calendar days and receive and review any comments. If these issues are significant, then an Environmental Impact Statement will be required, and WIFA will contact you about proceeding with that process.

Please feel free to contact me if you have any questions.
Thank you,

Sara Konrad
Environmental Program Specialist
Arizona Water Infrastructure Finance Authority (WIFA)
1110 W. Washington St., Suite 290
Phoenix, AZ 85007
(602) 364-1319
fax (602) 364-1327

www.azwifa.gov

TAB 14

YAVAPAI COUNTY

Development Services
Prescott - (928) 771-3214 Fax: (928) 771-3432
Cottonwood - (928) 639-8151 Fax: (928) 639-8153

Flood Control District
Prescott -(928) 771-3197 Fax: (928) 771-3427
Cottonwood - (928) 639-8151 Fax: (928) 639-8118

500 S. Marina Street, Prescott, AZ 86303 and 10 S. 6th Street, Cottonwood, AZ 86326
Addressing – Building Safety – Customer Service & Permitting – Environmental – Flood Control District – Land Use – Planning & Design Rev

February 16, 2010

Patricia Olsen
President
Montezuma Rimrock Water Co. LLC
PO Box 10
Rimrock, AZ 86335

Re: Water line from 405-25-517 to 405-25-740C.

Dear Ms Olsen,

The Flood Control District has reviewed the location of a proposed waterline to and from the above mentioned parcels and determined that it will not impact and mapped FEMA floodplain.

The line will however pass thru a District designated flood hazard area known as Beaver Creek School Wash flood fringe. Please note, this floodplain study has not been submitted to FEMA and therefore does not appear on the current Flood Insurance Rate Maps [FIRM]. The District used this study to regulate construction occurring within that flood hazard area.

Although the Flood Control District does not generally regulate utilities, the District would require that all grades be returned to same condition prior to the water line installation.

Please contact me if you have any questions.

Sincerely,
Jim Young, Hydrologist
Yavapai County Flood Control District
928-639-8151

TAB 15

Subject: water information

Patsy,

Here is the information

Montezuma Well
Depth: ~55 feet
Flow: 1100 gpm/hour or 1.4-1.5 million gpm/24 hours
Ditch outflow: 2.5 - 3.0 cfs discharge steady flow

Domestic Well
Original when park got property in 1947: 105 feet deep. Now not used and plugged at 60 feet
New well drilled in 1970: 140 feet
Well was drilled deeper in 1996 due to ground water level falling: 372 feet
Water level record in current domestic well: 1970 26 feet
1971 30 feet
1978 45 feet
1980 60 feet
1994 80 feet
1996 78 feet
2004 105 feet Average decline is
2.25 feet per year

Patsy, you and Greg were correct about the arsenic. It is about 114 ppb or ug/L in Montezuma Well.

Kathy

Kathy M Davis, Superintendent, Montezuma Castle & Tuzigoot NMs Office
928-567-5276 x 223 Cell 928-821-3913 Fax 928-567-3597

From: Kathy_M_Davis@nps.gov (Kathy_M_Davis@nps.gov)
To: patsy@montezumawater.com;
Date: Tue, February 16, 2010 4:42:54 PM
Cc:
Subject: Re: water information

It is between park housing and the maintenance shop. Not far from the old cabin by the picnic area. I do not have a map at this time.
Kathy

Kathy M Davis, Superintendent, Montezuma Castle & Tuzigoot NMs Office 928-567-5276 x 223 Cell 928-821-3913 Fax 928-567-3597

Patricia Olsen
<patsy@montezumawater.com>
02/16/2010 04:35 PM

To
Kathy_M_Davis@nps.gov
cc
Subject
Re: water information

Kathy,
Where is the well located exactly. I'm trying to figure it's exact location with respect to my wells. Do you have a map that has the well designated?
Thank you for your information.

Patricia Olsen, President
Montezuma Rimrock Water Co. LLC
P.O. Box 10
Rimrock, AZ 86335
928-592-9211

From: "Kathy_M_Davis@nps.gov" <Kathy_M_Davis@nps.gov>
To: patsy@montezumawater.com
Cc: Sharon_Kim@nps.gov; Paul_Christensen@nps.gov; Bill_Osterhaus@nps.gov
Sent: Tue, February 16, 2010 4:25:59 PM