

ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

BOB STUMP - CHAIRMAN
GARY PIERCE
~~BRENDA BURNS~~
SUSAN BITTER SMITH
BOB BURNS

2013 JAN 23 A 9:49

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JAN 23 2013

DOCKETED JM

IN THE MATTER OF THE APPLICATION OF
MONTEZUMA RIMROCK WATER COMPANY,
~~LLC FOR APPROVAL OF FINANCING TO~~
INSTALL A WATER LINE FROM THE WELL ON
TIEMANN TO WELL NO. 1 ON TOWERS

DOCKET NO. W-04254A-12-0204

IN THE MATTER OF THE APPLICATION OF
~~MONTEZUMA RIMROCK WATER COMPANY,~~
LLC FOR APPROVAL OF FINANCING TO
PURCHASE THE WELL NO. 4 SITE AND THE
COMPANY VEHICLE

DOCKET NO. W-04254A-12-0205

IN THE MATTER OF THE APPLICATION OF
MONTEZUMA RIMROCK WATER COMPANY,
LLC FOR APPROVAL OF FINANCING FOR AN
8,000 GALLON HYDRO-PNEUMATIC TANK

DOCKET NO. W-04254A-12-0206

IN THE MATTER OF THE RATE APPLICATION
OF MONTEZUMA RIMROCK WATER COMPANY,
LLC.

DOCKET NO. W-04254A-12-0207

Response to John Dougherty Data Request – Additional Information

Montezuma Rimrock Water Company LLC (MRWC) hereby submits additional information recently received from the Arizona Department of Environmental Quality and Yavapai County. In Mr. Dougherty's data request, he requested extensive information about MRWC with regards to Well #4 (Tiemann Well), the arsenic treatment system, permits, and other information. Enclosed are the data requests Mr. Dougherty submitted to ADEQ and also included is an email from Yavapai County stating Mr. Dougherty and Mr. Buddeke have made several data requests regarding MRWC.

Patricia D. Olsen

Mail this 22nd day of January, 2013 to:

John Dougherty
P.O. Box 501
Rimrock, AZ 86335

Daniel Pozefsky
RUCO
1110 W. Washington St., 220
Phoenix, AZ 85007

Steve Olea, Utilities Director
1200 W. Washington
Phoenix, AZ 85007

Subject: RE: Use Permit application for Well #4
From: Tammy DeWitt (Tammy.DeWitt@yavapai.us)
To: patsy@montezumawater.com;
Date: Wednesday, January 16, 2013 9:24 AM

There were several in regards to the status of the violation for Well#4.

Tammy DeWitt, Senior Planner

From: Patricia Olsen [mailto:patsy@montezumawater.com]
Sent: Wednesday, January 16, 2013 9:17 AM
To: Tammy DeWitt
Subject: Re: Use Permit application for Well #4

Tammy,

I forwarded this to my lawyer. Hopefully, I will receive a response by the end of the day and can get the answer to you tomorrow. Also, has Dougherty or Ivo submitted any public records requests in the last year regarding my water company? And if so, what did they request?

Thanks,

Patricia Olsen, President

Montezuma Rimrock Water Co. LLC

P.O. Box 10, Rimrock, AZ 86335

928-692-9211

<http://www.montezumawater.com/>

CTS# 298798

REQUEST TO REVIEW PUBLIC RECORDS
ADEQ MAIN CAMPUS RECORDS MANAGEMENT CENTER

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE – A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record. Tampering with a public record is a class 6 felony. A.R.S. §§ 13-2407(A)(4) and 13-2407 (C).

Use additional page(s) as needed to record file(s) reviewed.

(All requests by the public to inspect public records shall be made in writing before the ADEQ staff provides the documents.)

Request Date <u>11/5/12</u>	Review Date <u>12/4/12</u>	Contact EM _____	All public records that are not confidential shall be made available to the public for inspection and copying during normal business hours. *Copying shall comply with the ADEQ Photocopy Policy for costs and delivery of goods.
Time In <u>1:55</u>	Review Time <u>2:00</u>	V _____ F _____	
Name of Requestor (print): <u>John Dougherty</u>			
Company: <u>Investigative Media</u>			
Phone Number: <u>602.710.4089</u>		Fax: _____	
A. General Request for Records:			
B. Specific Request for Records:			
1. Facility Name: <u>Montezuma</u>			
* <u>Engineering Review</u>	RIMS # <u>20100034</u>	Volume(s)	
2. Facility Name: <u>Timmann Well - Montezuma</u>			
* <u>Engineering Review</u>	RIMS # <u>20090028</u>	Volume(s)	
3. Facility Name:			
	RIMS #	Volume(s)	
4. Facility Name:			
	RIMS #	Volume(s)	
(Mark pages or items to be copied with paper clips, post-it-notes, or with a written list and return to the appropriate ADEQ Unit or Program for completing your request.)			

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE

A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record. Tampering with a public record is a class 6 felony. (A.R.S.*13-2407.A.4 and A.R.S.*13-2407.C.)

Please date and sign for the file.

Date 12/4/12 Signature John Dougherty

* RMC Staff Please return file(s) to Candice Engstrom Extension _____

Nov. 5, 2012

Mr. Mark Shaffer
Public Information Officer
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ
85007

Via email: shaffer.mark@azdeq.gov

Dear Mr. Shaffer:

Pursuant to A.R.S. Sec. 39-121 through 39-121.03 (the Arizona Public Records Law), I hereby formally request that you in your capacity as the Arizona Department of Environmental Quality public information officer, provide to me for my inspection and if requested, photocopying or otherwise reproducing the following documents:

1. All communications, written and electronic, with Montezuma Rimrock Water Company and its representatives including, but not limited to, the Company's legal counsel and consulting engineers, in connection with Consent Order DW-36-10. Please include all communications from October 15, 2012 through the date this request is fulfilled.
2. All internal ADEQ communications, written and electronic, concerning Montezuma Rimrock Water Company and compliance with Consent Order DW-36-10 from Oct. 15, 2012 through the date this request is fulfilled.
3. All communications, written and electronic, with Montezuma Rimrock Water Company and/or Mr. Justin O. Ramsey, PE, concerning MRWC's applications for Certificate of Approval of Construction for a New Source Production Well (ADEQ File No. 20090278) and an Arsenic Treatment System, Storage Tank & Potable Waterlines (ADEQ File No. 20100036) from Oct. 15, 2012 through the date this request is fulfilled.
4. All internal ADEQ communications, written and electronic, concerning Montezuma Rimrock Water Company and/or Mr. Justin O. Ramsey, PE, in connection with MRWC's applications for Certificate of Approval of Construction for a New Source Production Well (ADEQ File No. 20090278) and an Arsenic Treatment System, Storage Tank & Potable Waterlines (ADEQ File No. 20100036) from Oct. 15, 2012 through the date this request is fulfilled.

The foregoing request is for a "noncommercial purpose" as defined in the Arizona Public Records Law and the reproduction of the foregoing documents will not be used for a commercial purpose.

Nevertheless, if need be, I shall be glad to pay for the cost of copies I request to be made. Please provide a response to my request by no later than the close of business on Wednesday, Nov. 8 2012.

Your failure to provide access and if requested photocopies of the foregoing documents to me by the close of business on Monday, Nov. 19, 2012 will be deemed as your refusal to provide the documents.

Please be advised that, in the event my request for the foregoing documents is denied, I shall take whatever action I deem appropriate, including the filing of a special action in Superior Court, to secure my rights under Arizona law, and ask you to pay related court costs.

Thank you for your anticipated cooperation in the matter. I can be reached at 602-710-4089 or jd.investigativemedia@gmail.com.

Sincerely,

John Dougherty
PO Box 501
Rimrock, AZ 86335

OTS# 2015474

REQUEST TO REVIEW PUBLIC RECORDS ADEQ MAIN CAMPUS RECORDS MANAGEMENT CENTER

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE – A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record. Tampering with a public record is a class 6 felony. A.R.S. §§ 13-2407(A)(4) and 13-2407 (C).

Use additional page(s) as needed to record file(s) reviewed.

(All requests by the public to inspect public records shall be made in writing before the ADEQ staff provides the documents.)

Request Date <u>9/12/12</u>	Review Date <u>10/16/12</u>	Contact EM _____	All public records that are <u>not confidential</u> shall be made available to the public for inspection and copying during normal business hours. *Copying shall comply with the ADEQ Photocopy Policy for costs and delivery of goods.
Time In <u>12:10</u> Time Out <u>12:55</u>	Review Time <u>9:30</u>	V _____ F _____	
Name of Requestor (print): <u>John Dougherty</u>			
Company: <u>Investigative Media</u>			
Phone Number: <u>1002.710.4089</u>		Fax: _____	
A. General Request for Records:			
B. Specific Request for Records:			
1. Facility Name: <u>Montezuma Rimrock Water</u>			
* <u>Engineering Review</u>	RIMS # <u>20090278</u>	Volume(s) <u>2 Vols.</u>	<u>BM</u>
2. Facility Name: <u>Montezuma Rimrock</u>			
* <u>Engineering Review</u>	RIMS # <u>20100034</u>	Volume(s) <u>1 BM vol</u>	
3. Facility Name: <u>Montezuma Rim Rock Water Co</u>			
2* <u>WQ Compliance</u>	RIMS # <u>13-071</u>	Volume(s) <u>1 brown file</u>	
4. Facility Name: <u>Montezuma Rim Rock Water Co</u>			
* <u>Eng Rev.</u>	RIMS # <u>20090310</u>	Volume(s) <u>1 manila folder</u>	
(Mark pages or items to be copied with paper clips, post-it-notes, or with a written list and return to the appropriate ADEQ Unit or Program for completing your request.)			

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE

A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record. Tampering with a public record is a class 6 felony. (A.R.S.*13-2407.A.4 and A.R.S.*13-2407.C.)

Please date and sign for the file.

Date 10/18/12 Signature John Dougherty

* RMC Staff Please return file(s) to Candice Eyring Extension _____

ADEQ Public Records Review Main Campus
Revised January 2006

2* Vivian Burns 1-4608

September 26, 2012

Mr. Mark Shaffer
Public Information Officer
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ
85007

Via email: shaffer.mark@azdeq.gov

Dear Mr. Shaffer:

Pursuant to A.R.S. Sec. 39-121 through 39-121.03 (the Arizona Public Records Law), I hereby formally request that you in your capacity as the Arizona Department of Environmental Quality public information officer, provide to me for my inspection and if requested, photocopying or otherwise reproducing the following documents:

1. All communications, written and electronic, with Montezuma Rimrock Water Company and its representatives including, but not limited to, the Company's legal counsel and consulting engineers, in connection with Consent Order DW-36-10. Please include all communications from January 1, 2012 through the date this request is fulfilled.
2. All internal ADEQ communications, written and electronic, concerning Montezuma Rimrock Water Company and compliance with Consent Order DW-36-10 from January 1, 2012 through the date this request is fulfilled.
3. All communications, written and electronic, with Montezuma Rimrock Water Company and/or Mr. Justin O. Ramsey, PE, concerning MRWC's applications for Certificate of Approval of Construction for a New Source Production Well (ADEQ File No. 20090278) and an Arsenic Treatment System, Storage Tank & Potable Waterlines (ADEQ File No. 20100036) from January 1, 2012 through the date this request is fulfilled.
4. All internal ADEQ communications, written and electronic, concerning Montezuma Rimrock Water Company and/or Mr. Justin O. Ramsey, PE, in connection with MRWC's applications for Certificate of Approval of Construction for a New Source Production Well (ADEQ File No. 20090278) and an Arsenic Treatment System, Storage Tank & Potable Waterlines (ADEQ File No. 20100036) from January 1, 2012 through the date this request is fulfilled.

The foregoing request is for a "noncommercial purpose" as defined in the Arizona Public Records Law and the reproduction of the foregoing documents will not be used for a commercial purpose.

Nevertheless, if need be, I shall be glad to pay for the cost of copies I request to be made. Please provide a response to my request by no later than the close of business on Wednesday, Oct. 3, 2012.

Your failure to provide access and if requested photocopies of the foregoing documents to me by the close of business on Wednesday, October 12, 2012 will be deemed as your refusal to provide the documents.

Please be advised that, in the event my request for the foregoing documents is denied, I shall take whatever action I deem appropriate, including the filing of a special action in Superior Court, to secure my rights under Arizona law, and ask you to pay related court costs.

Thank you for your anticipated cooperation in the matter. I can be reached at 602-710-4089 or jd.investigativemedia@gmail.com.

Sincerely,

John Dougherty
PO Box 501
Rimrock, AZ 86335

REQUEST TO REVIEW PUBLIC RECORDS ADEQ MAIN CAMPUS RECORDS MANAGEMENT CENTER

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Use additional page(s) as needed to record file(s) reviewed.

(All requests by the public to inspect public records shall be made in writing before the ADEQ staff provides the documents.)

Request Date <u>6/19/12</u>	Review Date <u>1/1</u>	Contact EM _____	All public records that are <u>not</u> confidential shall be made available to the public for inspection and copying during normal business hours. *Copying shall comply with the ADEQ Photocopy Policy for costs and delivery of goods.
Time In <u>12:01</u> Time Out <u>12:28</u>	Review Time _____	V _____ F _____	
Name of Requestor (print): <u>John Dougherty</u>			
Company: <u>Investigative Media</u>			
Phone Number: <u>602.710.4089</u>		Fax: _____	
A. General Request for Records:			
B. Specific Request for Records:			
1. Facility Name: <u>Montezuma Rimrock Water Co. - 13-071</u>			
* <u>WQ Compliance</u>	RIMS # _____	Volume(s)	<u>1 brown expandable</u>
2. Facility Name: <u>Montezuma Rim Rock 4-log Removal - 20090310</u>			
*2 <u>Eng. Review</u>	RIMS # _____	Volume(s)	<u>1 manual</u>
3. Facility Name: <u>Tiemann Well Montezuma Rim Rock - 20090278</u>			
*2 <u>Eng Review</u>	RIMS # _____	Volume(s)	<u>1 brown expandable</u>
4. Facility Name: <u>Montezuma Rim Rock Supply Line - 201000312</u>			
*2 <u>Eng Review</u>	RIMS # _____	Volume(s)	<u>1 brown expandable</u>

(Mark pages or items to be copied with paper clips, post-it-notes, or with a written list and return to the appropriate ADEQ Unit or Program for completing your request.)

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE

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Please date and sign for the file.

Date 8/7/12 Signature [Signature]

* RMC Staff Please return file(s) to Vivian Burns Extension 1-4600

ADEQ Public Records Review Main Campus
Revised January 2006

*2 - Candice Engram ext 1-4607

* See back →

**REQUEST TO REVIEW PUBLIC RECORDS
ADEQ MAIN CAMPUS RECORDS MANAGEMENT CENTER**

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE – A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record. Tampering with a public record is a class 6 felony. A.R.S. §§ 13-2407(A)(4) and 13-2407 (C).

Use additional page(s) as needed to record file(s) reviewed.

Name of Requestor (print):	J. Dougherty
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PAGE 2

Facility Name: Emails related to Montezuma Rimrock		
Directors Office	RIMS #	Volume(s) per Sherriz, emails are customers (copy). (9 pgs)
Facility Name:	RIMS #	Volume(s)
Facility Name:	RIMS #	Volume(s)
Facility Name:	RIMS #	Volume(s)
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Facility Name:	RIMS #	Volume(s)
Facility Name:	RIMS #	Volume(s)

June 19, 2012

Mr. Mark Shaffer
Public Information Officer
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ
85007

Via email: shaffer.mark@azdeq.gov

Dear Mr. Shaffer:

Pursuant to A.R.S. Sec. 39-121 through 39-121.03 (the Arizona Public Records Law), I hereby formally request that you in your capacity as the Arizona Department of Environmental Quality public information officer, provide to me for my inspection and if requested, photocopying or otherwise reproducing the following documents:

- A. All operations and maintenance manual(s) for Montezuma Rimrock Water Company including, but not limited to, the Arsenic Treatment Facility.
- B. All permits or approvals or other similar documents issued by ADEQ to Montezuma Rimrock in connection with "sanitizing" lines and/or pumping water from Well #4 issued from April 1, 2012 through June 19, 2012.
- C. Montezuma Rimrock's application for Approval of Construction of the Arsenic Treatment Facility.
- D. Montezuma Rimrock's application for Approval of Construction of Well #4.
- E. All correspondence and/or documentation generated as a result of verbal and telephonic conversations between ADEQ and MRWC from April 1, 2012 through June 19, 2012.
- F. All correspondence and/or documentation generated as a result of verbal and telephonic conversations between ADEQ and the Arizona Corporation Commission concerning MRWC from April 1, 2012 through June 19, 2012.
- G. All correspondence and/or documentation generated as a result of verbal and telephonic conversations between ADEQ and Yavapai County officials concerning MRWC from April 1, 2012 through June 19, 2012.
- H. All correspondence and/or documentation generated as a result of verbal and telephonic conversations between ADEQ and all members of the public concerning MRWC from April 1, 2012 through June 19, 2012.

The foregoing request is for a "noncommercial purpose" as defined in the Arizona Public Records Law and the reproduction of the foregoing documents will not be used for a commercial purpose. Nevertheless, if need be, I shall be glad to pay for the cost of copies I request to be made. Please provide a response to my request by no later than the close of business on Wednesday, June 20, 2012.

Your failure to provide access and if requested photocopies of the foregoing documents to me by the close of business on Tuesday, July 3, 2012 will be deemed as your refusal to provide the documents.

Please be advised that, in the event my request for the foregoing documents is denied, I shall take whatever action I deem appropriate, including the filing of a special action in Superior Court, to secure my rights under Arizona law, and ask you to pay related court costs.

Thank you for your anticipated cooperation in the matter. I can be reached at 602-710-4089 or jd.investigativemedia@gmail.com

Sincerely,

John Dougherty

**REQUEST TO REVIEW PUBLIC RECORDS
ADEQ MAIN CAMPUS RECORDS MANAGEMENT CENTER**

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE – A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record. Tampering with a public record is a class 6 felony. A.R.S. §§ 13-2407(A)(4) and 13-2407 (C).

Use additional page(s) as needed to record file(s) reviewed.

(All requests by the public to inspect public records shall be made in writing before the ADEQ staff provides the documents.)

Request Date <u>5/29/12</u>	Review Date <u>5/12/12</u>	Contact EM _____	All public records that are not confidential shall be made available to the public for inspection and copying during normal business hours. *Copying shall comply with the ADEQ Photocopy Policy for costs and delivery of goods.
Time In <u>4:00</u>	Review Time <u>4:00</u>	V _____ F _____	
Name of Requestor (print): <u>John Dougherty</u>			
Company: <u>Investigative Media</u>			
Phone Number: <u>602-710-4089</u>		Fax: _____	
A. General Request for Records:			
B. Specific Request for Records:			
1. Facility Name: <u>Montezuma Rimrock Water Co 4-Log</u>			
* Engineering Review	RIMS # <u>20090310</u>	Volume(s) <u>1 manila file</u>	
2. Facility Name: <u>Tiemann Well</u>			
* Engineering Review	RIMS # <u>20090278</u>	Volume(s) <u>1 brown expandable</u>	
3. Facility Name: <u>Montezuma Rimrock Water Supply Line</u>			
* Engineering Review	RIMS # <u>20100314</u>	Volume(s) <u>1 brown expandable</u>	
4. Facility Name:			
	RIMS #	Volume(s)	
(Mark pages or items to be copied with paper clips, post-it-notes, or with a written list and return to the appropriate ADEQ Unit or Program for completing your request.)			

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Please date and sign for the file.

Date _____ Signature John E. Day

* RMC Staff Please return file(s) to Candice Ingram Extension 1-4677

F. All communications between ADEQ and Yavapai County concerning the legal status of Well No. 4, including, but not limited to, communications concerning the lack of a commercial Use Permit to Operate Well No. 4 and export water from the property.

G. All ADEQ internal communications from April 26, 2012 to the date this request is fulfilled concerning Montezuma Rimrock Water Company.

H. All ADEQ external communications from April 26, 2012 to the date this request is fulfilled concerning Montezuma Rimrock Water Company, including, but not limited to the company and its representatives; other government agencies, including, but not limited to, the Arizona Corporation Commission.

The foregoing request is for a "noncommercial purpose" as defined in the Arizona Public Records Law and the reproduction of the foregoing documents will not be used for a commercial purpose. Nevertheless, if need be, I shall be glad to pay for the cost of copies I request to be made. Please provide a response to my request by no later than the close of business on Tuesday, May 29, 2012.

Your failure to provide access and if requested photocopies of the foregoing documents to me by the close of business on Tuesday, June, 12, 2012 will be deemed as your refusal to provide the documents.

Please be advised that, in the event my request for the foregoing documents is denied, I shall take whatever action I deem appropriate, including the filing of a special action in Superior Court, to secure my rights under Arizona law, and ask you to pay related court costs.

Thank you for your anticipated cooperation in the matter. I can be reached at 602-710-4089 or jd.investigativemedia@gmail.com

Notification to ADEQ

Sincerely,

John Dougherty

CTS# 285823

REQUEST TO REVIEW PUBLIC RECORDS
ADEQ MAIN CAMPUS RECORDS MANAGEMENT CENTER

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE - A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record.

Use additional page(s) as needed to record file(s) reviewed.

(All requests by the public to inspect public records shall be made in writing before the ADEQ staff provides the documents.)

Form with fields: Request Date (5/16/12), Review Date (5/31/12), Contact EM, Time In (10:34), Review Time, Name of Requestor (John Daugherty), Company (Investigative Media), Phone Number (602-710-4089), Facility Name (Montezuma Bimrock), Compliance (13-071), Volume(s) (1 brown file).

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE

A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record. Tampering with a public record is a class 6 felony. (A.R.S.*13-2407.A.4 and A.R.S.*13-2407.C.)

Please date and sign for the file.

Date 5/31/12 Signature John Daugherty

* RMC Staff Please return file(s) to Vivian Burns Extension 1-4608

May 16, 2012

Mr. Mark Shaffer
Public Information Officer
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ
85007

Via email: shaffer.mark@azdeq.gov

Dear Mr. Shaffer:

Pursuant to A.R.S. Sec. 39-121 through 39-121.03 (the Arizona Public Records Law), I hereby formally request that you in your capacity as the Arizona Department of Environmental Quality public information officer, provide to me for my inspection and if requested, photocopying or otherwise reproducing the following documents:

1. All notes, memos, call logs, calendar entries, emails for ADEQ employees Vivian Burns, Marcia Colquitt, Mindi Cross and any other ADEQ employee that refer to, mention, or discuss in any way the scheduling of an April 26, 2012 meeting between Montezuma Rimrock Water Company, ADEQ and Arizona Corporation Commission staff members.

This includes, but is not limited to, notice of receiving a request from Montezuma Rimrock to meet, inter-agency communications in connection with scheduling the meeting and reserving a conference room, and communications concerning who would attend the meeting and what would be discussed.

2. All records of telephone calls, emails, or other communications received by ADEQ from representatives of MRWC in connection with scheduling the April 26, 2012 meeting referenced in item 1.
3. All records in connection with action item indicated by a * on Page 4, Line 4, of the notes of the April 26 meeting. This item states: "ADEQ to check & see if using Well #4 for backwash is a problem – Need modifications, etc.
4. All records in connection with action item indicated by * on Page 4, Line 6, of the notes of the April 26 meeting. This item states: "ADEQ Engineering Sect. Mrg to follow up if feedback is necessary."
5. All records in connection with action item indicated by * on Page 4, Line 8, of the notes of the April 26 meeting. This item states: "ADEQ – Check w/Eng Review Sect – Re Fire Protection.

6. All records related to a "June 7 deadline" referred to on Page 3, Line 7, of the notes of the April 26 meeting. This Line states: "ADEQ—Can you meet June 7 deadline?" MRR. Yes."

The foregoing request is for a "noncommercial purpose" as defined in the Arizona Public Records Law and the reproduction of the foregoing documents will not be used for a commercial purpose. Nevertheless, if need be, I shall be glad to pay for the cost of copies I request to be made. Please provide a response to my request by no later than the close of business on Friday, May 18, 2012.

Your failure to provide access and if requested photocopies of the foregoing documents to me by the close of business on Wednesday, May 30, 2012 will be deemed as your refusal to provide the documents. Please be advised that, in the event my request for the foregoing documents is denied, I shall take whatever action I deem appropriate, including the filing of a special action in Superior Court, to secure my rights under Arizona law, and ask you to pay related court costs.

Thank you for your anticipated cooperation in the matter. I can be reached at 602-710-4089 or jd.investigativemedia@gmail.com

Sincerely,

John Dougherty

CTS# 284419

REQUEST TO REVIEW PUBLIC RECORDS ADEQ MAIN CAMPUS RECORDS MANAGEMENT CENTER

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE – A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record. Tampering with a public record is a class 6 felony. A.R.S. §§ 13-2407(A)(4) and 13-2407 (C).

Use additional page(s) as needed to record file(s) reviewed.

(All requests by the public to inspect public records shall be made in writing before the ADEQ staff provides the documents.)

Request Date <u>4/20/12</u>	Review Date <u>5/1/12</u>	Contact EM _____	All public records that are <u>not</u> confidential shall be made available to the public for inspection and copying during normal business hours. *Copying shall comply with the ADEQ Photocopy Policy for costs and delivery of goods.
Time In <u>8:47</u> Time Out <u>7:33 am</u>	Review Time <u>8:30 am</u>	V _____ F _____	
Name of Requestor (print): <u>John Dougherty</u>			
Company: <u>Investigative Media</u>			
Phone Number: <u>602.710.4089</u>		Fax: _____	
A. General Request for Records:			
B. Specific Request for Records:			
1. Facility Name: <u>Montezuma Rimrock Water Company</u>			
<u>WQ Compliance</u>	RIMS # _____	Volume(s)	<u>1 brown file</u>
2. Facility Name:			
	RIMS # _____	Volume(s)	
3. Facility Name:			
	RIMS # _____	Volume(s)	
4. Facility Name:			
	RIMS # _____	Volume(s)	
(Mark pages or items to be copied with paper clips, post-it-notes, or with a written list and return to the appropriate ADEQ Unit or Program for completing your request.)			

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE

A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record. Tampering with a public record is a class 6 felony. (A.R.S.*13-2407.A.4 and A.R.S.*13-2407.C.)

Please date and sign for the file.

Date _____ Signature John Dougherty

* RMC Staff Please return file(s) to Vivian Bruns Extension _____

April 26, 2012

Mr. Mark Shaffer
Public Information Officer
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ
85007

Via email: shaffer.mark@azdeq.gov

Dear Mr. Shaffer:

Pursuant to A.R.S. Sec. 39-121 through 39-121.03 (the Arizona Public Records Law), I hereby formally request that you in your capacity as the Arizona Department of Environmental Quality public information officer, provide to me for my inspection and if requested, photocopying or otherwise reproducing the following documents:

A. All correspondence between Montezuma Rimrock Water Company, and its representatives, and ADEQ in connection with the April 11, 2012 Notice of Violation sent to the company for missing a deadline to have an arsenic treatment facility in place under Consent Order DW-36-10. These include communications from April 11, 2012 to the date the records are made available for inspection.

The foregoing request is for a "noncommercial purpose" as defined in the Arizona Public Records Law and the reproduction of the foregoing documents will not be used for a commercial purpose. Nevertheless, if need be, I shall be glad to pay for the cost of copies I request to be made. Please provide a response to my request by no later than the close of business on Monday April 30, 2012.

Your failure to provide access and if requested photocopies of the foregoing documents to me by the close of business on Thursday, May 10, 2012 will be deemed as your refusal to provide the documents. Please be advised that, in the event my request for the foregoing documents is denied, I shall take whatever action I deem appropriate, including the filing of a special action in Superior Court, to secure my rights under Arizona law, and ask you to pay related court costs.

Thank you for your anticipated cooperation in the matter. I can be reached at 602-710-4089 or jd.investigativemedia@gmail.com

Sincerely,

John Dougherty

**REQUEST TO REVIEW PUBLIC RECORDS
ADEQ MAIN CAMPUS RECORDS MANAGEMENT CENTER**

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE – A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record. Tampering with a public record is a class 6 felony. A.R.S. §§ 13-2407(A)(4) and 13-2407 (C).

Use additional page(s) as needed to record file(s) reviewed.

(All requests by the public to inspect public records shall be made in writing before the ADEQ staff provides the documents.)

Request Date <u>3/20/12</u>	Review Date <u>3/24/12</u>	Contact EM _____	All public records that are <u>not confidential</u> shall be made available to the public for inspection and copying during normal business hours. *Copying shall comply with the ADEQ Photocopy Policy for costs and delivery of goods.
Time In <u>10:00</u> Time Out <u>10:52</u>	Review Time <u>9:00</u>	V <u>3/21/12</u> F _____	
Name of Requestor (print): <u>John Dougherty</u>			
Company: <u>Investigative Media</u>			
Phone Number: <u>1002.710.9089</u>		Fax: _____	
A. General Request for Records:			
B. Specific Request for Records:			
1. Facility Name: <u>Montezuma Water System</u>			
* <u>PWS</u>	RIMS # <u>13-071</u>	Volume(s) <u>4 brown files + 1 expandable (brown)</u>	
2. Facility Name:			
	RIMS #	Volume(s)	
3. Facility Name:			
	RIMS #	Volume(s)	
4. Facility Name:			
	RIMS #	Volume(s)	
(Mark pages or items to be copied with paper clips, post-it-notes, or with a written list and return to the appropriate ADEQ Unit or Program for completing your request.)			

PLEASE DO NOT TAMPER WITH CONTENTS OF FILE

A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly destroys, mutilates, conceals, removes or otherwise impairs the availability of any record. Tampering with a public record is a class 6 felony. (A.R.S.*13-2407.A.4 and A.R.S.*13-2407.C.)

Please date and sign for the file.

Date 3/23/12 Signature [Signature]

* RMC Staff Please return file(s) to Vivian Burns Extension 1-4408

CTS# 281977

March 20, 2012

Mr. Mark Shaffer
Public Information Officer
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ
85007

3/21/12 Per Vivian everything
she provides will contain everything
being request.

Via email: shaffer.mark@azdeq.gov

Dear Mr. Shaffer:

Pursuant to A.R.S. Sec. 39-121 through 39-121.03 (the Arizona Public Records Law), I hereby formally request that you in your capacity as the Arizona Department of Environmental Quality public information officer, provide to me for my inspection and if requested, photocopying or otherwise reproducing the following documents:

All records related to the Consent Order entered into by the Montezuma Rimrock Water ADEQ (Docket No. DW-36-10) signed by ADEQ Water Quality Division Director Michael Fulton on or about June 7, 2010, with a first amendment signed on or about June 13, 2011.

These records include, but are not limited to:

- A. All correspondence between MRWC, and its representatives, and ADEQ in connection with the operation of the water company, including correspondence to extend the impending April 7, 2012 deadline for the company to obtain necessary permits for its arsenic treatment system and operation of Well#4.
- B. Public notices issued by MRWC to customers as required in Section III, Paragraph A of the Consent Order.
- C. MRWC status reports submitted to ADEQ every 60 days beginning 30 days after the effective date of the Consent Order as required by Section IV, Paragraph A of the Consent Order.
- D. All records related to MRWC's communication with any other county, state or federal agency or private citizen in which ADEQ has received copies, including, but not limited to, the Yavapai County, the U. S. Environmental Protection Agency, Arizona Corporation Commission, the Water Infrastructure Financing Authority and the Arizona Attorney General's Office.
- E. Reference to, or copies of, ADEQ's public appeal process of extension of such Consent Orders as signed between ADEQ and MRWC.

The foregoing request is for a "noncommercial purpose" as defined in the Arizona Public Records Law and the reproduction of the foregoing documents will not be used for a commercial purpose. Nevertheless, if need be, I shall be glad to pay for the cost of copies I request to be made. Please provide a response to my request by no later than the close of business on Thursday, March 22, 2012.

Your failure to provide access and if requested photocopies of the foregoing documents to me by the close of business on Tuesday, April 3, 2012 will be deemed as your refusal to provide the documents. Please be advised that, in the event my request for the foregoing documents is denied, I shall take whatever action I deem appropriate, including the filing of a special action in Superior Court, to secure my rights under Arizona law, and ask you to pay related court costs.

Thank you for your anticipated cooperation in the matter. I can be reached at 602-710-4089 or jd.investigativemedia@gmail.com

Sincerely,

John Dougherty

- **Subject:** File Req. (John Dougherty) Customer Patricia Olsen CTS# 301570
- From:** Cina Sheffield (Sheffield.Cina@azdeq.gov)
- To:** patsy@montezumawater.com;
- Cc:** Silva.Christina@azdeq.gov;
- Date:** Thursday, January 17, 2013 4:51 PM

Patricia,

Attached are copies of John Dougherty's public records requests and a copy of the Request to Review Public Records Forms, which lists the records ADEQ provided to him for each request in 2012.

If you have any questions or concerns please contact Christina Silva @ 602-771-4335

Thank You
Cina Sheffield
AZ. Dept. of Environmental Quality
Records Management Center
Main (602) 771-4380
Direct (602) 771-4424
Fax (602) 771-4389

NOTICE: This e-mail (and any attachments) may contain PRIVILEGED OR CONFIDENTIAL information and is intended only for the use of the specific individual(s) to whom it is addressed. It may contain information that is privileged and confidential under state and federal law. This information may be used or disclosed only in accordance with law, and you may be subject to penalties under law for improper use or further disclosure of the information in this e-mail and its attachments. If you have received this e-mail in error, please immediately notify the person named above by reply e-mail, and then delete the original e-mail. Thank you.

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Total Postage & Fees	\$ 4.65	01/22/2013

Sent To John Dougherty
 Street, Apt. No.,
 or PO Box No. P.O. Box 501
 City, State, Zip Rimrock, AZ 86335

PS Form 3800, August 2006

See Reverse for Instructions

7012 1010 0001 1000 9T92 2626 7944