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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

- BOB STUMP, Chairman
- GARY PIERCE
- BRENDA BURNS
- BOB BURNS
- SUSAN BITTER SMITH

IN THE MATTER OF THE PETITION OF
ARIZONA WATER COMPANY FOR
INCREASE OF AREA TO BE SERVED AT
CENTRAL HEIGHTS, ARIZONA

DOCKET NO. W-01445A-14-0305

**NOTICE OF FILING
DIRECT TESTIMONY OF
FREDRICK K. SCHNEIDER**

Notice is given that ARIZONA WATER COMPANY hereby files the Direct Testimony of
Fredrick K. Schneider.

RESPECTFULLY SUBMITTED this 14th day of August, 2015.

ARIZONA WATER COMPANY

By: 
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Arizona Corporation Commission

DOCKETED

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1 Original and thirteen (13) copies of the foregoing filed this 14th day of August, 2015, with:

2 Docket Control Division
Arizona Corporation Commission
3 1200 West Washington Street
Phoenix, Arizona 85007

4 I hereby certify that I have this day served the foregoing documents on all parties of record in this
5 proceeding by delivering a copy thereof in person to:

6 Honorable Dwight D. Nodes
Chief Administrative Law Judge
7 Arizona Corporation Commission
1200 West Washington Street
8 Phoenix, Arizona 85007

9 Janice Alward, Chief Counsel
Legal Division
10 Arizona Corporation Commission
1200 West Washington Street
11 Phoenix, Arizona 85007

12 Thomas M. Broderick, Director
Utilities Division
13 Arizona Corporation Commission
1200 West Washington Street
14 Phoenix, Arizona 85007

15 I hereby certify that I have this day served the foregoing documents on all parties of record in this
16 proceeding by mailing a copy thereof, properly addressed with first class postage prepaid to:

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3 Dated at Phoenix, Arizona, this 14th day of August, 2015.

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ARIZONA WATER COMPANY



**Arizona Corporation Commission
Docket No. W-01445A-14-0305**

**IN THE MATTER OF PETITION OF ARIZONA WATER
COMPANY FOR INCREASE OF AREA TO BE SERVED AT
CENTRAL HEIGHTS, ARIZONA**

**Direct Testimony
of
FREDRICK K. SCHNEIDER**

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1 **ARIZONA WATER COMPANY**

2
3 **Direct Testimony of**
4 **Fredrick K. Schneider**

5
6 **I. Introduction and Qualifications**

7 **Q. PLEASE STATE YOUR NAME, EMPLOYER, AND OCCUPATION.**

8 A. My name is Fredrick K. Schneider. I am employed by Arizona Water Company
9 (the "Company") as Vice President of Engineering. My business address is 3805
10 N. Black Canyon Highway, Phoenix, Arizona 85015.

11 **Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND.**

12 A. I graduated in 1990 with a Bachelor of Science degree in Hydrology from the
13 College of Engineering and Mines at the University of Arizona in Tucson,
14 Arizona. Additionally, I have taken graduate level classes at the University of
15 Phoenix.

16 **Q. PLEASE DESCRIBE YOUR WORK EXPERIENCE.**

17 A. In 1987, I began working for the United States Department of Agriculture
18 performing chemical and granular gradation laboratory soils analysis. In 1988, I
19 accepted a position with the City of Tucson as an Engineering Intern in its
20 Engineering department performing civil engineering site reviews. I later
21 transferred to the Water department working on groundwater modeling,
22 environmental remediation, and groundwater contamination investigation until I
23 graduated from the University of Arizona in 1990.

24 Upon obtaining my degree, I joined Boyle Engineering Corporation
25 ("Boyle") in Phoenix, Arizona, as an Assistant Engineer and was later promoted
26 to the position of Associate Engineer. Boyle provides consulting engineering
27 services to the public and private sectors in the areas of water and wastewater.
28 While employed by Boyle, I was involved in a variety of consulting assignments,

1 including all phases of system planning and design, reconnaissance level
2 investigations, feasibility studies, and construction phase services, including
3 water and wastewater master planning, groundwater supply development,
4 surface water supply development, storage reservoir design and construction,
5 treatment facilities, pipeline systems, and wastewater collection, treatment, and
6 disposal.

7 In 1995, I accepted a position with Wood, Patel and Associates
8 ("Wood/Patel") in Phoenix, Arizona. While employed by Wood/Patel, my duties
9 consisted of engineering design and project management for various water and
10 wastewater pipeline feasibility analyses, evaluation of alternatives, cost
11 estimating, detailed hydraulic analysis, and master planning new developments
12 ranging in size from several hundred to several thousand acres.

13 In 1998, I joined Citizens Water Resources ("Citizens") as a Senior
14 Development Engineer. I was later promoted to the position of Development
15 Services Supervisor. While employed by Citizens, I negotiated development
16 agreements, reviewed water and wastewater master plans and facility
17 infrastructure plans, and was responsible for the inspection and approval of
18 constructed facilities for projects within the metropolitan Phoenix area. I was
19 hired by Arizona American Water Company ("Arizona-American") when its parent
20 company, American Water Company, purchased the water and wastewater
21 assets of Citizens on January 15, 2001. Subsequently, I was promoted to the
22 position of Development Services Manager, where I was responsible for the
23 same duties described above, but on a statewide basis. In 2003, I was promoted
24 to the position of Manager of Arizona-American, moving from engineering to
25 operations. In this capacity, I was responsible for all of the operations of Arizona-
26 American's water and wastewater treatment facilities, distribution and collection
27 facilities, and customer service. In May 2004, I was promoted to the position of
28 Director of Engineering for American Water Company's Western Region, where

1 my responsibilities included overseeing all capital planning and engineering
2 activities for American Water Company's operations in Arizona, California,
3 Hawaii, New Mexico, and Texas.

4 In October 2005, I joined Brown and Caldwell as an Associate managing
5 the Phoenix Infrastructure department including design, project management,
6 and construction administration of water and wastewater infrastructure projects
7 within the metropolitan Phoenix area.

8 In August 2007, I joined Arizona Water Company as Vice President of
9 Engineering, where my responsibilities include capital planning, design, and
10 construction management of all of the Company's engineering projects. In July
11 2013, I took over responsibility for daily coordination and supervision of the
12 Company's Administrative Services Department, which includes the Company's
13 safety, water resources, water quality compliance, and environmental
14 compliance. In this role, I also provide support to, and oversight of, the
15 Company's operations.

16 **Q. ARE YOU A MEMBER OF ANY PROFESSIONAL ORGANIZATIONS?**

17 A. Yes. I am a member of the American Water Works Association ("AWWA"), the
18 Arizona Water Association, and American Society of Civil Engineers. I was also
19 a member of the Infrastructure Replacement Group of the Blue Ribbon Panel on
20 Sustainability, a panel formed to address water sustainability that was jointly
21 chaired by the Arizona Corporation Commission (the "Commission"), the Arizona
22 Department of Water Resources ("ADWR"), and the Arizona Department of
23 Environmental Quality ("ADEQ").

24 **Q. ARE YOU A REGISTERED PROFESSIONAL ENGINEER?**

25 A. Yes. I have been a registered professional engineer in the State of Arizona since
26 1995.

27 **Q. DO YOU HAVE ANY OTHER CERTIFICATIONS?**

28

1 A. Yes. I am an ADEQ Grade 2 certified operator in Water and Wastewater
2 Treatment and a Grade 3 certified operator in Water Distribution and Wastewater
3 Collection.

4 **Q. HAVE YOU TESTIFIED PREVIOUSLY BEFORE THE COMMISSION?**

5 A. Yes. I have testified in rate proceedings and Certificate of Convenience and
6 Necessity ("CCN") hearings before the Commission. In addition, I have testified
7 in California before the California Public Utilities Commission and prepared pre-
8 filed testimony in Hawaii and New Mexico. I testified in the Company's last four
9 general rate case applications, including the Company's 2007 test year general
10 rate case (Docket No. W-01445A-08-0440), the Company's 2010 test year
11 Western Group rate case (Docket No. W-01445A-10-0517), the Company's 2010
12 test year Eastern Group rate case (Docket No. W-01445A-11-0310) and the
13 Company's 2011 Northern Group rate case (Docket No. W-01445A-12-0348).

14 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

15 A. I present the Company's position and evidence in response to the City of Globe's
16 ("City") Petition to Amend Decision No. 33424 pursuant to A.R.S. §40-252 and
17 the Commission's decision on October 16, 2014 to reopen Decision No. 33424. I
18 also provide rebuttal to the City's witness Robert Pate.

19 **II. Exhibits**

20 **Q. WILL YOU REFER TO ANY EXHIBITS IN YOUR TESTIMONY?**

21 A. Yes. True and correct copies of the Exhibits that I will refer to in my testimony
22 are attached. The Exhibits are as follows:

23 Exhibit A - The construction plans for the City's previous wastewater treatment
24 plant, which utilized Imhoff settling tanks to treat wastewater. These plans are
25 dated 1918 and depict the City's wastewater treatment plant as it existed
26 between 1918 and the early 1980s.

27 Exhibit B - The index and maps number 7 and 8 of the City's water system maps.
28 Map number 8 purports to depict a portion of the City's water infrastructure in the

1 vicinity of the Southern Disputed Area. The City asserts that these maps date to
2 1930. As I will testify below, from an engineering perspective map number 8 is
3 unreliable and inaccurate.

4 Exhibit C - Arizona Department of Water Resource ("ADWR") records showing
5 private wells drilled in the Southern Disputed Area between 1940 and 1970.
6 These records show that several individuals drilled private water wells in the
7 Southern Disputed Area near the locations the City claims to have served before
8 September 1961.

9 Exhibit D - A United States Geological Survey ("USGS") aerial photograph of the
10 Globe area dated November 4, 1943. The Company obtained this aerial
11 photograph from the USGS website. The City's witness Robert Pate also used
12 aerial photographs from the USGS website in his report and direct testimony.
13 This photograph, together with the other USGS photographs attached as Exhibits
14 J and M, depict both the Northern Disputed Area and the Southern Disputed
15 Area and the location and condition of development in those areas as of the
16 dates of the photographs.

17 Exhibit E - The cover sheet and a map from a USGS report titled, "Geology and
18 Groundwater Resources of the Upper Pinal Creek Area, Arizona." The map
19 depicts private water wells existing in the Northern Disputed Area and the
20 Southern Disputed Area as of May 24-25, 1945.

21 Exhibit F - The cover sheet and maps 26 and 27 of the Globe area from the
22 Sanborn Map Company, created in 1929 and updated as of November 1946.
23 These maps depict water lines owned and operated by the Old Dominion Mine
24 near the Northern Disputed Area.

25 Exhibit G - State Highway Department of Arizona As-Built Plans for project
26 NonFA022-3(57)B, dated July 11, 1957. These as-built plans depict U.S.
27 Highway 60 ("U.S. 60") between station number 233+00 and 266+00. This area
28 lies along U.S. 60 both inside and outside the Northern Disputed Area. These

1 as-built plans show no water infrastructure whatsoever inside the U.S. 60 right-
2 of-way inside the Northern Disputed Area as of July 11, 1957.

3 Exhibit H - A May 9, 1957 newspaper article from the *Arizona Record*,
4 maintained in the Company's records in the ordinary course of its business. The
5 article describes the City's rejection of an offer to purchase the Central Heights
6 water system and the City's decision instead to spend funds from a revenue
7 bond issue to drill an additional well in the Cutter well field located six miles east
8 of the City.

9 Exhibit I - Maps A, B, C, and D of the City's water system created for and
10 attached to the October 4, 1957 water system report prepared by John A.
11 Carollo, Consulting Engineers, for the City (the "1957 Carollo Maps").

12 Exhibit J - A USGS aerial photograph of the Globe area dated May 19, 1961.

13 Exhibit K - An overlay of map B, from the 1957 water system report prepared by
14 John A. Carollo, Consulting Engineers, onto the May 19, 1961 USGS aerial
15 photograph. The Company's engineering department created this overlay under
16 my direction and supervision. This map also contains an overlay showing the
17 location of the City's 1918 wastewater treatment plant as of May 19, 1961.

18 Exhibit L - A September 21, 1961 article from the *Arizona Record*, which
19 discusses the City's purchase of the Skyline Drive water system and the City's
20 choice not to purchase the Central Heights water system.

21 Exhibit M - A USGS aerial photo of the Globe area dated January 30, 1962.

22 Exhibit N - A map, which was attached to and part of the "Public Facilities and
23 Utilities Analysis for the Globe, Arizona Urban Area A Comprehensive Planning
24 Program," dated 1971. The City's expert Robert Pate included this map in his
25 report at Exhibit C, Item 14. Mr. Pate states that he found the map in a folder
26 located in the City's records labeled "1957." The Company obtained this map,
27 which I will refer to as the "1971 Public Facilities and Utilities Map," attached to
28

1 the above-mentioned 1971 Public Facilities and Utilities Analysis in the Arizona
2 State Archives.

3 Exhibit O - The April 1, 1974 "Minutes of the Regular Meeting of the City Council
4 of the City of Globe," which document the request from Ted Lake and Barry
5 DeRose that the City extend water service from inside the City limit to outside the
6 City limit in the Southern Disputed Area near Euclid Avenue.

7 Exhibit P - Sheets 1 through 3 of the maps included in the "Water Works Report,"
8 dated February 13, 1975, prepared by John A. Carollo Engineers for the City (the
9 "1975 Carollo Report Maps").

10 Exhibit Q - The cover sheet and page 77 of the "Environmental Impact Study
11 Greater Globe-Miami Arizona Wastewater Treatment Project," dated April, 1976.
12 This document states that the effluent from the City's previous wastewater plant
13 was un-chlorinated as of 1976.

14 Exhibit R - "Work Session Minutes" dated November 30, 1976, which document
15 the Company's offer to sell all or parts of its Miami water system to the City. The
16 City rejected the Company's offer.

17 Exhibit S - "Work Session Minutes" dated March 15, 1977, which document a
18 request from Patrick Medrano that the City extend water service 1,500 feet from
19 the City limits to his property located outside the City limits in the Southern
20 Disputed Area on Blake Street.

21 Exhibit T - The Option Agreement dated July 5, 1977 and the Warranty Deed
22 dated December 12, 1977 for the City's purchase of real property from the
23 Company. The City built its current Arlington water tank on this property in 1978.

24 Exhibit U - The May 30, 1978 "Work Session Minutes," which discuss Southwest
25 Computing, Inc.'s analysis of the City's water system and leak survey. These
26 documents confirm the source and authenticity of the 1980 water system
27 schematic described in Exhibit W.
28

1 Exhibit V - The Cease and Desist Order, dated June 20, 1980, and the
2 Stipulation of Facts and Consent Order, dated October 10, 1980. These two
3 orders, entered by the Arizona Department of Health Services, describe as of
4 1980 the condition of the City's previous wastewater treatment plant depicted on
5 the 1918 plans attached as Exhibit A. These documents show why the City
6 acquired the site of its current wastewater treatment plant and also show that the
7 City did not move its wastewater treatment plant into the Company's CCN area
8 until the 1980s.

9 Exhibit W - Southwest Computing, Inc.'s Computer Model Schematic of the City's
10 water system, dated March 31, 1978, and updated as of December 10, 1980.

11 Exhibit X - The chain of title report and the deed dated February 26, 1981,
12 showing the City's acquisition of parcel number 205-01-014F, on which the City's
13 current wastewater treatment plant is presently located.

14 Exhibit Y - A 2013 aerial photograph depicting both the Southern Disputed Area
15 and the Northern Disputed Area.

16 Exhibit Z - Gila County Assessor's maps, which note the age of each of the
17 reported buildings and other improvements located on each real property parcel
18 in the Southern Disputed Area. The Company's engineering department
19 gathered and compiled the information on these maps under my supervision and
20 direction.

21 **III. Background and History**

22 **Q. WHAT IS THE COMPANY'S HISTORY IN THE MIAMI/GLOBE AREA?**

23 A. The Company has provided public utility water service in the Miami/Globe area
24 since 1955, when it purchased the water assets of Arizona Public Service. Over
25 the years, the Company has expanded its public utility water service and
26 operations in the Miami/Globe area through customer growth, water system
27 acquisitions, and expansion of its CCN area.

1 Q. HOW LONG HAS THE COMPANY HELD A CCN FOR THE AREAS THAT ARE
2 THE SUBJECT OF THE CITY'S PETITION?

3 A. Commission records filed in the docket in this matter show that on August 11,
4 1961, the Company filed a Petition that included a request for an increase of its
5 CCN area in Gila County, Arizona in an area known generally as Central Heights.
6 The Company also requested that the Commission expand its CCN area to
7 include 3,100 acres of the rapidly growing area surrounding Central Heights. At
8 the time, all of the requested CCN expansion area was located outside the City's
9 boundaries.

10 The record shows that the Commission held a hearing on the Company's
11 Petition on September 11, 1961. The Commission's records further show that
12 two of the three sitting Commissioners attended the September 11, 1961
13 hearing. The Commission granted the Company's Petition by order dated
14 September 20, 1961 (the "Order"). The Commission's records show that both
15 Commissioners who attended the September 11, 1961 hearing signed the Order.

16 IV. Description of the Dispute

17 Q. WHAT IS YOUR UNDERSTANDING OF THE DISPUTE BETWEEN THE CITY
18 AND THE COMPANY?

19 A. It is my understanding that the City has asked the Commission to delete portions
20 of the Company's CCN area that the Commission granted to the Company in the
21 Order almost 54 years ago. The specific areas within the Company's CCN area
22 that the City has asked the Commission to delete are:

- 23 • Within the western halves of sections 23 and 26 of Township 1 North,
24 Range 15 East, in two places: (1) along U.S. Highway 60 from about an
25 interconnection point between the Company's and the City's water
26 systems to the eastern boundary of the Company's CCN, and (2) around
27 the City's wastewater treatment plant and north to a property situated near
28

1 Pinaleno Pass Road, Pinal Creek Road, and the railroad tracks northwest
2 of the City's wastewater treatment plant (the "Northern Disputed Area").

- 3 • Within the east half of the Northwest ¼ section and the east half of the
4 Southwest ¼ section of Section 26, Township 1 North, Range 15 East in
5 an area commonly known as Arlington Heights (the "Southern Disputed
6 Area").

7 The specific boundaries of the company's CCN areas the City seeks to
8 delete are depicted in the map attached as Exhibit E to the City's Petition.

9 **V. The Northern Disputed Area**

10 **Q. FROM AN ENGINEERING PERSPECTIVE, DO YOU BELIEVE THE CITY HAS**
11 **PRODUCED EVIDENCE DEMONSTRATING THAT IT WAS PROVIDING**
12 **PUBLIC UTILITY WATER SERVICE TO CUSTOMERS IN THE NORTHERN**
13 **DISPUTED AREA ON OR BEFORE SEPTEMBER 20, 1961?**

14 A. No. I carefully reviewed the evidence produced in this case and it is clear to me
15 that the City has produced no evidence whatsoever that it was providing public
16 utility water service in the Northern Disputed Area on or before September 20,
17 1961. In fact, the information the City has disclosed and that the Company has
18 discovered through its own extensive efforts and expense proves the City was
19 not providing water service in the Northern Disputed Area as of September 20,
20 1961.

21 **Q. DID THE CITY OPERATE A WASTEWATER TREATMENT PLANT IN THE**
22 **NORTHERN DISPUTED AREA BEFORE SEPTEMBER 20, 1961?**

23 A. No. Before about 1983, the City's wastewater treatment plant was located
24 outside of the Company's CCN area. See Exhibits D, J, K, M, and X. The City
25 constructed its previous wastewater treatment plant in about 1918 (the "1918
26 Wastewater Plant") according to construction plans the City provided. See
27 Exhibit A.

1 The City did not acquire the real property on which the present wastewater
2 treatment plant sits until February 26, 1981. See Exhibit X. The City constructed
3 the present wastewater treatment plant at its current location in response to a
4 Cease and Desist Order it received from the Arizona Department of Health
5 Services ("ADHS") on June 20, 1980, which identified numerous health and
6 environmental problems with the 1918 Wastewater Plant. See Exhibit V. The
7 City subsequently entered into a Stipulation of Facts and Consent Order with
8 ADHS on October 10, 1980, and then acquired the real property parcel on which
9 the present wastewater treatment plant sits about four months later. See
10 Exhibits V and X.

11 **Q. DID THE CITY PROVIDE PUBLIC UTILITY WATER SERVICE TO THE 1918**
12 **WASTEWATER PLANT?**

13 A. No. The City has produced no evidence, such as water system maps,
14 engineering reports, meter routes, or customer lists, to show that it ever provided
15 public utility water service to the 1918 Wastewater Plant. The 1918 Wastewater
16 Plant used a primary treatment process consisting of Imhoff tanks to treat the
17 City's wastewater. See Exhibit A. Imhoff tanks do not require potable water for
18 the wastewater treatment process. This type of wastewater treatment also
19 requires little operator time because the Imhoff tanks are basically settling tanks
20 similar to a septic tank. In addition, in April 1976, the Environmental Protection
21 Agency stated that the effluent from the 1918 Wastewater Plant was "turbid,
22 foamy and non-chlorinated." See Exhibit Q. This further demonstrates that
23 potable water was not necessary to run the 1918 Wastewater Plant. Indeed,
24 water system maps of the City's water system dating from 1957, 1971, 1975, and
25 1980 all show that the City operated no water facilities to supply the 1918
26 Wastewater Plant with public utility water service. See Exhibits I, N, P, and W.

1 Q. HAS THE CITY PROVIDED ANY EVIDENCE THAT IT WAS PROVIDING
2 PUBLIC UTILITY WATER SERVICE TO CUSTOMERS ALONG U.S. 60
3 BEFORE SEPTEMBER 20, 1961?

4 A. No. The City has provided no records or evidence whatsoever to show that it
5 served any customers along U.S. 60 or anywhere else within the Northern
6 Disputed Area as of September 1961, or at any time before that date. To the
7 extent the City has provided any water service in the Northern Disputed Area, it
8 did so after the Commission granted the Company its CCN to be the exclusive
9 water utility service provider in that area.

10 Q. WHAT EVIDENCE DOES THE CITY RELY ON FOR ITS CLAIM THAT IT
11 SERVED CUSTOMERS ALONG U.S. 60 IN THE NORTHERN DISPUTED
12 AREA AS OF SEPTEMBER 1961?

13 A. One set of documents the City and its witness Robert Pate rely upon are Arizona
14 State Highway Department ("ASHD") as-built construction plans dated July 11,
15 1957 ("ASHD As-Built Plans"). See Exhibit G. The City claims the ASHD As-
16 Built Plans show that the City operated a water main and other facilities that
17 extended into the Northern Disputed Area in 1957. But, the ASHD As-Built Plans
18 actually show that all the water mains and facilities in the area ended at Highway
19 station 250+00, approximately 1,200 feet outside of, and to the south and east of,
20 the Company's CCN boundary. See *Id.* The 1957 Carollo Maps confirm that the
21 City operated no water lines in the Northern Disputed Area as of 1957. See
22 Exhibit I.

23 Q. DO THE ASHD AS-BUILT PLANS PROVIDE ANY OTHER USEFUL
24 INFORMATION?

25 A. Yes. The ASHD As-Built Plans identify Miami Copper Company, not the City, as
26 the owner of the water mains that connected to the water mains and other water
27 facilities located outside the Northern Disputed Area in the U.S. 60 right-of-way.
28 Additionally, Miami Copper Company owned several of the buildings along U.S.

1 60 that the water mains and facilities depicted on the ASHD As-Built Plans
2 served. See Exhibits F and G. Miami Copper Company was a mining company,
3 not a public service corporation that provided any water service to the public.
4 Miami Copper Company operated the Old Dominion Mine just to the north and
5 east of U.S. 60 near the Northern Disputed Area and as of 1946 owned and
6 operated extensive water facilities in that area as part of its copper mining and
7 related activities, including water facilities on the South and East side of U.S. 60,
8 where the City apparently is now claiming that it, as opposed to the mining
9 company, owned and operated public utility water distribution facilities in 1957.
10 *See Id.*

11 **Q. DOES THE CITY CLAIM IT SERVED ANY SPECIFIC CUSTOMERS LOCATED**
12 **ALONG U.S. 60 IN THE NORTHERN DISPUTED AREA BEFORE**
13 **SEPTEMBER 1961?**

14 A. The City incorrectly claims that it served the Globe Mobile Home Park, the
15 Blakely gas station, a radio station, and possibly Larry's Tire Shop along U.S. 60
16 in the Northern Disputed Area in September 1961 at the time the Commission
17 granted the Company the longstanding and heretofore unchallenged CCN.

18 **Q. HAS THE CITY PRODUCED ANY EVIDENCE TO PROVE IT SERVED THESE**
19 **LOCATIONS BEFORE SEPTEMBER 20, 1961?**

20 A. No. In fact, what the City did produce shows that the City did not provide water
21 service at that date. Mr. Pate claims he found a hand-made drawing that depicts
22 water infrastructure serving a Larry's Tire Shop in a City file labeled "1955-1970,"
23 but this rough, hand-made drawing is not dated and Mr. Pate provides no
24 testimony to show that the drawing depicts anything prior to 1961, admitting that
25 "we cannot determine an exact date of this sketch." See Mr. Pate's Direct
26 Testimony at pg. 8 ln. 9 and at Exhibit B, Item 6. From an engineering
27 perspective, this hand-made drawing is not a proper record of water facilities and
28 provides the Commission with no useful information whatsoever.

1 Mr. Pate also points to a map, which he says he found in a folder labeled
2 "1957," that he claims depicts the City operating a water main in the Northern
3 Disputed Area. See Mr. Pate's direct testimony at Exhibit C, Item 14. The
4 Company has located the original of this map at the Arizona State Archives. The
5 map was part of the "Public Facilities and Utilities Analysis for the Globe, Arizona
6 Urban Area A Comprehensive Planning Program," dated 1971 (not 1957),
7 proving that it actually depicted facilities some ten years after the Commission
8 awarded the Company the CCN. See Exhibit N.

9 Mr. Pate also relies upon a USGS aerial photograph, which he claims he
10 obtained on the USGS website and which dates to late 1961, to support the
11 City's claims. Mr. Pate states that this photograph depicts construction work
12 taking place in late 1961 at the site of what is now the Globe Mobile Home Park.
13 The Company has been unable to locate this late 1961 aerial photograph on the
14 USGS website, but the Company has obtained a USGS aerial photograph dated
15 January 30, 1962. This photograph shows no construction work taking place at
16 the Globe Mobile Home Park site and in fact shows that the site remained in
17 almost exactly the same condition on January 30, 1962, as it had been on
18 November 4, 1943. See Exhibits D and M.

19 **Q. THE CITY ALSO CLAIMS IT PROVIDED WATER SERVICE BEFORE**
20 **SEPTEMBER 1961 TO A RANCH PROPERTY (THE "RIVERA RANCH")**
21 **LOCATED NORTH AND WEST OF THE CURRENT WASTEWATER**
22 **TREATMENT PLANT ALONG PINAL CREEK. HAS THE CITY PRODUCED**
23 **ANY EVIDENCE THAT IT PROVIDED PUBLIC UTILITY WATER SERVICE TO**
24 **THE RIVERA RANCH BEFORE SEPTEMBER 1961?**

25 **A.** No. Even though the City claims it provided water service to the Rivera Ranch,
26 the City has not produced any customer records, engineering records, or any
27 other evidence whatsoever to prove that it provided water service to the Rivera
28 Ranch before September 1961. The ASHD As-Built Plans and all the water

1 system maps produced in this case show that between 1957 and the early 1980s
2 the City had no water facilities in the Northern Disputed Area capable of
3 providing public utility water service to the Rivera Ranch. See Exhibits G, I, N, P,
4 and W.

5 **Q. WERE THERE OTHER SOURCES OF WATER IN THE NORTHERN**
6 **DISPUTED AREA AS OF SEPTEMBER 1961 THAT HAD NOTHING TO DO**
7 **WITH THE CITY OF GLOBE?**

8 A. Yes. As of September 1961, there were water sources other than the City's
9 water system available in the vicinity of the Northern Disputed Area. According
10 to USGS records, there were two private groundwater wells located in the
11 Northern Disputed Area near the Blakely gas station and another private well
12 was located near the Rivera Ranch. See Exhibit E. The Old Dominion Mine,
13 later Miami Copper Company, also provided water in connection with its copper
14 mining and other related activities in the vicinity of the Northern Disputed Area.
15 See Exhibits F and G. Individuals and businesses may have also hauled water
16 to their properties. These private wells and facilities would have been in the
17 nature of private "self serve" sources of water that did not conflict with the
18 Company's application for a CCN to provide public utility water service in the
19 Northern Disputed Area, consistent with the Commission's findings of fact in its
20 Order granting the CCN to the Company.

21 **Q. DID THE CITY EXPRESS ANY PLANS OR INTEREST IN PROVIDING PUBLIC**
22 **UTILITY WATER SERVICE IN THE NORTHERN DISPUTED AREA BEFORE**
23 **SEPTEMBER 1961?**

24 A. None of the evidence produced in this case shows that the City had any plans or
25 intent to provide public utility water service in the Northern Disputed Area before
26 September 1961. The 1957 Carollo Maps and the report they accompany show
27 that the City at that time was focused instead on improving its water system and
28 water production facilities on the south and east side of Globe, on the other side

1 of town from the Company's CCN. See Exhibit I. In 1957, the City Council
2 considered an offer from the Central Heights water system, located near both the
3 Southern Disputed Area and the Northern Disputed Area, to sell all its assets to
4 the City. After considering Central Heights water system's offer, the City Council
5 rejected it and decided instead to spend the City's available funds improving the
6 City's water system on the east side of town. See Exhibit H. On September 21,
7 1961, the City Council resolved to use its available funds and time to purchase
8 the Skyline Drive water system from Louis Ellsworth, Sr. and to negotiate a
9 lease-purchase agreement for the Crestline water system, both on the far east
10 side of Globe, not near the Company's CCN. See Exhibit L. From an
11 engineering perspective, it is clear to me that in the late 1950s and early 1960s
12 the City made a deliberate choice to improve its water system and production
13 facilities on the east side of town, to acquire assets on the east side of town, and
14 not to oppose the Company's petition to become the exclusive provider for
15 Central Heights, the Northern Disputed Area, and the Southern Disputed Area,
16 which at any rate were not within the City's limits at that time.

17 Even after 1961, the City had no interest in expanding its water service to
18 the north and west of Globe. In 1976, the Company offered to sell to the City of
19 Globe all or parts of its Miami water system, including Central Heights and the
20 Northern and Southern Disputed Areas. See Exhibit R. But, the City again
21 chose not to acquire any parts of the Company's Miami water system, including
22 the Northern and Southern Disputed Areas.

23 **Q. DOES THE CITY RELY ON ANY OTHER RECORDS TO SUPPORT ITS CLAIM**
24 **THAT IT PROVIDED WATER SERVICE IN THE NORTHERN DISPUTED AREA**
25 **BEFORE SEPTEMBER 1961?**

26 **A.** Yes. Mr. Pate also relies on City Council minutes from December, 1968 that
27 refer to the City "replacing a line at the Globe Mobile Home Park." However,
28 these Council meeting minutes refer to matters in 1968 and do not support the

1 City's claim that it provided water service inside the Northern Disputed Area in
2 1961.

3 **VI. The Southern Disputed Area**

4 **Q. FROM AN ENGINEERING PERSPECTIVE, HAS THE CITY HAS PRODUCED**
5 **ANY EVIDENCE TO SHOW THAT IT WAS PROVIDING PUBLIC UTILITY**
6 **WATER SERVICE TO CUSTOMERS IN THE SOUTHERN DISPUTED AREA**
7 **ON OR BEFORE SEPTEMBER 20, 1961?**

8 A. No. I have reviewed the records the parties have produced in this case and Mr.
9 Pate's testimony and it is clear that the City was not providing public utility water
10 service in the Southern Disputed Area on or before September 20, 1961. Again,
11 the information the City appears to rely on refutes the City's claims.

12 **Q. WHAT EVIDENCE DOES THE CITY RELY ON TO SUPPORT ITS CLAIM**
13 **THAT IT PROVIDED PUBLIC UTILITY WATER SERVICE TO THE SOUTHERN**
14 **DISPUTED AREA BEFORE SEPTEMBER 20, 1961?**

15 A. The City relies on City Council meeting records, on the City's 1930 (alleged)
16 water system map number 8, on Gila County Assessor Records, and on aerial
17 photographs.

18 **Q. DO THE CITY COUNCIL MEETING MINUTES SUPPORT THE CITY'S**
19 **ASSERTION THAT THE CITY PROVIDED WATER SERVICE TO**
20 **CUSTOMERS IN THE SOUTHERN DISPUTED AREA BEFORE SEPTEMBER**
21 **1961?**

22 A. No, they do not. In his pre-filed testimony, Mr. Pate points to City Council
23 meeting minutes from April 7, 1924, which, "...discussed installations of larger
24 water lines in the area of Arlington Heights." See Mr. Pate's direct testimony at
25 pg. 5 Ins. 14-16. More specifically, the water lines discussed were located in
26 Blake Street, Euclid Avenue, and West Hackney Avenue. See *Id.* Neither Euclid
27 Avenue nor West Hackney Avenue ran into the Southern Disputed Area in 1961,
28 nor do they today. See Exhibits J, P, and Y. The other street, Blake, runs both

1 inside and outside of the Southern Disputed Area. *See Id.* The City Council
2 meeting minutes say nothing of where on Blake Street the City maintained the
3 water mains in question. These minutes prove nothing concerning the City's
4 claim that it provided water service inside the Southern Disputed Area before
5 September 1961.

6 Mr. Pate also refers to the City Council meeting minutes from February 1,
7 1926. See Mr. Pate's direct testimony at Exhibit A Item 4 and Exhibit B pg. 2.
8 These City Council meeting minutes say nothing of the City serving customers in
9 the Southern Disputed Area or the City installing or maintaining public utility
10 water facilities in the Southern Disputed Area. While the minutes refer to the City
11 paving certain streets, in each case the City's plan is to pave the streets only to
12 the City limit. In both 1926 and today, Arlington Heights is outside the City's
13 limits. See Exhibits J and Y.

14 **Q. DOES THE CITY'S WATER SYSTEM MAP NUMBER 8 SHOW THAT THE**
15 **CITY SERVED CUSTOMERS IN THE SOUTHERN DISPUTED AREA BEFORE**
16 **SEPTEMBER 1961?**

17 A. No. There are several major problems with map number 8 and the index that
18 make it inaccurate and unreliable. See Exhibit B.

19 **Q. PLEASE EXPLAIN.**

20 A. First, neither map number 8 nor the index contains a legend. This makes it
21 impossible to be sure one can accurately read the markings on the map. While
22 on its face map number 8 claims to be from 1930, there are numerous
23 handwritten alterations to the map, some of which clearly post-date 1930 (and for
24 that matter September 1961), while others pre-date 1930. Some of these
25 handwritten alterations are undated. Map number 8 does not indicate who made
26 the handwritten alterations and when they were made. Additionally, the City
27 asserts map number 8 covers portions of the Southern Disputed Area outside the
28 City's boundary. But the index shows the area map number 8 covers ends at the

1 City boundary and does not depict areas inside the Southern Disputed Area.
2 Map number 8's orientation is also different than that identified on the index.
3 Map number 8 also depicts streets that did not yet exist in September 1961.
4 Further, map number 8 conflicts with the four engineer prepared maps of the
5 City's water system produced in this case: the 1957 Carollo Maps, the 1971
6 Public Facilities and Utilities Map, the maps attached to the 1975 Carollo Report,
7 and the 1980 Southwest Consulting, Inc.'s Computer Model Schematic. See
8 Exhibits I, N, P, and W. For example, the City asserts map number 8 shows it
9 operated water facilities and served customers near Blake Street in the Southern
10 Disputed Area before September, 1961. But, the 1957 Carollo Maps and the
11 1971 Public Facilities and Utilities Map show that the City had no water facilities
12 or customers near Blake Street in the Southern Disputed Area. And, the maps
13 attached to the 1975 Carollo Report and the 1980 Southwest Consulting, Inc.
14 Computer Model Schematic contradict map number 8 in that they depict different
15 information than map number 8 about the City's water facilities in the vicinity of
16 the Southern Disputed Area.

17 **Q. ACCORDING TO MR. PATE, GILA COUNTY ASSESSOR RECORDS FOR**
18 **PARCELS ALONG OR NEAR BLAKE STREET, IN COMBINATION WITH MAP**
19 **NUMBER 8, PROVE THAT THE CITY WAS PROVIDING PUBLIC UTILITY**
20 **WATER SERVICE IN THE SOUTHERN DISPUTED AREA BEFORE 1961. IS**
21 **THAT CORRECT?**

22 **A.** No. Map number 8 is inaccurate and unreliable and, more importantly, Gila
23 County Assessor records are not water service records. To the extent the City
24 claims it served large portions of the Southern Disputed Area before September,
25 1961, Gila County Assessor records prove the City wrong. See Exhibit Z. These
26 records show that the majority of buildings in the Southern Disputed Area were
27 constructed after 1961. Nor has the City produced any evidence that it provided
28

1 water service to the few buildings that existed in the Southern Disputed Area
2 before 1961.

3 **Q. WHAT OTHER SOURCES OF WATER EXISTED IN THE VICINITY OF THE**
4 **SOUTHERN DISPUTED AREA AS OF SEPTEMBER 1961.**

5 A. According to ADWR and USGS records, as of September 1961, there were
6 several private wells located in the Southern Disputed Area located near the few
7 buildings that already existed at that time. See Exhibits C and D. The ADWR
8 records also show that private individuals continued to drill wells in the Southern
9 Disputed Area after September 1961. See Exhibit C. It was also common at that
10 time for property owners to haul water to their properties.

11 **Q. DOES THE MAY 19, 1961 AERIAL PHOTOGRAPH MR. PATE RELIES ON**
12 **ESTABLISH THAT THE CITY PROVIDED WATER SERVICE TO THE**
13 **SOUTHERN DISPUTED AREA IN SEPTEMBER 1961?**

14 A. No. The May 19, 1961 aerial photograph does not show how the few structures
15 inside the Southern Disputed Area at that time received water, if at all. In
16 addition, Mr. Pate has misread and mislabeled the portion of the May 19, 1961
17 aerial photograph included in his Exhibit A, Item 9. A review and comparison of a
18 current aerial photograph and map of the Southern Disputed Area, of the May 19,
19 1961 aerial photograph, and of the other water system maps show that the street
20 Mr. Pate labels as Moore Street is actually Collins Street. Moore Street did not
21 yet exist in 1961. See Exhibits J, N, P, W, and Y. Mr. Pate has badly over-
22 counted the number of structures in the Arlington Heights portion of the Southern
23 Disputed Area in 1961 because of his error in labeling Moore Street.

24 **Q. MR. PATE ALSO REFERS TO THE 1957 CAROLLO MAPS. DO THESE**
25 **MAPS SHOW THAT THE CITY HAD A WATER MAIN IN THE SOUTHERN**
26 **DISPUTED AREA IN 1957?**

27 A. No. The 1957 Carollo Maps shows three water mains in the vicinity of the
28 Southern Disputed Area, with only one main appearing to run into the Southern

1 Disputed Area. See Exhibit I. But, closer investigation and comparison of the
2 1957 Carollo Maps with the May 19, 1961 USGS aerial photograph and City
3 water system maps shows that this water main never entered the Southern
4 Disputed Area. See Exhibits I, J, K, N, P, and W.

5 The water main the 1957 Carollo Maps purportedly shows entering the
6 Southern Disputed Area is a loop that consists of a 6-inch water main that runs
7 from east to west to the Company's CCN boundary, then past the CCN boundary
8 to the southwest. The main then narrows to a 4-inch main that runs to the south,
9 then the main loops back to the east and runs back to the CCN boundary, and
10 then continues back to the east inside the City. See Exhibit I. This loop existed,
11 and still exists, in Bankers Avenue and Euclid Avenue. This loop does not now,
12 and never did, penetrate into the Southern Disputed Area. See Exhibit J, K, N,
13 P, W, and Y. An overlay of the 1957 Carollo Map with the May 19, 1961 USGS
14 aerial photograph, prepared under my direction and supervision, shows that this
15 water main, if accurately depicted on the 1957 Carollo Maps, ran through
16 undeveloped areas, which is nonsensical, and in areas where the geography
17 makes no sense for a water main. See Exhibit K. The other maps of the City's
18 water system produced in this case also prove that this Bankers Avenue/Euclid
19 Avenue loop never enters into the Southern Disputed Area. See Exhibits N, P,
20 and W. The November 1943, May 1961, and January 1962 aerial photographs
21 do not show any construction activity or soil and vegetation disturbance typical of
22 water main construction and maintenance in this location inside the Southern
23 Disputed Area. See Exhibits D, J, and M.

24 **Q. WHAT OTHER EVIDENCE IS THERE THAT THE CITY DID NOT PROVIDE**
25 **WATER SERVICE INSIDE THE SOUTHERN DISPUTED AREA ON OR**
26 **BEFORE SEPTEMBER 20, 1961?**

27 **A.** In 1974, Ted Lake and Barry DeRose requested that the City extend its water
28 facilities from inside the City to serve their property located inside the Southern

1 Disputed Area near Euclid Avenue. See Exhibit O. Additionally, in 1977, Patrick
2 Medrano requested that the City provide water service to his property by
3 extending its main from the City boundary (also the CCN boundary) to his
4 property inside the Southern Disputed Area on upper Blake Street. See Exhibit
5 S.

6 **Q. THE CITY ALSO CLAIMS PRIOR RIGHTS TO AN AREA SOUTH OF**
7 **ARLINGTON HEIGHTS, WHICH LIES NEXT TO THE COMPANY'S WELL**
8 **NUMBER 20. HAS THE CITY PROVIDED ANY DOCUMENTATION**
9 **ESTABLISHING THAT IT SERVED THAT AREA PRIOR TO SEPTEMBER 20,**
10 **1961?**

11 A. No, the City has provided no documentation establishing that it provided water
12 service in that area south of Arlington Heights before September 20, 1961. The
13 maps of the City's water system produced in this case show the City had no
14 water facilities in this area between 1957 and 1980. See Exhibits I, N, P, and W.

15 **Q. DID THE CITY EXPRESS ANY PLANS OR INTEREST IN PROVIDING PUBLIC**
16 **UTILITY WATER SERVICE IN THE SOUTHERN DISPUTED AREA BEFORE**
17 **SEPTEMBER 1961?**

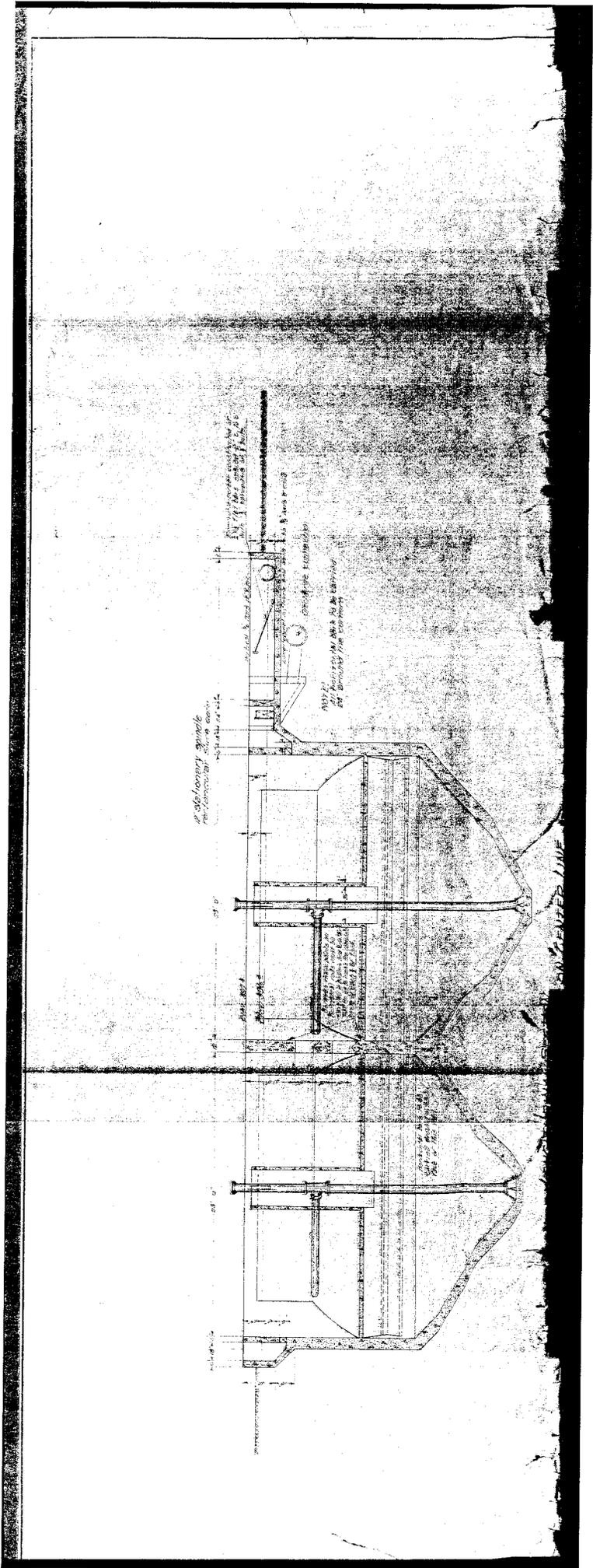
18 A. No, the City did not express any such interest, as I showed in my previous
19 discussion about the City showing no interest in serving the Northern Disputed
20 Area before September 1961.

21 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

22 A. Yes.

23
24
25
26
27
28

EXHIBIT A



Handwritten note: *Handwritten text, possibly describing a component or assembly detail.*

Handwritten note: *Handwritten text, possibly describing a component or assembly detail.*

Handwritten note: *Handwritten text, possibly describing a component or assembly detail.*

CENTRAL LINE

EXHIBIT B

EXHIBIT C

REPORT OF WELL DRILLER

1278

This report should be prepared by the driller in all detail and filed with the State Land Commissioner following completion of the well.

1. OWNER ARTHUR G. COCHRANE
630 WILLOW ST. GLOBE, AZ
Name Address
2. Lessee or Operator N/A
Name Address
3. DRILLER UNKNOWN
Name Address
4. Location of well: Twp. 1N Rge. 15E Section. 26 NE 1/4 NE 1/4 SE 1/4
10-acre subdivision
5. Intention to Drill File No. _____ Permit No. _____

DESCRIPTION OF WELL

6. Total depth of hole 145' ft.
7. Type of casing 8" steel pipe
8. Diameter and length of casing 8 in. from 0 to 140' in. from _____ to _____ in. from _____ to _____
9. Method of sealing at reduction points N/A
10. Perforated from 120' to 140' from _____ to _____ from _____ to _____ from _____ to _____
11. Size of cuts 1"x3" Number of cuts per foot 16
12. If screen was installed: Length N/A ft. Diam. _____ in. Type _____
13. Method of construction Drilled
Drilled, dug, driven, bored, jetted, etc.
14. Date started _____
Month Day Year
? ? 1940
15. Date completed _____
Month Day Year
? ? 1940
16. Depth to water 52 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 | |
| Received <u>3-27-79</u> | by <u>ji</u> |
| Filed <u>3-28-79</u> | by <u>lj</u> |
| File No. <u>A(1-15)26 dca</u> | |
| <u>XX038</u> | |

(Well Log to Appear on Reverse Side)

REPORT OF WELL DRILLER

EXCERPT OF 1945 GROUNDWATER LAW

Report of Well Driller must be prepared by the driller in all detail and filed with the State Land Commissioner as required by Section 7, Chapter 12, Senate Bill No. 3, First Special Session, 1945. This report should be in the mail within 30 days following completion of the well. Section 8 of the law provides: "Any person (includes any individual, firm, public or private corporation, or governmental agency) who shall fail or refuse to make any of the reports, give the notices required, or fail to cooperate with the State Land Commissioner or his representative, under the provisions of this Act, shall be guilty of a misdemeanor and shall be fined a sum not exceeding One Hundred Dollars."

1. OWNER Earliest Osborn Name
Globe, Arizona Address

2. Lessee or Operator Chas E. Willis Name
Box 1424 - Globe, Ariz. Address

3. DRILLER Same Name

4. Location of well: Twp. Gila County Rge. SE 1/4 of SE 1/4 - Sec. 26 T-11R Section GBR B.M. Block one 1/4 SE 10-acre subdivision

5. Intention to Drill File No. _____

DESCRIPTION OF WELL

6. Total depth of hole 190 ft.

7. Type of casing Screw Type

8. Diameter and length of casing 6 in. from 0' to 190' in. from _____ to _____ in. from _____ to _____

9. Method of sealing at reduction points _____

10. Perforated from 120' to 190' from _____ to _____ from _____ to _____ from _____ to _____

11. Size of cuts 5/8" 12" Cuts per foot Number cuts per foot 1/8" Wide

12. If screen was installed: Length _____ ft. Diam. _____ in. Type _____

13. Method of construction _____ drilled, dug, driven, bored, jetted, etc.

14. Date completed February 1947 Month Year

15. Depth to water 130 ft. If flowing well, so state.

16. Describe point from which depth measurements were made, and give sea-level elevation if available.
From Surface to Water Strata

17. If flowing well, state method of flow regulation _____

18. REMARKS: _____

(A-1-15)26 dd

DO NOT WRITE IN THIS SPACE

OFFICE RECORD

Received 7/13/50 by kb

Filed 7/26/50 by kb

File No. (A-1-15)26 dd

REPORT OF WELL DRILLER



This report should be prepared by the driller in all detail and filed with the State Land Commissioner following completion of the well.

1. OWNER GEORGE B. OLLSON
Name
BCX 534, GLOBE, AZ. 85501
Address
2. Lessee or Operator.....
Name
Address
3. DRILLER SELF (GEORGE B. OLLSON)
Name
Address
4. Location of well: Twp. 1 N Rge. 15 E Section 26 NW 1/4 NE 1/4 SW 1/4
10-acre subdivision
5. Intention to Drill File No..... Permit No.....

DESCRIPTION OF WELL

6. Total depth of hole 375 ft.
7. Type of casing STEEL PIPE
8. Diameter and length of casing 8 in. from TOP to 257 FT 6 in. from 257 to 375 in. from..... to.....
9. Method of sealing at reduction points TAPERED METAL RING.
10. Perforated from BOTTOM to 70 FT, from..... to....., from..... to....., from..... to.....
11. Size of cuts 1/4 CUTS 12 INCHES LONG Number of cuts per foot 4
12. If screen was installed: Length.....ft. Diam.....in. Type.....
13. Method of construction DRILLED
drilled, dug, driven, bored, jetted, etc.
14. Date started NOV 1965
Month Day Year
15. Date completed DEC 1965
Month Day Year
16. Depth to water 186 ft.
If flowing well, so state.
17. Describe point from which depth measurements were made, and give sea-level elevation if available.....
4 INCHES ABOVE GROUND APPROX 3,300 SEA LEVEL
18. If flowing well, state method of flow regulation.....

19. REMARKS:.....

| | |
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| OFFICE RECORD | |
| Received <u>4-16-79</u> | by <u>JM</u> |
| Filed <u>4-18-79</u> | by <u>JM</u> |
| File No. <u>A(1-15)26 cab</u> | |

(Well Log to Appear on Reverse Side)

REPORT OF WELL DRILLER

This report should be prepared by the driller in all detail and filed with the State Land Commissioner following completion of the well.

1. OWNER..... Clifford W. Jones
Name
 Box 666, Roosevelt, Az 85545
Address
2. Lessee or Operator.....
Name
Address
3. DRILLER..... E. B. Burns DEB Burns Well Drilling
Name
 Rt. #1 Box 68-A, Globe, Arizona 85501
Address
4. Location of well: Twp. 1 North Rge. 15 East Section 26 NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
10-acre subdivision
5. Intention to Drill File No. A(1-15)26 cab Permit No.

DESCRIPTION OF WELL

6. Total depth of hole..... 80' ft.
7. Type of casing..... .219 Wall American Made Prime New Casing
8. Diameter and length of casing 8 in. from 1 to 80, in. from to in. from to
9. Method of sealing at reduction points..... Welded
10. Perforated from 50' to 80', from to from to from to
11. Size of cuts..... 3/16" Number of cuts per foot 12 3" Slots 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..... April 30 1970
Month Day Year
15. Date completed..... May 2 1970
Month Day Year
16. Depth of water..... 50 ft.
If flowing well, so state.
17. Describe point from which depth measurements were made, and give sea-level elevation if available.....
 top of ground
18. If flowing well, state method of flow regulation.....

19. REMARKS:.....

| | |
|----------------------------|----------------|
| DO NOT WRITE IN THIS SPACE | |
| OFFICE RECORD | |
| Received..... 7-8-70 | by <i>Four</i> |
| Filed..... 7-9-70 | by <i>Four</i> |
| File No..... A(1-15)26 cab | |

(Well Log to Appear on Reverse Side)

REPORT OF WELL DRILLER

This report should be prepared by the driller in all detail and filed with the State Land Commissioner following completion of the well.

1. OWNER..... Harvey Z. Getman
Name
 Payson Star Rt. Box 501, Globe, Az 85501
Address

2. Lessee or Operator.....
Name
Address

3. DRILLER..... B. E. Burns DBA Burns Well Drilling
Name
 Rt. #1 Box 68-A, Globe, Arizona 85501
Address

4. Location of well: Twp. 1 North Rge. 15 East Section 26 NW 1/4 NE 1/4 SW 1/4
10-acre subdivision

5. Intention to Drill File No. A(1-15)26 cab Permit No.

DESCRIPTION OF WELL

6. Total depth of hole..... 80ft.

7. Type of casing..... 8 5/8" 219 Wall American Made New Casing.....

8. Diameter and length of casing..... 8 in. from 1 to 80',in. from.....to.....,in. from.....to.....

9. Method of sealing at reduction points..... Welded.....

10. Perforated from..... 50' to 80' from.....to....., from.....to....., from.....to.....

11. Size of cuts..... 3/16" Number of cuts per foot..... 12 3" Slots.....

12. If screen was installed: Length 4 ft. Diam. 4 in. Type C. W. Well Screen.....

13. Method of construction..... drilled
drilled, dug, driven, bored, jetted, etc.

14. Date started..... May 3 1970
Month Day Year

15. Date completed..... May 5 1970
Month Day Year

16. Depth of water..... 30ft.
If flowing well, so state.

17. Describe point from which depth measurements were made, and give sea-level elevation if available.....
 top of ground.....

18. If flowing well, state method of flow regulation.....

19. REMARKS:.....

| | |
|----------------------------|----------------------------|
| DO NOT WRITE IN THIS SPACE | |
| OFFICE RECORD | |
| Received..... 2-1-73 | by..... <i>[Signature]</i> |
| Filed..... 2-2-73 | by..... <i>[Signature]</i> |
| File No..... A(1-15)26 cab | |

(Well Log to Appear on Reverse Side)

REPORT OF WELL DRILLER

This report should be prepared by the driller in all detail and filed with the State Land Commissioner following completion of the well.

1. OWNER..... Orval E. Emmons
Name
 Payson Star Rt. Box 506, Globe, Az 85501
Address
2. Lessee or Operator.....
Name
Address
3. DRILLER..... B. E. Burns--Well Drilling
Name
 Rt. #1 Box 68-A, Globe, Arizona 85501
Address
4. Location of well: Twp. 1 North Rge. 15 East Section. 26 NW NE SW
1/4 1/4 1/4 1/4
16-acre subdivision
5. Intention to Drill File No. A(1-15)26 cab Permit No.

DESCRIPTION OF WELL

6. Total depth of hole..... 80 ft.
7. Type of casing..... 219 Wall 8" New Casing
8. Diameter and length of casing 8 in. from 1' to 72', in. from to in. from to
9. Method of sealing at reduction points..... welding
10. Perforated from 72' to 41', from to from to from to
11. Size of cuts..... 3/16" Number of cuts per foot 12 3" slots 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..... May 5 1970
Month Day Year
15. Date completed..... May 7 1970
Month Day Year
16. Depth of water..... 40 ft.
If flowing well, so state.
17. Describe point from which depth measurements were made, and give sea-level elevation if available.....
 Top of Ground to level of water
18. If flowing well, state method of flow regulation.....

19. REMARKS:.....

| | |
|----------------------------|---------------|
| DO NOT WRITE IN THIS SPACE | |
| OFFICE RECORD | |
| Received..... 11-4-70 | by <i>Jur</i> |
| Filed..... 11-4-70 | by <i>Jur</i> |
| File No..... A(1-15)26 cab | |

(Well Log to Appear on Reverse Side)

REPORT OF WELL DRILLER
DEPARTMENT

1973 JAN 31 AM 10 55.7

This report should be prepared by the driller in all detail and filed with the State Land Commissioner following completion of the well.

- 1. OWNER..... H. A. Moore
Name
P. O. Box 7245, Phoenix, Az 85011
Address
- 2. Lessee or Operator.....
Name
Address
- 3. DRILLER..... B. B. Burns DBA Burns Well Drilling
Name
Rt. #1 Box 68-A, Globe, Arizona 85501
Address
- 4. Location of well: Twp. 1 North Rge. 15 East Section 26 NW 1/4 NE 1/4 SW 1/4
10-acre subdivision
- 5. Intention to Drill File No. A(1-15)26 cab Permit No.

DESCRIPTION OF WELL

- 6. Total depth of hole..... 95' ft.
- 7. Type of casing..... .219 Wall American Made New Casing
- 8. Diameter and length of casing..... 8" in. from 1' to 95', in. from to, in. from to
- 9. Method of scaling at reduction points..... Welding
- 10. Perforated from..... 65' to 95', from to, from to, from to
- 11. Size of cuts..... 3/16" Number of cuts per foot..... 12 3" Slots per foot
- 12. If screen was installed: Length..... ft. Diam..... in. Type.....
- 13. Method of construction..... Drilled
drilled, cug, driven, bored, jetted, etc.
- 14. Date started..... May 8 1970
Month Day Year
- 15. Date completed..... May 10 1970
Month Day Year
- 16. Depth of water..... 55' ft.
If flowing well, so state.
- 17. Describe point from which depth measurements were made, and give sea-level elevation if available.....
top of ground
- 18. If flowing well, state method of flow regulation.....

19. REMARKS:
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.....
.....
.....

DO NOT WRITE IN THIS SPACE
OFFICE RECORD

Received /- 21-73 by *K*

Filed..... 2-2-73 by *Jur*

File No..... A(1-15)26 cab

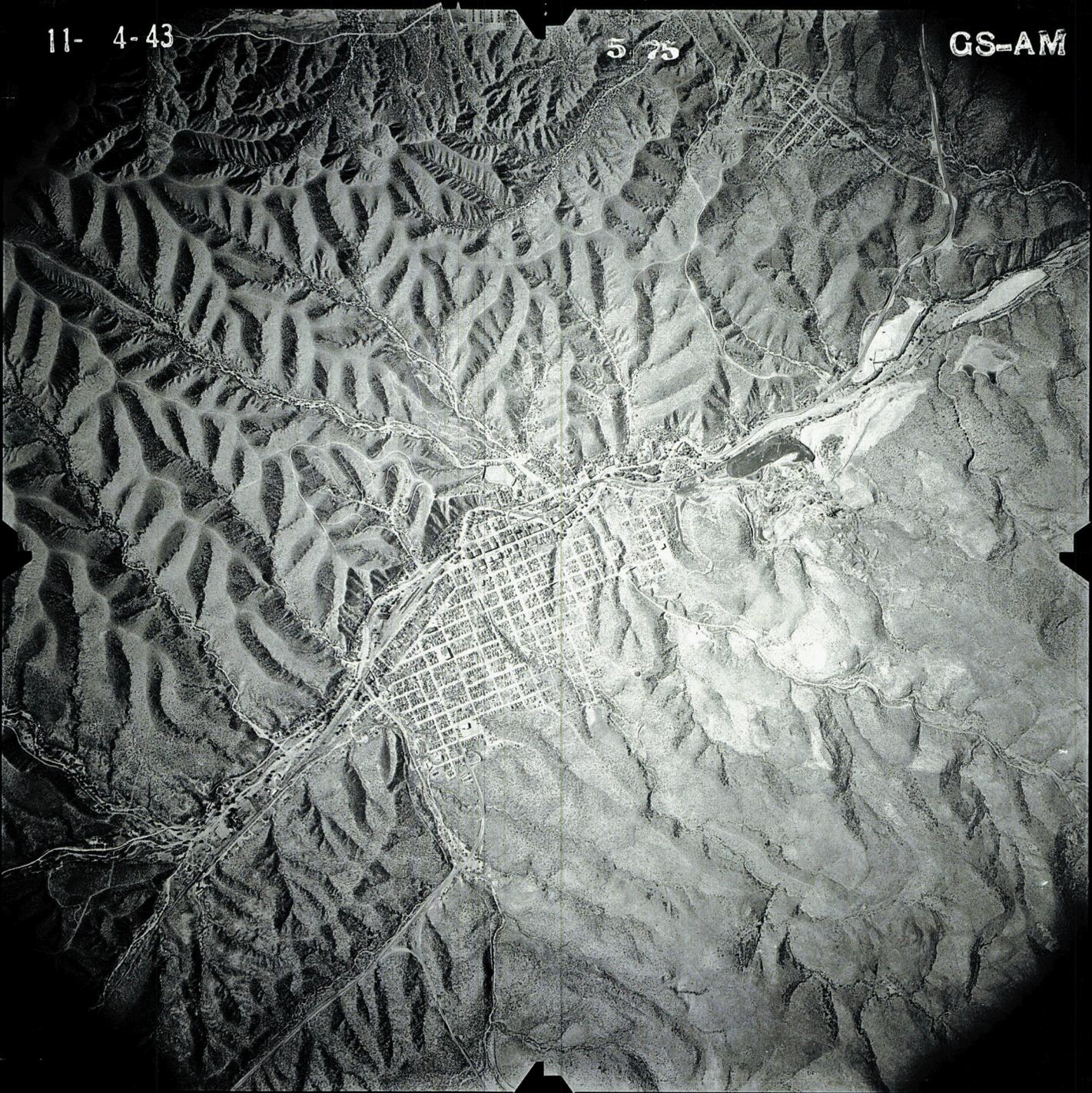
(Well Log to Appear on Reverse Side)

EXHIBIT D

11- 4-43

5 25

GS-AM



1970 EASTMAN TOPOGRAPHIC SAFETY

1971 EASTMAN TOPOGRAPHIC SAFETY



EXHIBIT E

Loan copy

46-39

United States
Department of the Interior
Geological Survey

Geology and ground-water resources of
the Upper Pinal Creek Area, Arizona

by

G. E. Hazen and S. F. Turner

prepared in cooperation with the City of Globe

Tucson, Arizona

December, 1948

PLATE 2. MAP OF UPPER PINAL CREEK (GLOBE) AREA, GILA COUNTY, ARIZONA
 SHOWING LOCATIONS OF WELLS AND SEEPAGE MEASUREMENTS AND
 CONTOURS OF THE WATER TABLE AS OF MAY 24-25, 1945.



FIELD WORK BY
 GUY HAZEN
 AND
 J. F. HOSTETTER

BASE COMPILED FROM
 AERIAL PHOTOGRAPHS
 AND FIELD NOTES

- EXPLANATION
- WELL WITH HAND PUMP BUCKET OR BAILER
 - WELL WITH WINDMILL OR SMALL POWER PUMP
 - UNUSED WELL
 - SPRING
 - WELL WITH PUMPING PLANT 5 HORSEPOWER OR LARGER
 - R-1 LOCATION OF STREAM FLOW MEASUREMENT; LETTER REPRESENTS NAME OF STREAM
 - IMPROVED ROAD
 - - - TRAIL



UNITED STATES DEPARTMENT
 OF INTERIOR
 GEOLOGICAL SURVEY

1946

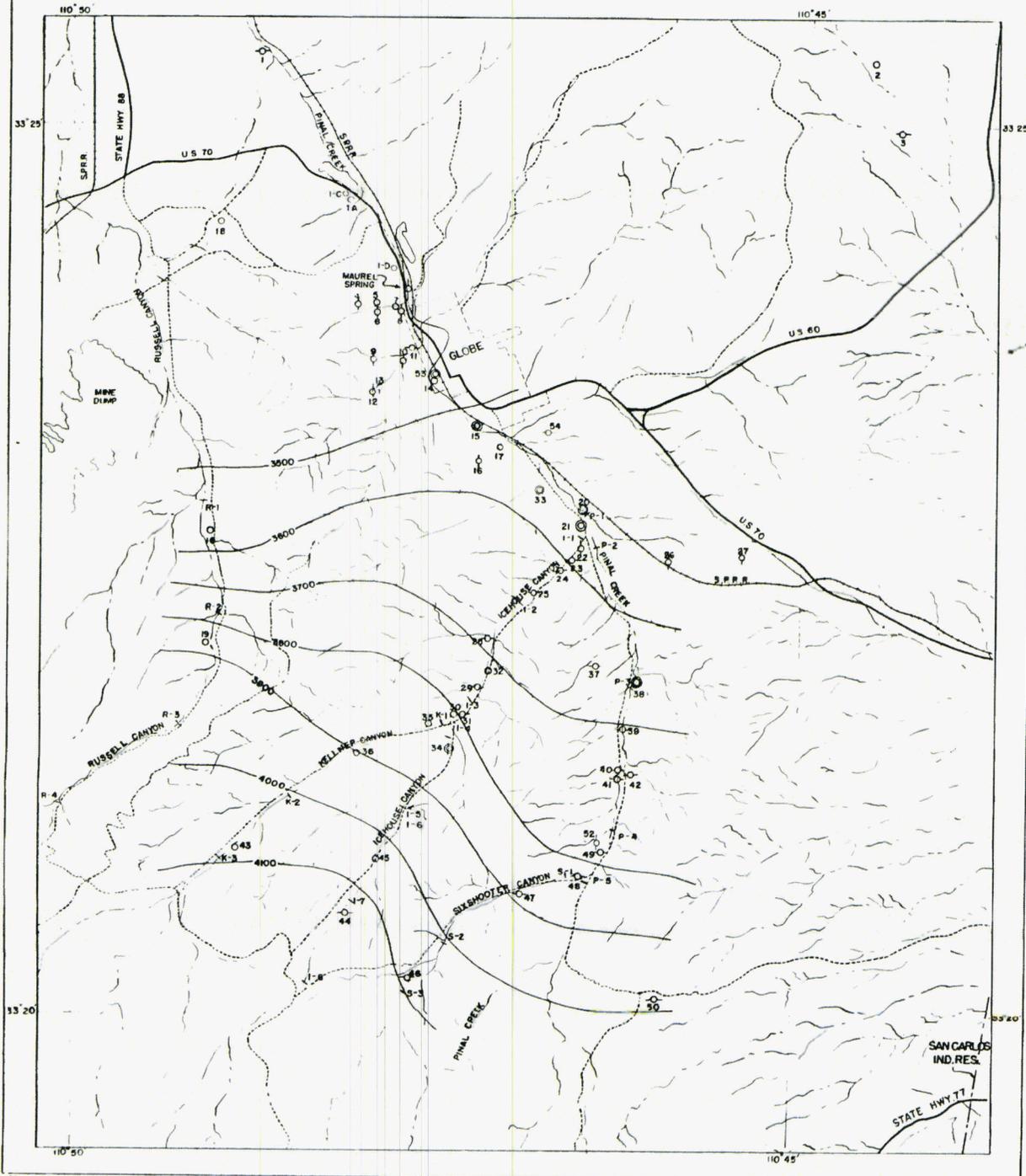
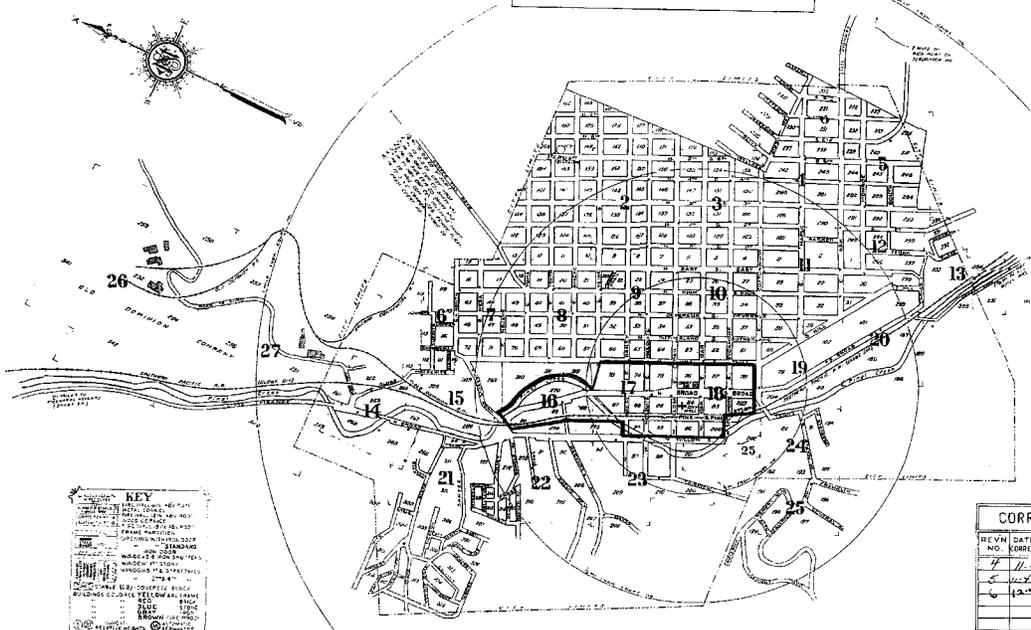
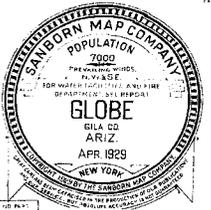


EXHIBIT F

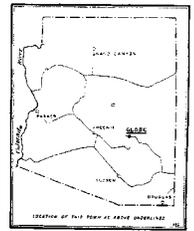
All information contained in this map, covering properties that might be related to National Defense activities, is to be treated as strictly confidential by our subscribers and not divulged to any outside interests. The U. S. Espionage Act makes it incumbent upon possessors of information relating to National Defense to take all possible precautions to prevent it from falling into the hands of interests inimical to the United States.



NEW REPORT, November, 1946
WATER FACILITIES
FIRE DEPARTMENT
CORRECTION RECORD

KEY table with symbols for streets, lots, and other map features.

CORRECTION RECORD table with columns for REV. NO., DATE OF CORRECTION, ATTACHED BY, and DATE ATTACHED.



Scale 800 feet to one inch

ADD'L INDEX, NOVEMBER, 1942

ADD'L INDEX table listing streets and their corresponding sheet numbers. Includes columns for street names and sheet numbers.

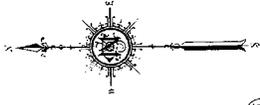
INDEX

INDEX table listing various locations and their corresponding sheet numbers. Includes columns for location names and sheet numbers.

26

116

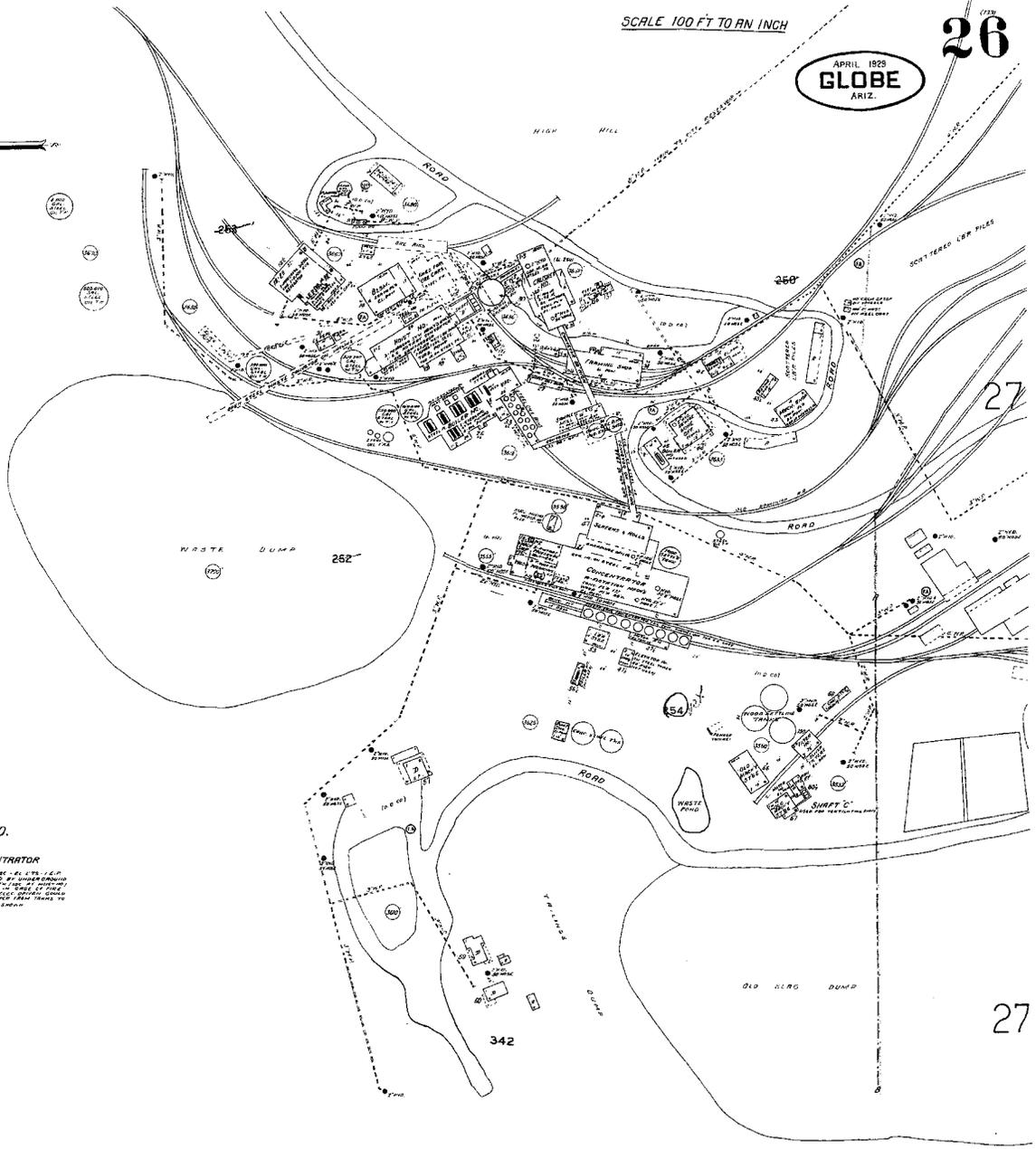
ARIZ 502



SCALE 100 FT TO AN INCH

APRIL 1929
GLOBE
ARIZ.

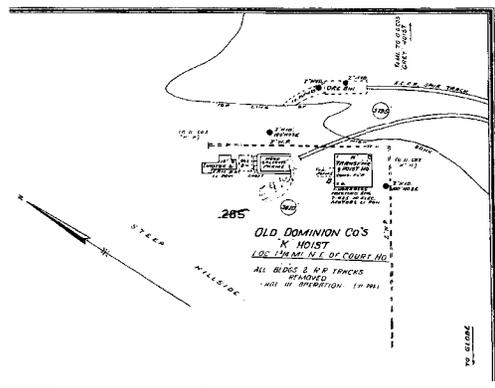
26



**OLD DOMINION CO.
(COPPER MINING)
HOISTING WORKS & CONCENTRATOR**

ALL BARRIS & MOST OF BARRIS REMOVED
NOT IN OPERATION (1929)

27



OLD DOMINION CO'S
K HOIST
LOC. 1/4 MILE S.W. OF COURT NO. 1
ALL BARRIS & HOIST TRACKS
REMOVED
NOT IN OPERATION (1929)

Scale 100 Ft. to One Inch.
Copyright 1929 by The Standard Map Co.

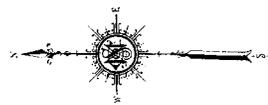
PINAL CREEK
(DRY MOST OF THE YEAR)
STATE HIGHWAY

27

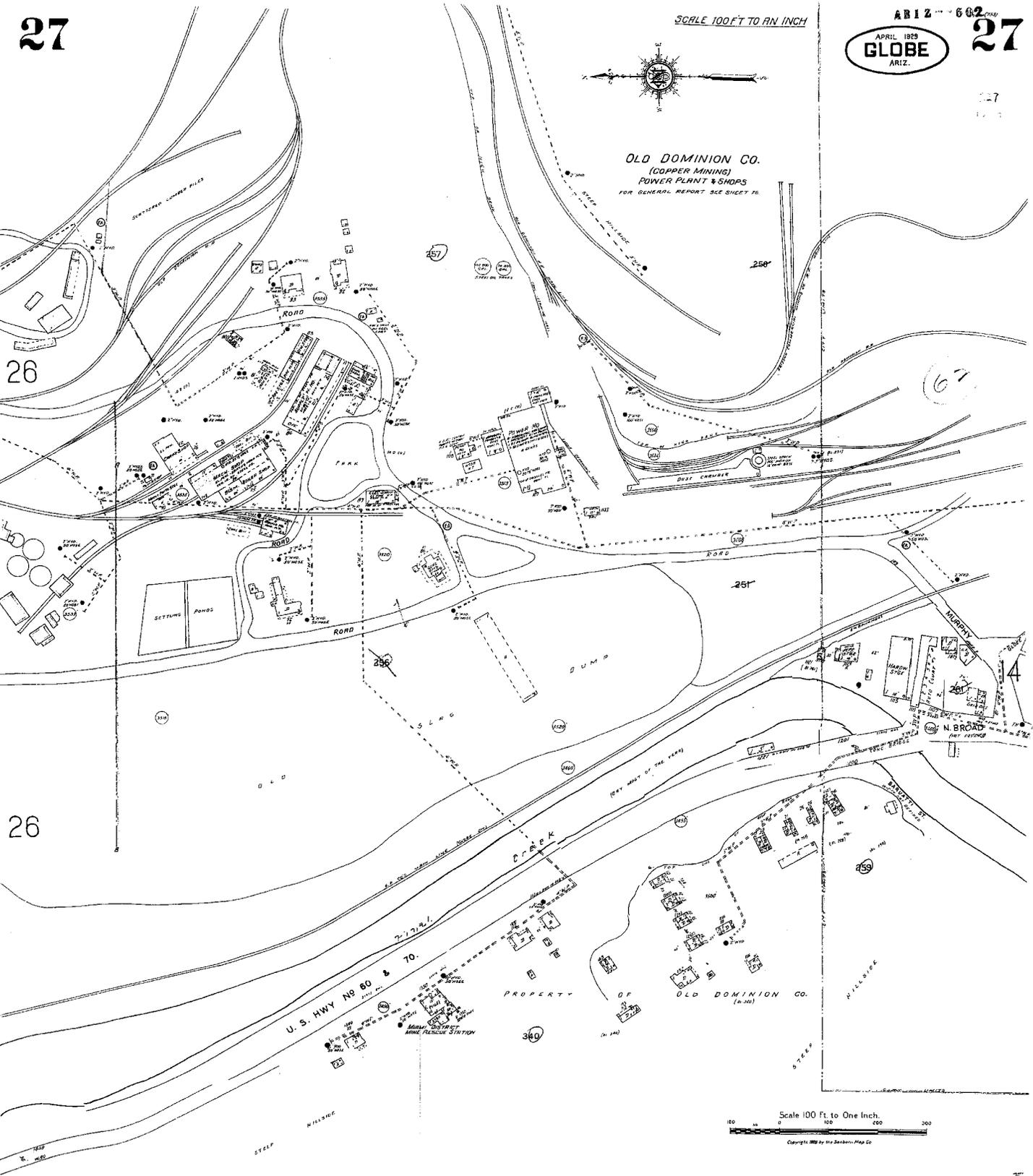
SCALE 100 FT TO AN INCH

ARIZ 602
APRIL 1929
GLOBE
ARIZ.

27



OLD DOMINION CO.
(COPPER MINING)
POWER PLANT & SHOPS
FOR GENERAL REPORT SEE SHEET 76



26

26

Scale 100 Ft. to One Inch.
Copyright 1929 by the Sanborn-Map Co.

EXHIBIT G

EXHIBIT H

Arizona Record

WEATHER REPORT

| Day | Max. | Min. | Prec. |
|-----------|------|------|-------|
| Thursday | 86 | 47 | .00 |
| Friday | 88 | 42 | .00 |
| Saturday | 92 | 43 | .00 |
| Sunday | 91 | 57 | .09 |
| Monday | 80 | 56 | .00 |
| Tuesday | 84 | 56 | .00 |
| Wednesday | 81 | 50 | .24 |

Walter Kyle

Vol. 45—No. 19

Entered at post office as second-class matter under Act of Congress March 3, 1879.

Globe, Arizona,

Thursday, May 9, 1957

10c A Copy

18 Pages

Council Refuses To Buy Central Heights System



A group of Holy Angels Catholic Church parishioners look on as Father James E. McFadden turns a spadeful of earth to start

construction on their new 6-classroom elementary school which will be ready by the opening of the fall term. Globe's Haley Construction Co. was low bidder for the job.

Photo by W. W. Norman

City To Ask Approval Of \$420,000 Bond Issue

Globe's city council decided against buying the Central Heights Water System Tuesday night by a 5-1 vote. Councilmen agreed, however, to ask voters to approve a revenue bond issue of \$420,000 to be used to drill an additional well near the Indian reservation line 6 miles east of here, and to bring new water into the city system.

Councilmen will meet in the near future to set an election date and plan other balloting details.

Tony Chiono, councilman from the fifth ward, brought the Central Heights Water System issue to a head with a motion that " . . . we don't buy Central

Heights or any of them (other private water systems)." His motion was quickly seconded by J. T. Lewis, and in the voice vote that followed only Councilman Norval Sherwood voted against the motion.

Only Lewis and Chiono orally voted in behalf of the motion; councilmen "Bud" Hunsaker, Bill Merrifield and Carl Coppa remaining silent. Under the council rules of order, a councilman who fails to cast a voice vote is considered to have voted in favor of the question.

THROUGH negotiations between City Manager Murray Snyder and Glenn Wilson, owner of the utility, the original purchase price of \$155,000 was reduced to \$145,000. Wilson had also agreed to accept \$5000 cash of a \$15,000 down payment, taking the rest of the initial payment out of the city's share of revenue, interest free.

The remainder of the purchase price was to have been paid through 35 per cent of gross revenue plus 4-and-one-half per cent interest; minimum monthly payments to be \$1100.

Based on water rates in effect by the utility prior to Feb. 25, Wilson estimated gross revenue from 3 years would equal or surpass the purchase price. The former rates were approximately the same as the present out-of-city rates charged by Globe.

RESIDENTS OF THE area served by the private utility said they were opposed to the sale if the outside rate would apply to them. However, if the rate to be charged by the city would be in line with present Central Heights rates, then they would approve the sale.

Wilson, who said water consumption jumped 20 per cent after rates were lowered, told the council the utility would gross \$46,700 the first year based on his former rates, and would leave the city \$8192 after making payments as set forth in the proposed sale agreement.

"These figures show the system can be acquired without any outlay of actual cash (beyond the \$5000 mentioned above)," Wilson said.

"From a dollar and cents standpoint, I see no reason why this won't be the best investment the City of Globe will ever have. It will not cost your taxpayers anything. In fact, it will start bringing you revenue almost immediately."

QUESTIONED AS to the adequacy of the system's water sup-

ply, Wilson said, "The present supply is not adequate. I recognized that and drilled a new well, but then they (the corporation commission) clobbered me with that rate. I couldn't obligate myself for \$10,000 or \$11,000 (to bring the new well into the system) because I didn't have the (anticipated) revenue to pay for it."

Snyder told councilmen, "Unless we grow and expand, we can't continue to give the services demanded by the people. We'll either have to have more taxes, or we'll have to sell more water for revenue. The more customers we have, the greater efficiency we get in our water system and we can reduce rates (and still increase revenue)."

"I don't think it's a good buy," said Chiono. I think we should let it go until a later date."

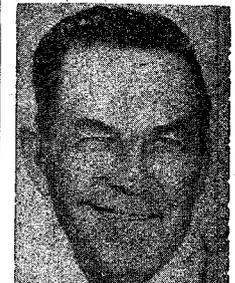
"We have problems of our own," Lewis said, "and I think we should settle our own problems without taking on others."

"WE ALL THINK we have a good well, but it's not a big producer like some wells in the Valley. If we take in service to an outside district, how do we know the water supply will last? If it doesn't, then we'd have to take care of them (as well as the people of Globe)."

"If we bring in the water (from Cutter) and have plenty," Chiono told the council, "then we can buy others."

The motion to ask approval of a \$420,000 bond issue was made by Coppa and seconded by Chiono. It passed unanimously.

Chamber Re-Elects J. G. Langham



Indians Sign Airport Lease

Subject to approval by the U. S. Department of the Interior, a 25-year lease has been signed by the City of Globe for use of Cutter airfield.

Approval of the lease, signed this week by members of the tribal council of the San Carlos Apache Indians, will clear the way for federal matching funds to be used in developing the field to CAA specifications for use as a City of Globe airport.

Swim Registrations Will Close Saturday

Registrations for the free adult Learn-to-Swim Campaign scheduled at the Miami-Globe YMCA May 13-17 will be open until Saturday May 11, according to the YMCA physical director, Bud Mott.

The campaign is being sponsored by the ARIZONA RECORD, Arizona Silver Belt and the Miami-Globe YMCA. Swimming lessons are open to all men and women of the Globe-Miami area who do not know how to swim, whether they are YMCA members or not. Two classes will be conducted each day during the week, one from 10-11 a.m. and the other from

Time Marches On!

Father Time got a boot in the seat of his corduroys this week when the Gila County Board of Supervisors awarded a contract for modernization of the outdated and inadequate courthouse electrical wiring system.

Miami Electric Company, with a low bid of \$1674.60, will start work soon to install additional electric conduits. These are needed to carry increased electrical loads needed to operate modern office machines and coolers in use in county offices.



McFarland To Address Convention

Principal speaker at the national convention of the U. S. Highway 60 Association in Globe May 17, 18 and 19 will be Governor Ernest W. McFarland. He will give the address at the Saturday evening banquet and will welcome delegates at the Saturday morning opening session.

Other special speakers, according to Harold Gribble, convention arrangements chairman, include Arizona State Engineer William E. Willey, Phoenix, who talks at 9:30 a. m. Saturday. He will discuss the changing highway picture, and U. S. 60 in Arizona.

Organization for traffic safety

Globe Catholics Schedule S-Day

Solicitation Day in the Holy Angels Catholic Church campaign to raise \$140,000 for construction of an elementary school and convent has been set for Sunday, May 19.

At that time around 200 workers will visit wage-earning, income-receiving parishioners to receive their pledges toward support of the school.

Executive members and division leaders who will supervise the 40 team captains and workers are Dr. Charles T. Callopy, Louie Rayes, Adolph Franquero, Claude Brockert, Pete Oddenot, Carmen Corso, Tony Daou, Sr., Faust Rabogliatti, John Bustamante and Phil Sawaia.

Workers are directed by William A. Sullivan, chairman, and William Geany, associate chairman.

To be of brick construction, the new school will contain six classrooms and principal's office. Modern in design, each classroom adjoins a porch which fronts on the schoolyard. The building will stretch from east to west, providing light in the classrooms from the north exposure. Each room is designed to have its own heating and cooling system.

Big Tax

EXHIBIT I

WATER REPORT

GLOBE, ARIZONA

1957

Mayor

Louis S. Rayes

Aldermen

Tony Chiono
Golden G. Hunsaker
Carl Coppa

James T. Lewis
William J. Merrifield
William N. Sherwood

City Manager

Murray D. Snyder

Water Superintendent

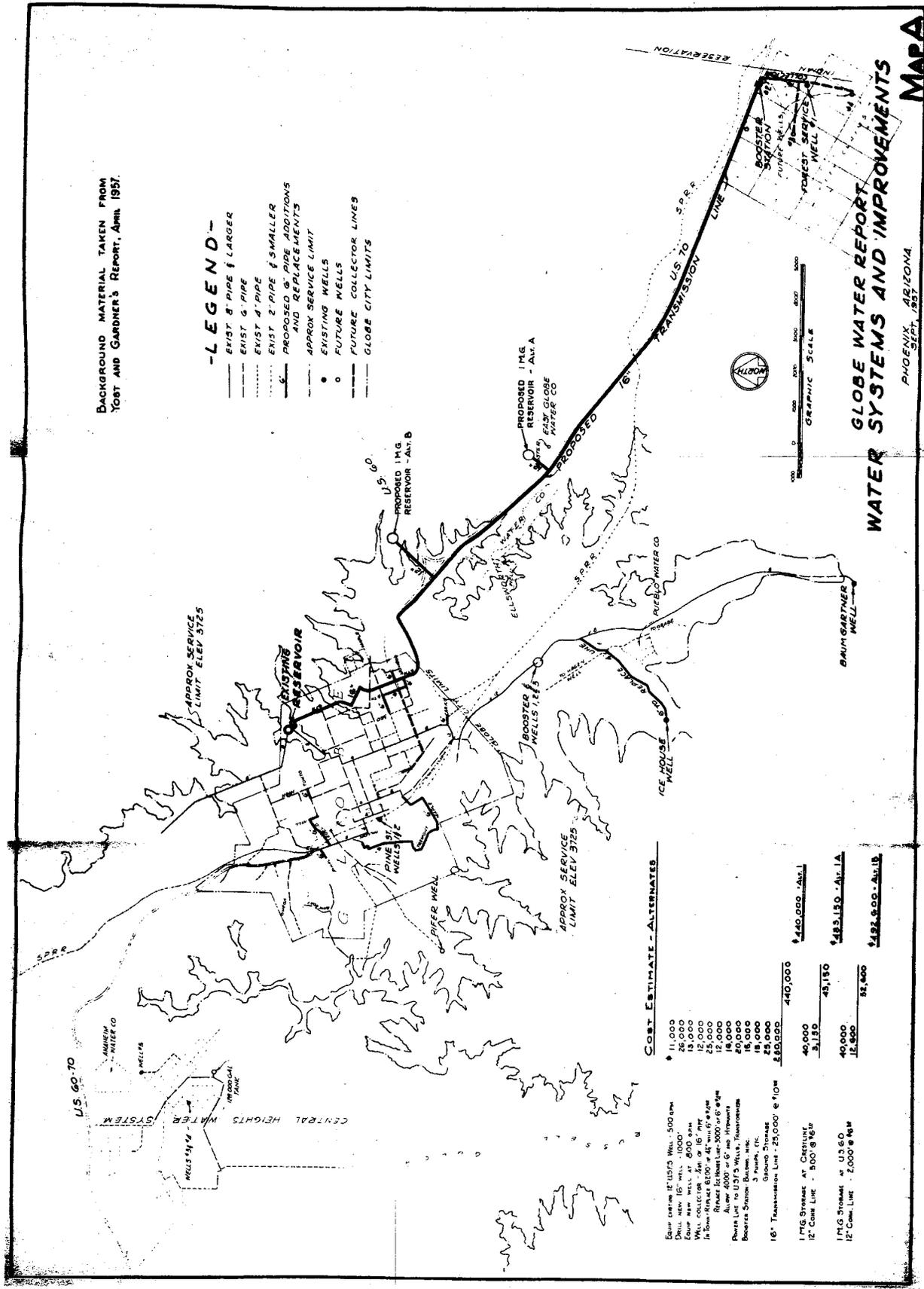
Claude House

JOHN A. CAROLLO
Consulting Engineers
Phoenix, Arizona

PROPERTY OF
CITY OF GLOBE

BACKGROUND MATERIAL TAKEN FROM
YOST AND GARDNER'S REPORT, APRIL 1957.

- LEGEND -**
- EXIST 8" PIPE & LARGER
 - EXIST 6" PIPE
 - EXIST 4" PIPE
 - EXIST 2" PIPE & SMALLER
 - - - PROPOSED 6" PIPE ADDITIONS AND REPLACEMENTS
 - - - APPROX SERVICE LIMIT
 - EXISTING WELLS
 - FUTURE WELLS
 - FUTURE COLLECTOR LINES
 - GLOBE CITY LIMITS



COST ESTIMATE - ALTERNATES

| | |
|---|---------------------------|
| Four new 18" x 18" W.L. 500 gpm | 11,000 |
| Drill new 18" well at 1000' | 13,000 |
| Four new wells at 200 gpm | 12,000 |
| Well collector - 24" or 18" pipe | 25,000 |
| 12' Collector - 18" or 14" pipe @ 10' gpm | 12,000 |
| 12' Collector - 12" or 10" pipe @ 10' gpm | 20,000 |
| Power Unit to U.S. Wells, Transmission | 18,000 |
| Booster Station Building, etc. | 23,000 |
| 3 miles, etc. | 18,000 |
| 16" Transmission Line 23,000' @ 10" | 230,000 |
| 440,000 | 440,000 |
| 1 MG Storage at Central | 40,000 |
| 12' Coll. Line - 300 @ 18" | 5,150 |
| 45,150 | 45,150 |
| 1 MG Storage at U.S. 60 | 40,000 |
| 12' Coll. Line - 2,000 @ 18" | 18,500 |
| 58,500 | 58,500 |
| 1,483,150 - Alt. A | 1,483,150 - Alt. A |
| 1,482,800 - Alt. B | 1,482,800 - Alt. B |

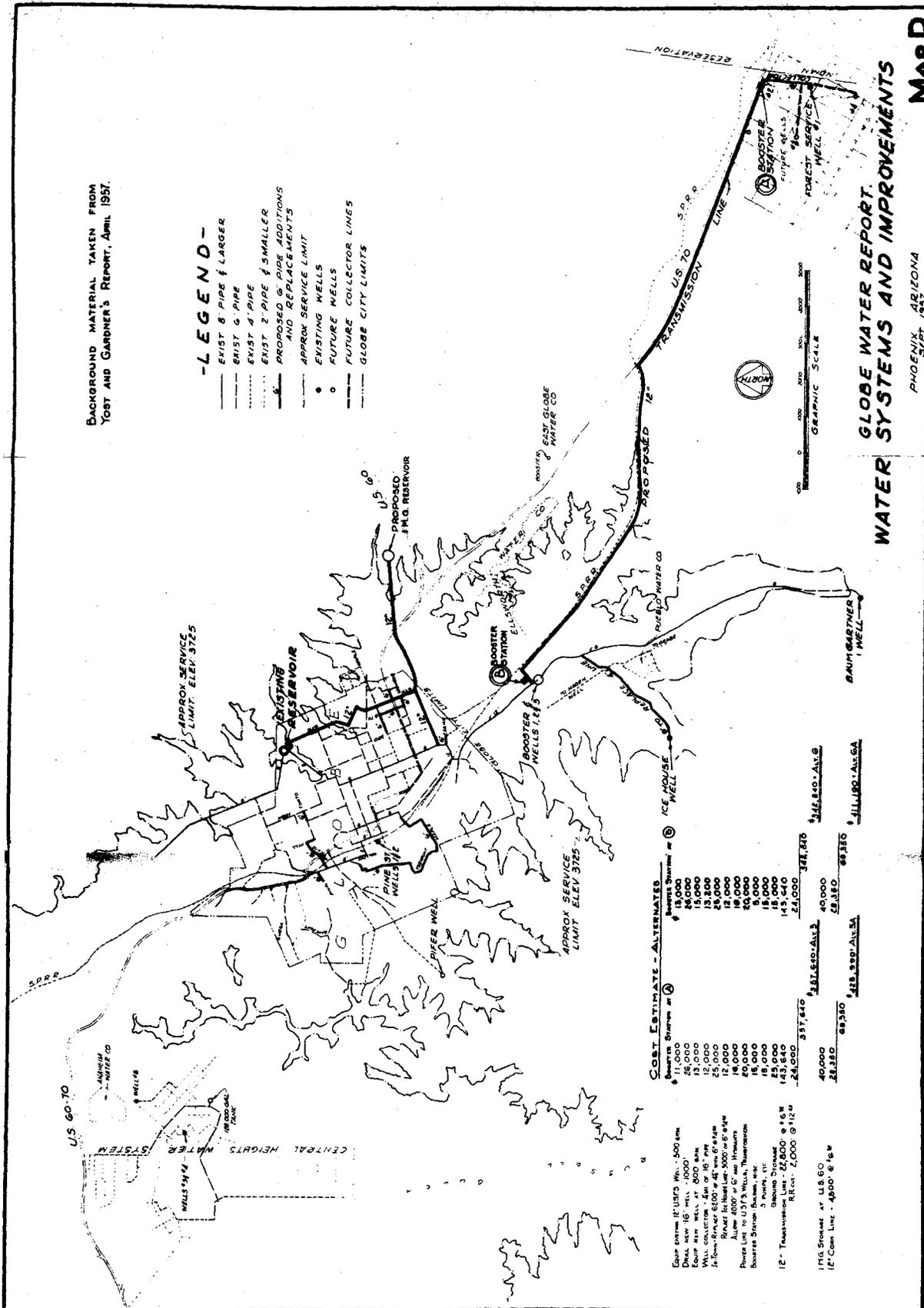
**GLOBE WATER REPORT
WATER SYSTEMS AND IMPROVEMENTS**

MAP A

PHOENIX, ARIZONA
SEPT. 1957

BACKGROUND MATERIAL TAKEN FROM
YOST AND GARDNER'S REPORT, APRIL 1957.

- LEGEND-**
- EXIST 8" PIPE & LARGER
 - EXIST 6" PIPE
 - EXIST 4" PIPE
 - EXIST 2" PIPE & SMALLER
 - PROPOSED 8" PIPE ADDITIONS AND REPLACEMENTS
 - APPROX SERVICE LIMIT
 - EXISTING WELLS
 - FUTURE WELLS
 - FUTURE COLLECTOR LINES
 - GLOBE CITY LIMITS



**GLOBE WATER REPORT.
WATER SYSTEMS AND IMPROVEMENTS**

PHOENIX, ARIZONA
SEPT. 1957

MAP D

COST ESTIMATE - ALTERNATE

| | | | |
|------------------------|------------------|------------------------|------------------|
| Booster Station at (A) | \$11,000 | Booster Station at (B) | \$18,000 |
| 12" Transmission Line | 28,000 | 12" Transmission Line | 28,000 |
| 12" Collector Line | 12,000 | 12" Collector Line | 12,000 |
| 12" Service Line | 25,000 | 12" Service Line | 25,000 |
| 12" Main Line | 12,000 | 12" Main Line | 12,000 |
| 12" Branch Line | 18,000 | 12" Branch Line | 18,000 |
| 12" Trenching | 15,000 | 12" Trenching | 15,000 |
| 12" Excavation | 15,000 | 12" Excavation | 15,000 |
| 12" Backfill | 143,640 | 12" Backfill | 143,640 |
| TOTAL | \$387,640 | TOTAL | \$411,870 |

Equip. prices at U.S. 60 - 500 km
 Drill new 16" well - 1000'
 12" Collector Line - 12" dia
 12" Service Line - 12" dia
 12" Main Line - 12" dia
 12" Branch Line - 12" dia
 12" Trenching - 12" dia
 12" Excavation - 12" dia
 12" Backfill - 12" dia
 12" Ground Storage - 22,800 @ 1.5%
 12" Com. Line - 4,000 @ 1.5%

EXHIBIT J

5-19-61

11-051

GS-VAJK

051 V 1357/4 19M Y61 1928Z 752.10M 16,000FT UNCLASSIFIED



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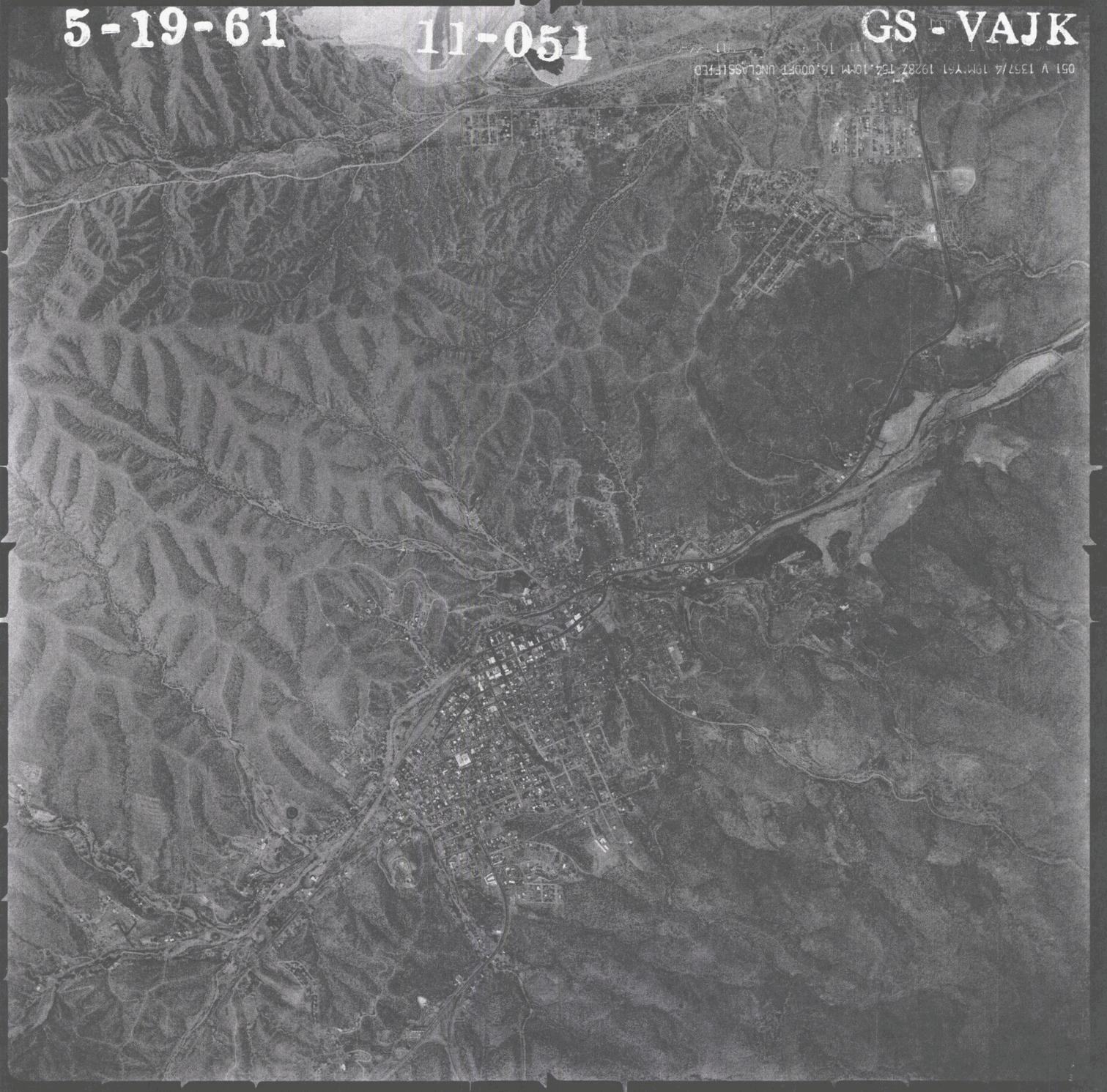


EXHIBIT K

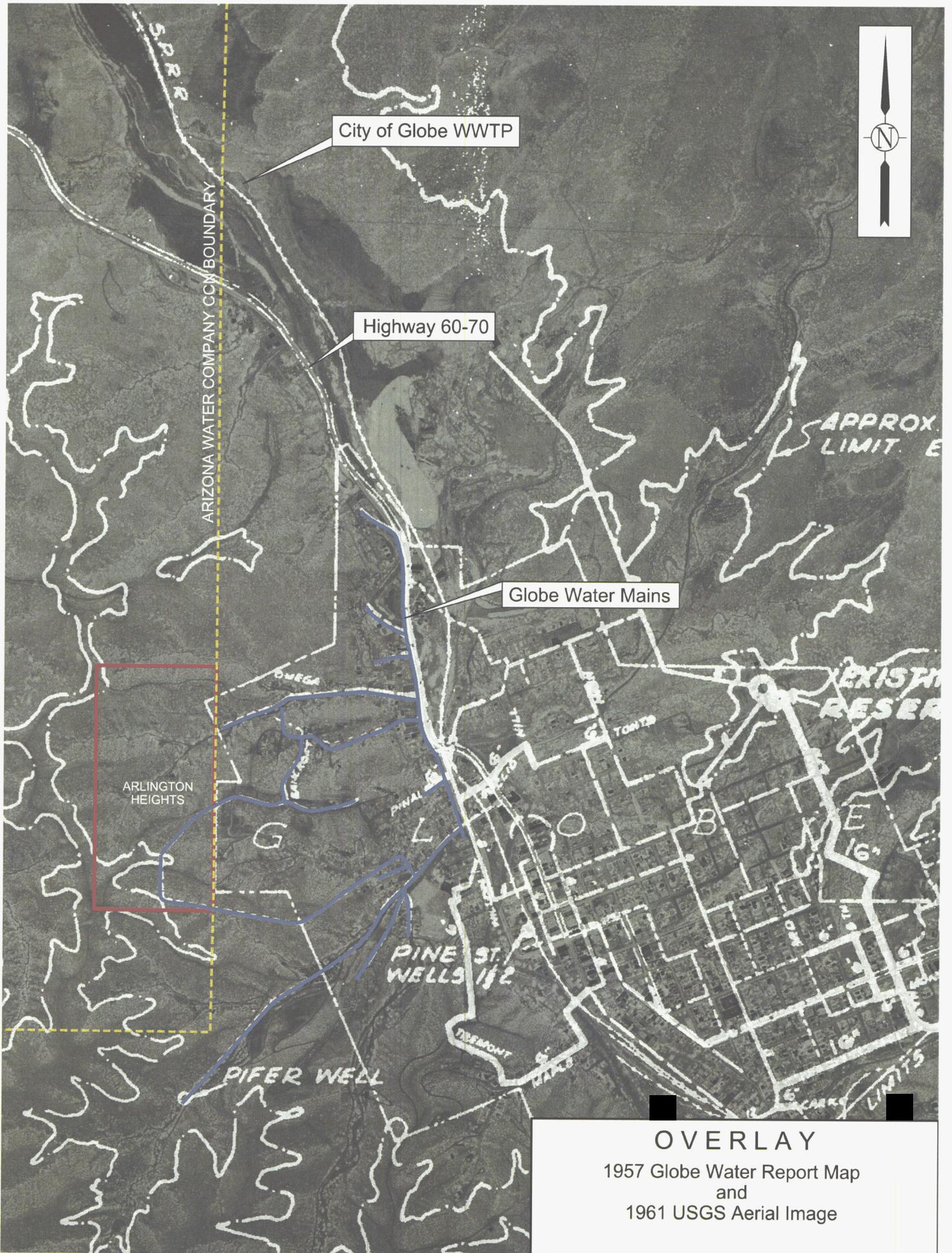


EXHIBIT L

Arizona RECORD

Vol 49—No. 32

Entered at post office as second-class matter under Act of Congress March 3, 1879. Globe, Arizona

Thursday, September 21, 1961

10¢ a Copy



One Man's Opinion

By John D. Scater, Jr.

Globe's city council took some far-reaching action Monday night that can only spell progress and future growth for Globe.

The council agreed to purchase the Skyline Drive water system from Louis B. Ellsworth, authorized preliminary plans for extending the city's sewer system to Crestline Terrace, and was on its way to solving its nagging sewage disposal plant problem.

Successful negotiation of a dollar-a-year lease with Miami Copper Co. for land necessary for a sewer plant addition pointed the way to settlement of that problem. Action to acquire the necessary land had been stalled for several weeks due to the absence on vacation of Miami Copper executives with whom the negotiations had to be held.

Once the negotiations were under way, city officials reported swift success, and commended Ben Coil, Miami's vice-president and general manager, for his sincere desire to cooperate with the city in the solution of a major problem affecting thousands of people.

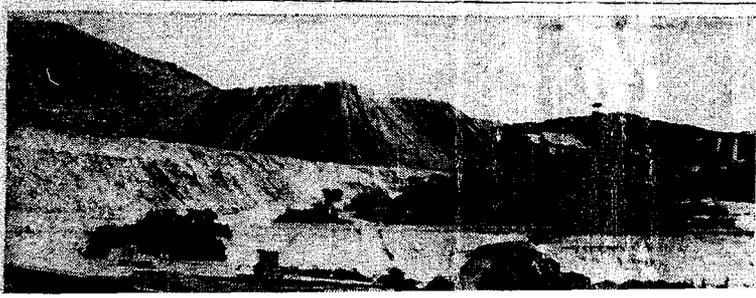
Globe's purchase of the Skyline water system will be paid for out of the system's own revenue, and was a wise move in behalf of the city. Several years ago another council refused to have anything to do with purchasing the Central Heights water system which had been offered to the city. Consequently, the system was purchased by a private firm, and the city lost forever an opportunity to add to its general fund from water sales and profits.

With its new, adequate source of water, Globe is in the water business to stay. It is only good business that it make every effort to sell all the water it possibly can. Like sales taxes, water revenues have an important effect on real property tax rates. As more and more water is sold, Globe real property owners can look forward to lower tax rates.

Extension of the city's sewer line to Crestline is also important, both as a preliminary step to eventual annexation and as another source of revenue.

For 60 many years Globe has all but stood still in the important progress area of growth and expansion. Now, thank God, the city has seven men on the council with the intestinal fortitude willing to brave the barbed insults of a few vociferous individuals more interested in preserving the status quo than in seeing progress. Unfortunately, the approving masses seldom, if ever, let their community leaders know when they do approve. The chronic complainers, the professional againers, those with personal axes to grind and the like, are always quick to scream.

The steps taken Monday night by the council will have far-reaching effect on Globe's progress. It's too bad they couldn't have been taken years ago.



Christmas highway okay

The Winkelman-to-Christmas highway will be constructed by next July.

This major breakthrough in Gila County's frustrating road problems was announced this week by District Highway Engineer Roy Holland, who said construction of the much-needed strip of highway has been scheduled for the current budget year.

The project will cost more than \$2 million, Holland estimated. He said work on detailed construction plans is now under way.

The new route will take advantage of abandoned right-of-way, embankments and structures formerly used by the Southern Pacific Railroad Co. Southern Pacific recently abandoned its railroad right-of-way along Gila River Canyon from Christmas to Winkelman.

Holland said a 40-ft.-wide roadway is planned, including a new bridge across the Gila River in Winkelman. The seven-mile stretch of road will run through East Winkelman, then generally along the north bank of the Gila River to tie in with the paved highway near Christmas junction.

"TO THE BOOSTERS of this all-important route, this construction looms as a major breakthrough for commercial, professional, social and recreational travel," Holland told the Record.

"This road will be especially important to our district as a recreational route," Holland said. "It will provide the people of Tucson with a route to the White Mountains.

"IT WILL ALSO serve as an important trade route between southern Gila County and Globe-Miami," Holland said.

The construction—which will replace the historical "Christmas mine trail" with its one-way spans of road—has been delayed, Holland said, because of "the difficulty and great expense of construction on any other route."

TIMING OF THE Christmas-Winkelman highway schedules well with other improvements planned along the route, Holland said.

A 40-ft. highway development has been completed through Mammoth on Highway 77, and a new bridge over the San Pedro River north of Mammoth is near completion, Holland explained. Also, continued improvement of the route into Winkelman is anticipated in the current highway construction budget, he said.

"IF THE PRESENT plan works out, the new highway will tie in with Highway 177 in Winkelman by extending that highway one block eastward in Winkelman," the district engineer said.



On its way -- hurricane relief

Operation Hurricane Girls is in action in Globe this week. Week-long, Globe Lions have been collecting money, old clothes and canned goods to send to the disaster area of Texas. Tonight (Thursday), they will conduct a house-to-house canvass for the stricken fam-

ilies of the area. Other donations sent to Frank's Jewel Box at 228 or transportation will be provided. Murry Schein is serving as chair project. Here he and H. F. (Mike) Stock.

City gets land for sewage pond

City Manager Jack Phillips announced this week that Miami Copper Co. will lease land to the city for a new secondary sewage-treatment pond.

Phillips said the copper company has agreed to lease the land for \$1 a year, renewable annually.

THE CITY COUNCIL Monday night authorized Phillips to follow through on final plans and purchasing for the project to bring the controversial sewage plant up to state and county specifications.

Phillips is to authorize City Engineer Earl Sparks to draw final plans for the sewage sys-

tem extension, and purchase a 2500 ft. of 10-inch pipe required.

SPARKS HAS completed preliminary for the secondary pond, Phillips said these plans were discussed last State Health Engineer Eugene W.

Phillips said the city will try to use pipe for the project, but this available the city will have to use new pipe. Fencing for the pond, another expense, Phillips said, can be kept down if a barbed-wire ceptable.

AFTER HEARING Monday night councilmen commended Miami City action and voted to send a letter to Ben Coil, vice-president and engineer, for his cooperation with city securing the land needed.

Summer's end?

| | H | Lo | Prec. |
|-----------|----|----|-------|
| Wednesday | 73 | 68 | .02 |
| Thursday | 90 | 56 | |
| Friday | 87 | 64 | .06 |
| Saturday | 89 | 60 | |
| Sunday | 86 | 65 | |
| Monday | 85 | 65 | |
| Tuesday | 80 | 53 | |

Walter Kyle

Two-lady contest looms in school board election

The annual school board election of Globe District 1 will be held from 6 a.m. to 6 p.m. Oct. 3 at Hill Street School.

THERE WILL BE one seat to be filled. Mildred Sowden, the incumbent, plans to seek reelection, and Mrs. Betty Shew has filed petitions to oppose her. The deadline for filing is Saturday.

Other members of the board are Paul Ken-

Notice

The annual meeting of Globe Center, Inc., will be held at 7:30 p.m., Oct. 3, in the Visual Aids Globe High School.

Annual reports will be presented to board members elected and other

Skyline water; moves to annex Crestline

Arizona RECORD

Globe, Arizona Thursday, September 21, 1961 10¢ a Copy 22 Pages

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tem extension, and purchase approximately 2500 ft. of 10-inch pipe required.

SPARKS HAS completed preliminary plans for the secondary pond, Phillips said, and these plans were discussed last week with State Health Engineer Eugene Watson.

Phillips said the city will try to purchase used pipe for the project, but that if none is available the city will have to pay \$4925 for new pipe. Fencing for the pond area will be another expense, Phillips said, but this cost can be kept down if a barbed-wire fence is acceptable.

AFTER HEARING Monday night's report, councilmen commended Miami Copper Co. for its action and voted to send a letter of thanks to Ben Coil, vice-president and general manager, for his cooperation with city officials in securing the land needed.

Notice

The annual meeting of Globe Community Center Inc. will be held at 7:00 p.m. on Oct. 3 at Hill Street School.

In a historic meeting Monday night, the Globe City Council moved toward eventual annexation of two major subdivisions.

The exurban areas involved are Crestline Terrace and Skyline Drive.

IN TWO SEPARATE actions, the council resolved to (1) purchase the Skyline Drive water system from Mr. and Mrs. Louis Ellsworth, Sr., and (2) extend the city sewage system toward Crestline Terrace while negotiating for a lease-purchase of the Crestline water system.

Purchase of the Skyline water system — which must still be approved by the state corporation commissioner — will give the city 95 new water customers.

PURCHASE PRICE agreed upon was \$36,000. The lease-purchase agreement calls for the city to pay \$5000 in lease money to the Ellsworths, plus 70 per cent of gross revenues from the system until a total of \$31,000 in monthly payments has been reached.

The initial \$5000 will be paid from the city water system's replacement and extension reserve fund, provided for by the 1958 water bond series.

City Manager Jack Phillips estimated that the water system would pay for itself in five and one-half years.

PHILLIPS SAID Skyline residents — who in the past have paid a flat \$5 per month for water — will pay \$5.06 for the first 3000 gallons each month and 80 cents per thousand over that amount.

Based on an average residential use of 7000 gallons per month, this would hike Skyline residents' average monthly water bill to \$8 or more.

IN ADDITION, each Skyline resident will be charged a \$50 fee for connection and meter installation. Phillips said residents can pay this fee in a lump sum or can pay it in five \$10 monthly installments to be added to their water bills. This \$50 will be a tap charge and not a deposit, Phillips said.

Mayor Bill Hardt said the city wasn't the only party interested in buying the Skyline water system.

"WE KNOW OTHER companies were interested in this water system," Hardt said, "and we felt it was to the advantage of the city to purchase it — both for future growth and for protection of our municipal water system.

"We hope the people in this area will petition for annexation if they feel they'd like to become a part of the city," Hardt added.

THE MOVE TO EXTEND city sewage lines toward Crestline Terrace stemmed from a recent request by Aaron Hunter, developer of a new 40-home addition to the subdivision, and Jones Brothers Developers, Inc. of Mesa, builders of the new Crestline homes.

Waldo Jones, partner in the development firm, said original plans for the addition called for septic-tank sewage for each home, but that County Sanitarian Louis Schmerber and an F.H.A. inspector ruled that the soil in the Crestline area doesn't provide proper percolation for septic tanks.

THE COUNCIL Monday night adopted a three-point policy concerning Crestline Terrace. The city governing body:

1. Authorized City Engineer Earl Sparks to draw plans for the sewage system extension toward Crestline.
2. Went on record as favoring annexation of the area, subject to petitioning by Crestline residents.
3. Authorized City Manager Jack Phillips to negotiate further, and complete negotiations if possible, on a lease-purchase of the Crestline water system.

THE CITY MADE ITS bid to buy the Crestline water system four weeks ago, but city officials haven't agreed on a purchase price with owners of the system.

Should the city follow up the Skyline water system purchase by buying the Crestline system, it would add still another 20 customers to the municipal water rolls, not counting future residents of the 40-home addition.

Summer's end?

| | Hi | Lo | Prec. |
|-----------|----|----|-------|
| Tuesday | 78 | 66 | .02 |
| Wednesday | 90 | 56 | |
| Thursday | 87 | 64 | .06 |
| Friday | 89 | 60 | |
| Saturday | 86 | 65 | |
| Sunday | 85 | 65 | |
| Monday | 80 | 53 | |

Walter Kyle

Two-lady contest looms in school board election

The annual school board election of Globe District 1 will be held from 6 a.m. to 6 p.m. Oct. 3 at Hill Street School.

THERE WILL BE one seat to be filled. Mil-

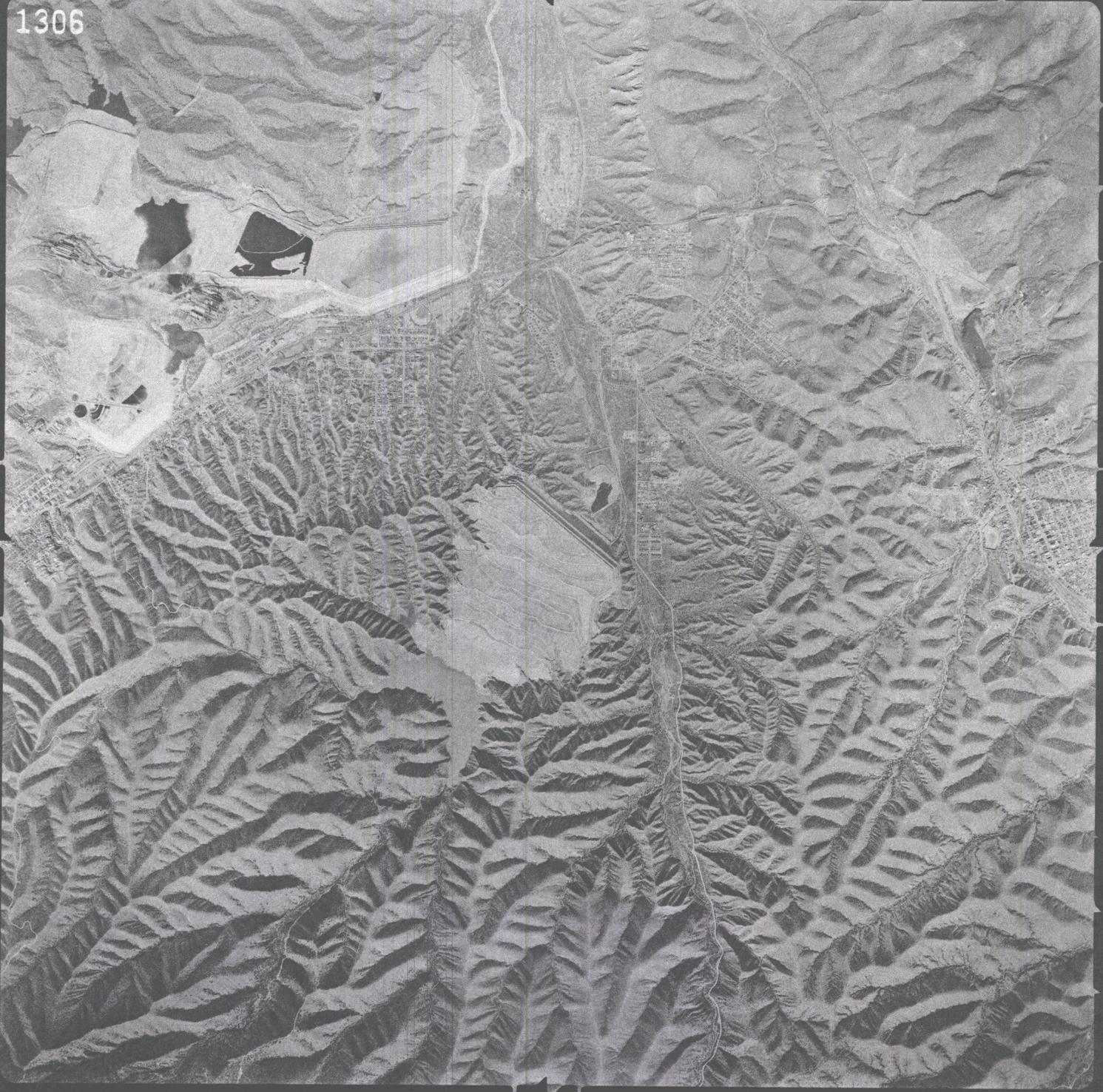


EXHIBIT M

M-38 1375MCS 22,000'ASL 153.035MM V AF-61-40(YA1Q)

R-8

1306



SCALE
1:50,000
2225
KC-118
LINE SER. NO.
XF-8718
AF 61-40



EXHIBIT N

PUBLIC FACILITIES AND UTILITIES ANALYSIS
FOR THE GLOBE, ARIZONA URBAN AREA
A COMPREHENSIVE PLANNING PROGRAM

By

CENTURY SYSTEMS DIVISION
CENTURY GEOPHYSICAL CORPORATION

February, 1971

The preparation of this report was financially aided through a Federal grant from the Department of Housing and Urban Development, under the Urban Planning Assistance Program authorized by Section 701 of the Housing Act of 1954, as amended.

DEPARTMENT OF
LIBRARY AND ARCHIVES
ARIZONA
LIBRARY AND ARCHIVES
DEC 1 1982

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EXHIBIT O

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF GLOBE, ARIZONA

APRIL 1, 1974

The meeting was called to order by Mayor Rabogliatti.

The invocation was given by Mayor Rabogliatti and was followed by the Pledge of Allegiance to the Flag which was led by Councilman Ollson.

PRESENT: Mayor Rabogliatti, Councilmen Aguirre, Chiono, Gibson, Larson and Ollson.

The minutes of the regular meeting of March 18, 1974 were approved as presented.

CORRESPONDENCE

1. Letter was read by City Attorney, Frank Tippet, from the State Health Department informing the Mayor and Council that the City of Globe had been given a grant of \$218,250 for the sewer project.
2. Letter of thanks was received from Cathy Connelly of the League of Arizona Cities and Towns for the use of the City Hall for the meeting which was held Wednesday, March 20, 1974, and for the hospitality given to them.

COUNCIL ACTION

1. Bids on the new Street Sweeper for the Street Department

Bids were opened at 4:00 P.M. April 1, 1974, as advertised for one Street Sweeper. The bids were as follows:

Road Machinery, Wayne Model 173, \$13,296.27 with trade in of one for \$1,500 with two trade-ins for a price of \$12,626.77.

Contractors Equipment Supply Company, Elgin Model 375, total price \$15,849.33; with trade one Elgin, \$2,750 and one Wayne \$1,750 for a total of \$4,500 on trade-ins, for a total of \$11,349.33.

Equipment Sales Company, Mobil model, total price \$22,200 with Elgin as trade \$1,500, total price \$21,304.50, with both as trade, \$2,500 total price \$20,274.50.

On the consensus of the Council the above bids will be discussed at the Work Session.

2. Ordinance #507, abolishing portions of Moore Street as corrected

Ordinance #507 was read in its entirety, the caption being read twice.

Motion was made by Councilman Gibson, seconded by Councilman Ollson

4. Transfer of Liquor License for the American Legion

Motion was made by Councilman Larson, seconded by Councilman Chiono to approve the transfer of liquor license for the American Legion. Motion carried unanimously.

5. Ted Lake property requests

Motion was made by Councilman Larson, seconded by Councilman Ollson to approve the requests of Mr. Ted Lake and Mr. Barry De Rose for hook up to the City sewer and for City Water. Motion carried unanimously.

6. Approval to advertise for bids for the sewer project

Motion was made by Councilman Ollson, seconded by Councilman Chiono to approve the advertisement for bids for the sewer project. Motion carried unanimously.

7. Donation to DECCA

Motion was made by Councilman Larson, seconded by Councilman Aguirre for each Councilman to donate his City check to the DECCA Club. Motion carried unanimously.

8. Installation of new trash containers for the High School

Motion was made by Councilman Ollson, seconded by Councilman Chiono to purchase and install trash containers around the High School. Motion carried unanimously.

9. Street Lights

Motion was made by Councilman Chiono, seconded by Councilman Ollson for the installation of street lights, one at Mayss Street and one at the new City park. Motion carried unanimously.

10. Approval of accounts payable

Motion was made by Councilman Ollson, seconded by Councilman Larson to approve accounts payable. Motion carried unanimously.

11. Appointment of Hugh Martin as assistant Building Inspector

Motion was made by Councilman Ollson, seconded by Councilman Aguirre to appoint Hugh Martin as Assistant Building Inspector. Motion carried unanimously.

PRESENTATIONS FROM THE PUBLIC

Morris Mitchell inquired about the sewer project. The Mayor informed him of what the sewer project included.

John Dzera inquired about a Youth Center, he was told that a Citizens Committee should be formed to carry this out.

Motion was made by Councilman Ollson, seconded by Councilman Larson to adjourn. Motion carried unanimously.

March 28, 1974

To the Members of the Globe City Council

Gentlemen:

We are considering the development of one homesite on a parcel of land we own located off the West end of Euclid Street, adjacent to the West Globe city limits and directly behind the Southwest end of American Terrace.

Our land, which is outside of the city limits, is 25 feet away from a sewer man hole that presently exists inside the Globe city limits on Euclid Street. The property is an estimated 60 feet away from your water main.

As suggested at the city council work session, our request is being outlined in detail:

1) We are asking permission to hook on to the city sewer main at the manhole with a six inch line. We will pay for all pipe, installation costs and any other work necessary to conform to city specifications. All of the expenditures for the line inside and outside of the city limits would be paid entirely by us

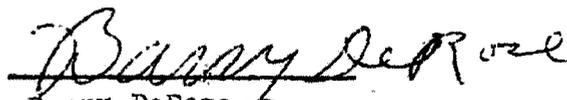
2) We are also seeking water service to our property. We are willing to pay for some 60 feet (or whatever the final length is determined to be) of six inch pipe and a main valve if city crews would extend the present water line to the West city limits off of Euclid Street. As far as an estimated 40 feet needed outside of the city limits, we would install a 6 inch line to city specifications and pay all pipe and installation costs...along with the cost of a water meter.

3) At the suggestion made at the city council work session on March 24, 1974, we are willing to provide \$250 dollars towards a fire plug to serve the Lower American Terrace area providing the fire plug is located in the Globe city limits along the Northerly side of Euclid street adjacent to the West Globe city limits as shown on the attach sketch showing the proposed homesite and surrounding area

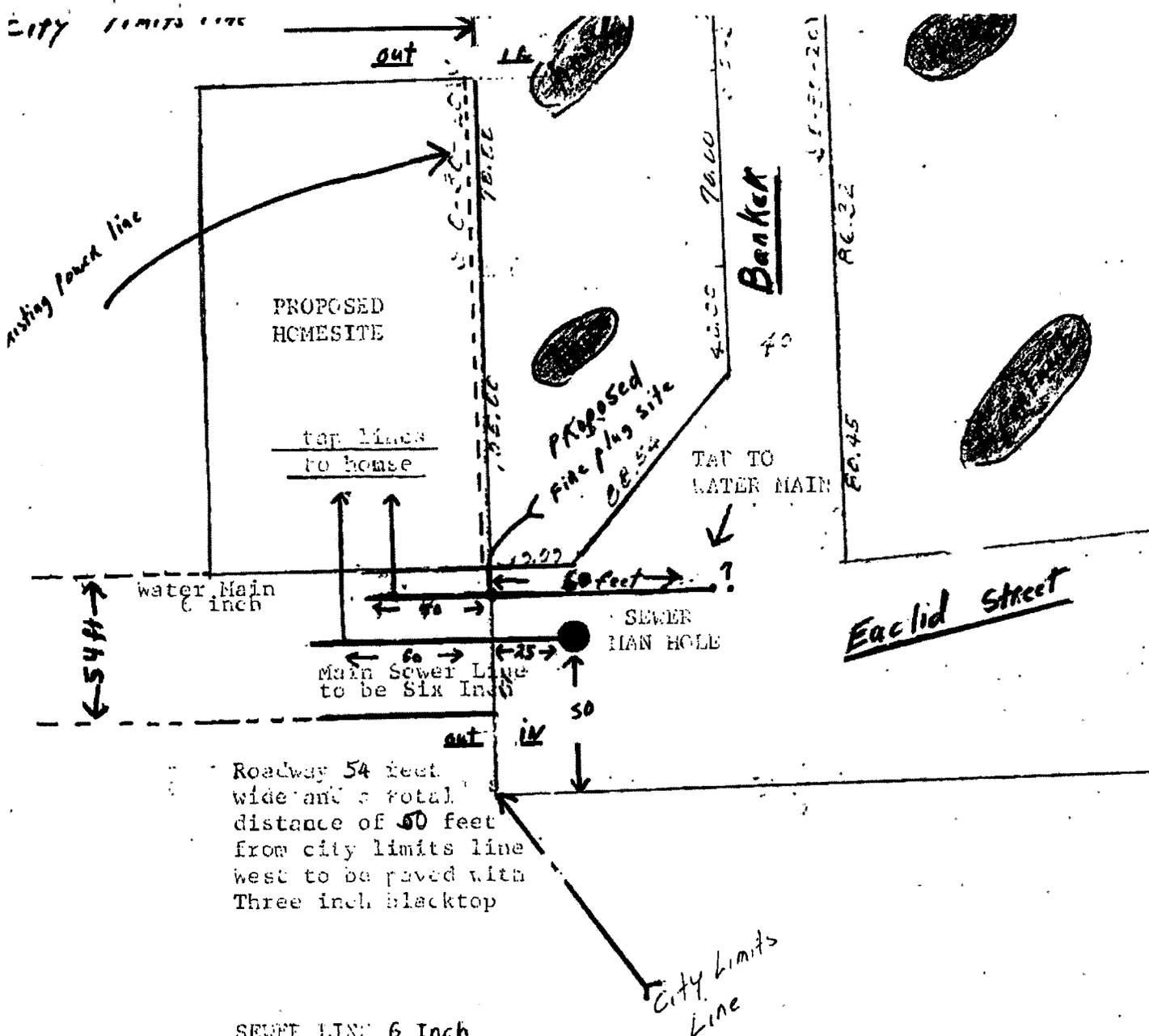
We are asking the city council to consider our request at the Meeting on Monday April 1, 1974 which would aid us in planning for the home by way of securing financing

If you, the members of the Globe city council would be so kind to grant our request, all of the proposals would be subject to our obtaining final approval for financing of the home

Thank You For Your Consideration


Barry DeRose

J. J. L.



SEWER LINE 6 Inch

25 feet inside city limits
 60 feet outside city limits
 (entire cost, pipe and installation to be paid by property owner)

Water Line 6 Inch

60 feet (estimate) inside city
 40 feet (outside city

City to install the 60 feet with property owner paying for all pipe and valve

Property owner to pay all costs

EXHIBIT P

WATER WORKS REPORT - 1975

Handwritten scribble

CITY OF GLOBE GLOBE, ARIZONA

MAYOR
G. H. WILLIAMS

COUNCILMEN

LUIS AGUIRRE
H. A. BENNETT
ANTON "TONY" CHIONO

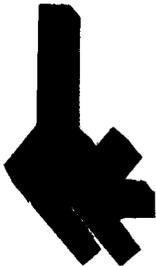
STANLEY GIBSON
GEORGE LARSON
GEORGE OLLSON

CITY CLERK
MARY F. ROBERTS

CITY MANAGER
LIONEL BLAIR

PUBLIC WORKS DIRECTOR
C. S. COLLINS

WATER SUPERINTENDENT
ALBERT MENDOZA



JOHN CAROLLO ENGINEERS

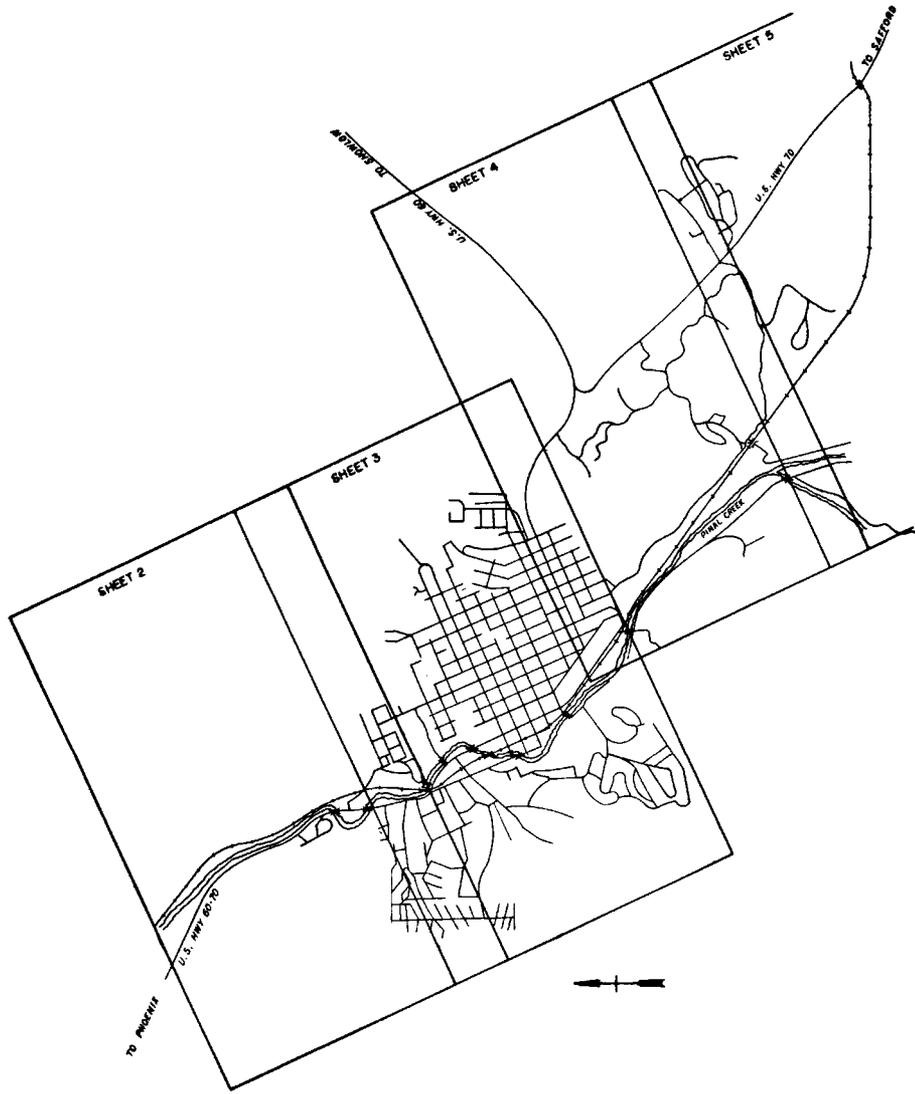
PHOENIX
ARIZONA

WALNUT CREEK
CALIFORNIA

SANTA ANA
CALIFORNIA



GLOBE, ARIZONA EXISTING WATER SYSTEM



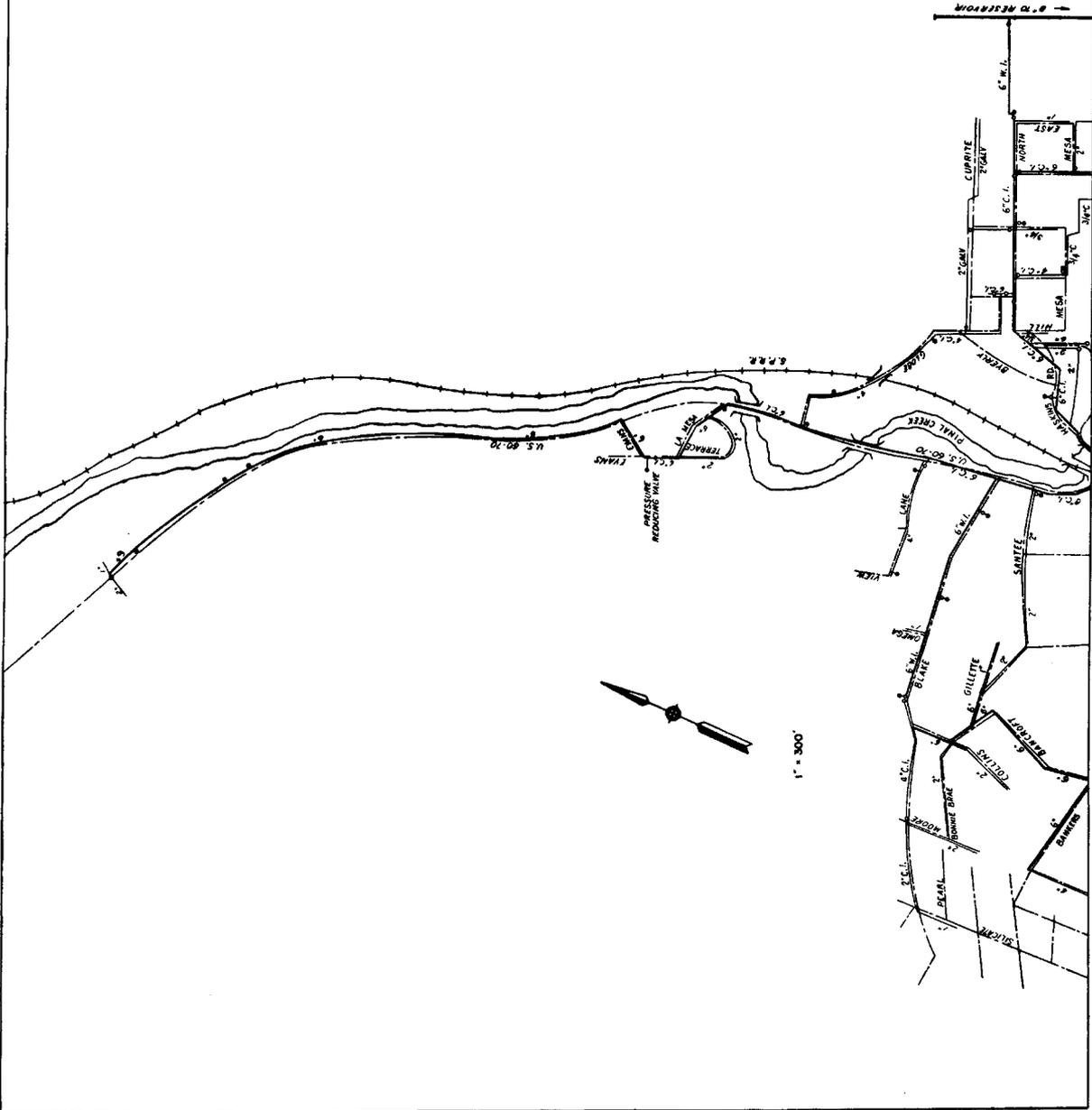
- LEGEND**
- EXISTING SHUTOFF VALVE
 - EXISTING CHECK VALVE
 - EXISTING FIRE HYDRANT
 - EXISTING STREET OR ROAD
 - EXISTING PIPE
 - CAST IRON PIPE
 - WROUGHT IRON PIPE
 - TRANSITE PIPE
 - GALV GALVANIZED PIPE

JOHN CAROLLO ENGINEERS
PHOENIX—WALNUT CREEK—SANTA ANA

JOHN CAROLLO ENGINEERS
 NOVEMBER 1974

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SHEET 2 OF 5



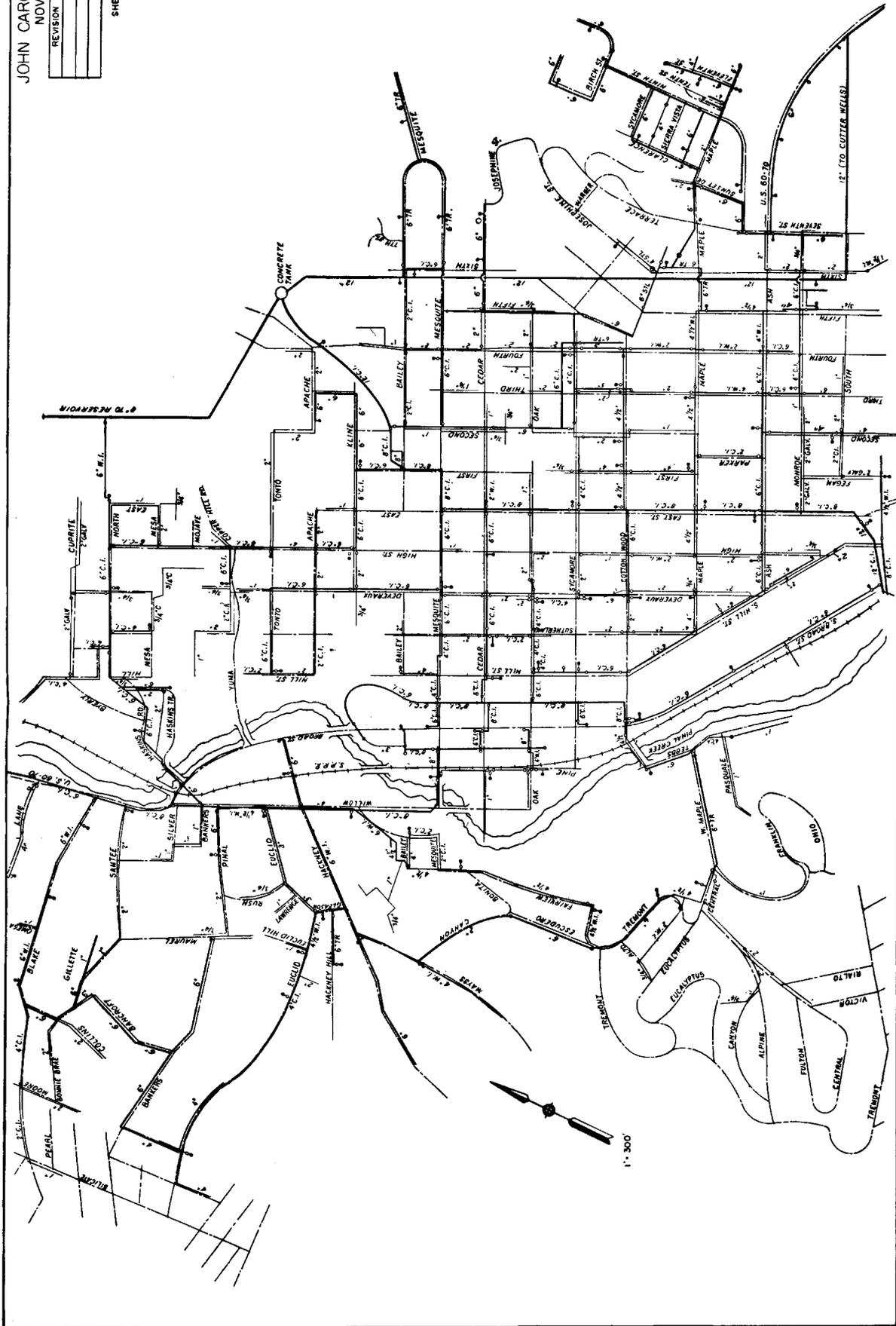
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JOHN CAROLLO ENGINEERS
NOVEMBER 1974

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SHEET 3 OF 5



116586-2045.1

GLOBE00576

EXHIBIT Q

Final

Environmental Impact Statement

Greater Globe - Miami, Arizona
Wastewater Treatment Project
April 1976



U.S. Environmental Protection Agency

FINAL ENVIRONMENTAL IMPACT STATEMENT

GREATER GLOBE-MIAMI
WASTEWATER TREATMENT PROJECT

EPA-9-AZ-GILA-Globe-Regional WWTP-76
April 30, 1976

Prepared By
U. S. Environmental Protection Agency
Pacific Southwest Region IX
100 California Street
San Francisco, CA 94111

With Technical Assistance By
Jones & Stokes Associates, Inc.
455 Capitol Mall, Suite 835
Sacramento, CA 95814

In Association With
Don Owen & Associates
and
Gruen Gruen + Associates

RESPONSIBLE OFFICIAL:



Acting
Paul De Falco, Jr.
Regional Administrator
Environmental Protection Agency
Region IX

This alternative is not considered to be viable for several important reasons. First, effluent quality of the Globe and Miami treatment facilities would violate the present NPDES discharge requirements. In addition to being an environmentally undesirable situation, enforcement proceedings would likely be initiated by EPA and/or the State of Arizona. Secondly, since no expansion of treatment facilities would occur, additional growth in the sewered portions of Globe and Miami would probably be prevented or minimized by bans on new connections to the existing treatment facilities. In addition, the formation of local improvement districts to provide sewers in unincorporated areas would probably be prohibited.

There are eight municipal and private wastewater treatment facilities in the project area. These facilities serve only a portion of the population; septic tanks and a few cesspools are used by residents not connected to the sewer system. The existing treatment facilities and their location in the study area are shown in Figure 23. The Globe, Miami and Cobre Valley plants serve major segments of the population, while the package plants serve some small, private developments. A summary of the design characteristics of the existing plants is given in Table 15.

City of Globe. The Globe wastewater lagoon located on Pinal Creek about one mile north of the city is 6 to 7 acres in size and receives an estimated waste flow of 0.78 mgd. Monitoring reports indicate the pond is discharging about 0.5 to 0.75 mgd. This difference is not explained. In addition to municipal wastes, septic tank contractors have dumped septic wastes into the ponds at a rate of 15,000 gallons per week (John Carollo Engineers, 1972). These ponds are severely overloaded with sewage. The pond produces an objectionable strong sulfide odor. Part of the discharge is used by a farmer to irrigate crops and pasture located near the ponds. The remainder of the discharge is to Pinal Creek. The effluent is turbid, foamy and non-chlorinated. Recent efforts have been made to temporarily improve the situation at the Globe lagoons.

Cobre Valley Sanitation District-Central Heights. This treatment plant is a 200,000 gpd (0.2 mgd) "oxigest" package plant. It was designed to service approximately 100 trailers, 175 houses and a supermarket in the Central Heights area; however, only a few of the prospective residences are connected. The present metered flow rate is 15,000 gpd. The plant operates intermittently because of the low loading and discharges a chlorinated effluent into an unnamed wash tributary to Pinal Creek.

EXHIBIT R

WORK SESSION MINUTES

NOVEMBER 30, 1976

1. Mayor Rabogliatti read the letter received from Senator Hardt to Mr. William Ordway, Director of the Department of Transportation, regarding the traffic signal at the 3rd Street intersection of Highway 60.
2. Mr. Frank O'Neill, President of the Arizona Water Company, addressed the Council. He stated that the Town of Morenci had recently purchased the water system from his company, and that they had discussed the possibility of selling the Miami system to the Town of Miami. He further stated that the Town of Miami officials had advised they were not interested in purchasing the system.

Mr. O'Neill presented the Mayor and Council with four proposals as follows:

1. The City of Globe to purchase the entire Miami water system.
2. The City of Globe to purchase the Central Heights water system without wells and tanks.
3. The City of Globe to purchase the Central Heights water system with the wells and tanks.
4. The City of Globe does not purchase any of the above, instead a water purchase contract with the Az. Water Company would be executed, if the water is available.

Mr. O'Neill further stated that there are approximately 3,000 customers in the Miami system, and 1,100 to 1,200 in the Central Heights system. He advised the Mayor and Council that his company would accept whatever firm the City chose to make an appraisal of the water system.

Mayor Rabogliatti thanked Mr. O'Neill for this presentation, and advised him that the Council would take his proposal under consideration.

3. City Manager Blair advised that Fire Chief Fitzpatrick has recommended that the bid for the fire pumper be awarded to Clark Truck & Equipment as the low bidder in the amount of \$94,604, without tax. Said bid does meet specifications.

Other bids received are as follows:

| | |
|---------------------|--------------|
| American La France | \$112,951.28 |
| Crown Firecoach | 105,643.53 |
| Ward La France | 104,000.00 |
| (Thunderbird Sales) | |

Fire Chief Fitzpatrick advised that Clark will finance the pumper at 8% interest, and that delivery will be 180 to 190 days.

Councilman Ollson stated that he would like to review all the bids prior to the regular meeting on Monday, December 6, 1976.

This item will be on the agenda for the regular meeting 12/6/76.

4. City Manager Blair advised that Phillips 66 has a demonstration and film on plastic liners for sewer drains. Said demonstration will be held, Monday, December 6, 9:00 a.m. in the Council Chambers. He invited those members of the Council that are free to attend.

Mayor Rabogliatti suggested inviting the Town of Miami and Gila County.

5. Discussion was held on dump station for travel trailers.

Councilman Larson advised that Tom Brown has plans to possibly put in a travel trailer park in the Southern Pacific Property on S. Broad St., after the bypass is completed. He suggested that this might be a good location for a dump station.

This item will be on the agenda for the regular meeting of 12/6/76.

6. City Manager Blair advised that Bill King would like permission to use the City gravel pit to supply material for the airport improvements.

It was the consensus of the Council that this request be denied as similar requests in the past have also been turned down.

7. Approval of the job description for Administrative Aide will be on the agenda for the regular meeting of 12/6/76.

8. Resolution setting membership and terms of office for the Personnel Board was discussed.

It was the consensus of the Council that three (3) persons be appointed for a three year staggered term.

Said resolution will be on the agenda for the regular meeting of 12/6/76.

9. Councilman Larson advised that he had received a complaint regarding motorcycles without mufflers on the backside of Skyline Drive. He asked that this be looked into.

10. Councilman Aguirre inquired if the City would be hiring students during Christmas vacation.

Councilmen Bennett and Gibson advised that there were no monies in the budget to do so.

City Manager Blair will advise the Council when the November computer print out is made.

11. Councilman Aguirre advised that Mr. Tony Blanco, Principal of Noftsgar Hill School, has contacted him regarding the problem of traffic backing into the school playground. Councilman Aguirre asked that the City Manager look into this problem.

12. Councilman Bennett inquired on the space for the handicapped. City Manager Blair advised that the sign has been ordered, and the space will be reserved as soon as the sign arrives.

13. Councilman Ollson suggested some type of markings be used on the pavement at the intersection of Devereaux and Cedar.

It was suggested that reflectors be used. It was further suggested that reflectors be installed on the center line of the Ruiz Canyon Bridge.

14. Councilman Bennett asked that the parking spaces on Broad Street be stripped. He inquired if the signs have been ordered on East and 7th Street.

Mr. Jim Tewksbury advised him that the signs were on order.

Councilman Bennett then inquired if the parking meter money had started being counted in the City Hall as the auditor had recommended.

City Manager Blair advised that the next count will be done in the City Hall.

Meeting adjourned at 8:10 P.M.

EXHIBIT S

WORK SESSION MINUTES

MARCH 15, 1977

Meeting was called to order by Vice-Mayor Gibson at 7:00 P.M.

1. Letter of request from Mr. Patrick Medrano for a water line extension to upper Blake Street was read by City Manager Blair.

City Manager Blair advised that the area in question is outside the City Limits and that the water line would have to be extended approximately 1500 feet from the city limit line to the property of Mr. Medrano. Mr. Medrano would furnish the materials and the City would supply the labor.

It was the consensus of the Council for City Manager Blair and Tom Collins to check out the area and to advise exactly how many feet would be involved in extending the water line.

2. City Manager Blair advised that he would like to send an official letter to the Az. Department of Transportation in support of the Payson highway and asked for suggestions from the Council on contents for the letter.

Councilman Aguirre suggested the Council approving a Resolution supporting the Payson highway as this might be more effective than a letter.

A resolution is to be prepared and will be on the agenda for the regular meeting of March 21, 1977.

3. Resolution amending the sales tax ordinance will be on the agenda for the regular meeting of March 21, 1977.
4. City Manager Blair advised that he had received copies of ordinances from three cities regarding mini bikes, and had also received suggestions from Acting Police Chief McGann.

City Attorney Tippet advised that in his opinion the ordinance from Paradise Valley would be more feasible for this area than the others.

Vice-Mayor Gibson requested that a draft ordinance be prepared for the Council to review.

Mr. Ted Cluff, owner of the Yamaha bike shop on Ash Street, addressed the Council and asked for clarification on the ordinance and/or law so that he can inform his customers.

Mr. Cluff suggested some type of recreational area where motor bikes could be driven.

Vice-Mayor Gibson asked Mr. Cluff to submit a letter on his suggestion to the City Manager.

5. Discussion was held on an overpass on Willow Street for school children and...

EXHIBIT T

OPTION AGREEMENT

Date: July 5, 1977

THIS AGREEMENT is made this date between ARIZONA WATER COMPANY, an Arizona corporation (the "Company"), and CITY OF GLOBE, a municipal corporation formed under the laws of the State of Arizona (the "City");

W I T N E S S E T H

WHEREAS, the City has applied to the Economic Development Administration of the United States Department of Commerce for Federal assistance under the Local Public Works funding program for Water System Improvements, which application for assistance has been numbered by the government as Project Locator No.: AZ-0161-1 (the "assistance application");

WHEREAS, the City intends to use a piece of real property approximately one acre in size presently owned by the Company in connection with the planned Water System Improvement if grant approval is obtained under the assistance application, which real property is legally described on Exhibit "A" hereto (the "property");

WHEREAS, the Company is willing to grant the City an option to purchase the property on certain terms and conditions.

NOW, THEREFORE, in consideration of the sum of

One Dollar (\$1) paid by the City to the Company, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Option, Term and Price. The Company hereby grants the City the exclusive option to purchase the property for the sum of Ten Dollars (\$10), provided notice of intention to exercise the option is given and the condition precedent to exercise of the option has occurred on or prior to January 1, 1978.

2. Condition Precedent. The parties agree that the right of the City to exercise this option is conditioned upon the City receiving approval under the assistance application.

3. Exercise of Option. During the term of this option and after the condition precedent has been met, the City may exercise this option by giving written notice to the Company stating its intention to exercise, which notice shall include written confirmation that the condition precedent has been satisfied, shall enclose the purchase price of Ten Dollars (\$10) and shall be mailed, postage prepaid, certified mail return receipt requested, to Arizona Water Company, Post Office Box 5396, Phoenix, Arizona 85010.

4. Delivery of Deed. The Company agrees to deliver a deed to the property to the City within ninety (90) days after receipt of the specified notice, which deed shall warrant only that there are no financing encumbrances on the property. It is acknowledged that the property is currently subject to

a financing encumbrance from which the Company represents it can be released within the ninety (90) day period following exercise of this option in order that the deed called for herein can be delivered.

5. Waiver of Any Rights to Relocation Assistance.

In the event this option is exercised with the City acquiring title to the property from the Company, the Company agrees not to seek and hereby waives any right it may have to claim relocation assistance or other compensation from the United States or any agency thereof resulting from said conveyance pursuant to the provisions of Public Law 91-646.

IN WITNESS WHEREOF, the parties have signed this agreement as of the date set forth above.

ARIZONA WATER COMPANY, an
Arizona corporation

CITY OF GLOBE, a municipal
corporation

By Frank R. O'Neill
Its PRESIDENT

By Stanley M. Hansen
Its Vice-Mayor

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 30th day of June, 1977, by FRANK R. O'NEILL, President of ARIZONA WATER COMPANY, an Arizona corporation, on behalf of the Corporation.

Betty M. Crane
Notary Public

My commission expires:

April 12, 1979

"EXHIBIT A"

A parcel of land situated in the Southwest Quarter of the Northwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 26, Township 1 North, Range 15E., Gila and Salt River Meridian, Gila County, Arizona, and situated within the corporate limits of the City of Globe, said parcel having a boundary more particularly described as follows:

Commencing for a tie at the scribed stone marking the corner of Secs. 26, 27, 34, and 35, being the southwest corner of Sec. 26, from which the scribed stone marking the $\frac{1}{4}$ sec. cor. of Secs. 26 and 27 bears N. 0° 04' 49" E.; thence N. 0° 04' 49" E., along the west line of SW $\frac{1}{4}$ Sec. 26 a distance of 1311.56 feet; thence S. 89° 31' 27" E., 1318.52 feet to the SW 1/16 cor. of Sec. 26, being the center of the SW $\frac{1}{4}$ sec. 26 and the TRUE POINT OF BEGINNING; thence N. 0° 16' 41" E., 208 feet; thence N. 89° 31' 27" W., 208 feet; thence S. 0° 16' 41" W., 208 feet; thence S. 89° 31' 27" E., 208 feet to the TRUE POINT OF BEGINNING, said parcel having an area of 0.993 acres more or less.

440 PAGE 149

WARRANTY DEED

For the consideration of Ten Dollars (\$10.00) and other good and valuable considerations, SOUTHWESTERN CONSOLIDATED LAND COMPANY, an Arizona corporation, does hereby convey to the CITY OF GLOBE, a municipal corporation, those certain premises located in Gila County, Arizona, described on Exhibit "A" attached hereto:

SEE EXHIBIT "A".

And SOUTHWESTERN CONSOLIDATED LAND COMPANY does warrant the title against all persons whomsoever, subject to the matters above set forth.

Dated this 12th day of December, 1977.

SOUTHWESTERN CONSOLIDATED LAND COMPANY, an Arizona corporation

By Frank R. O'Neill
Frank R. O'Neill, President

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this 12th day of December, 1977, by FRANK R. O'NEILL, President of SOUTHWESTERN CONSOLIDATED LAND COMPANY.

Betty H. Lane
Notary Public

My commission expires:
April 12, 1979



EXHIBIT A

A parcel of land situated in the Northwest Quarter of the Southwest Quarter (NW-1/4 SW-1/4) Section 26, Township 1 North, Range 15E, Gila and Salt River Meridian, Gila County, Arizona, and situated within the corporate limits of the City of Globe, said parcel having a boundary more particularly described as follows:

Commencing for a tie at the scribed stone marking the corner of Secs. 26, 27, 34, and 35, being the southwest corner of Sec. 26, from which the scribed stone marking the 1/4 sec. cor. of Secs. 26 and 27 bears N. 0° 04' 49" E.; thence N. 0° 04' 49" E., along the west line of SW-1/4 Sec. 26 a distance of 1311.56 feet; thence S. 89° 31' 27" E., 1318.52 feet to the SW-1/16 cor. of Sec. 26, being the center of the SW-1/4 sec. 26 and the TRUE POINT OF BEGINNING; thence N. 0° 16' 41" E., 264 feet; thence N. 89° 31' 27" W., 165 feet; thence S. 0° 16' 41" W., 264 feet; thence S. 89° 31' 27" E., 165 feet to the TRUE POINT OF BEGINNING, said parcel having an area of one (1) acre more or less, excepting therefrom, however, all the ground and earth constituting the sub-surface lying at a greater depth than one thousand (1,000) feet immediately beneath the surface of the Northwest Quarter of the Southwest Quarter of Section 26, Township 1 North, Range 15 East, Gila and Salt River Base and Meridian, in Gila County, State of Arizona.

Subject to a right-of-way, to construct, maintain and operate a pipeline and all necessary appurtenances and a road granted to El Paso Natural Gas Company, a corporation, November 19, 1940, by an instrument recorded in the office of the County Recorder of said Gila County in Book 58 of Deeds of Real Estate at Page 36.

43.00
10.00
C

423596

STATE OF ARIZONA, County of Gila, ss:
I do hereby certify that the within instrument was filed and recorded at request of Arizona Water Company

Date Dec. 20, 1977 Time 10:00 A. M. Decket 440 Official Records Page 5 149 & 150
Records of Gila County, Arizona.

WITNESS my hand and official seal the day and year first above written.

MARY V. DE PAOLI, County Recorder

By *[Signature]* Deputy

INDEXED

PAGED

Arizona Water Co

Drawn by

Mason Ac 85539

EXHIBIT U

WORK SESSION MINUTES

MAY 30, 1978

Meeting was called to order by Vice-Mayor Gibson at 7:00 P.M.

1. Mr. Gaza Kmetty, Mr. Buck Lewis and Mr. Greg Allen of Southwest Computing were present to address the Council concerning the analysis of the water system and leak survey.

Mr. Lewis advised that the water loss was between 27-29%. He stated that the concrete tank was leaking quite badly and in need of repair, also the water meters at the high school and the community center were leaking. He recommended that the line on Fourth Street be replaced, and also recommended that the monitoring be done on a monthly basis.

Mr. Allen explained to the Council what type of information was fed into the computer and what part the computer played in the water analysis and leak survey.

Mr. Kmetty discussed the recommendations of his firm with the Council.

2. Mr. Bob Murphy, attorney for Jack Neal, addressed the Council concerning the sewer system at Mt. View Mobile Home Estates. He advised that on behalf of Mr. Neal, he was requesting the City of Globe to purchase said system from Mr. Neal.

He further advised that certain residents of Mt. View have authorized him to attempt to cause the City to pay for the excess amount of sewer services for which they are being charged.

Mr. Murphy stated that Mr. Neal was under the impression that when he built the sewer system the City would at a later date take it over.

Councilman Aguirre advised Mr. Murphy that at no time had the City ever given Mr. Neal any indication that it would take over the sewer system.

Vice-Mayor Gibson advised Mr. Murphy that this matter would be taken under advisement.

3. Mr. Ken Oase, president of the Downtown Merchants Association, introduced Mr. Sobin to the Council. Mr. Sobin then made a presentation to the Council regarding the restoration of the downtown business area.

Mr. Sobin advised that a grant application has been prepared to be submitted to the National Endowment of the Arts. He has estimated the project cost at \$44,000 with a 3 to 4 year time period to complete the project.

Mr. Sobin further advised that an estimated \$22,239 would be received from the National Endowment of the Arts with a matching amount of \$6,915 for the first year from the City of Globe and Gila County, and \$5,000 by the Downtown Merchants Association.

He advised the Council that only three weeks remain to turn in the application, and requested the City's support on this project. Said application must be mailed by June 22, 1978.

Vice-Mayor Gibson advised that this matter would be taken under consideration by the Council.

GLOBE00822

4. Approval of recommendation from ADOT to eliminate parking on Willow Street from Mesquite to Broad will be on the agenda for the regular meeting of 6/5/78.
5. Approval of recommendation from ADOT to establish a uniform speed limit of 35 m.p.h. from Broad to Ash on Willow St. will be on the agenda for the regular meeting of 6/5/78.
6. City Manager Blair stated that per the request of the City, ADOT has completed signal warrant studies for the existing signals at Cedar, Oak and Sycamore Streets. Their report indicates that these three signals could be removed should the City desire.

Councilman-elect McCreary requested this item be tabled until he has had ample time to discuss it with the Downtown Merchants.

7. City Manager Blair advised that he had received a letter from Cullen A. Little on behalf of Mrs. Jennie McGowen concerning the installation of two street lights in front of the Willow Street Trailer Park. These street lights were removed during the construction of the bypass.

City Manager Blair was advised by the Council to check with ADOT so see if they would take the responsibility of having the lights re-installed.

8. Mr. Ingo Radicke was present with Mr. Don Williams of Cablecom-General.

Letter of request from Don Corbitt was read by City Attorney. In said letter Mr. Corbitt requests the Councils permission to assign the permit to Cablecom-General, Inc.

Resolution will be prepared and on the agenda for the regular meeting of 6/5/78.

9. Letter of request from Mr. Jim Downing of Arizona Public Service was read by City Attorney Tippett. Mr. Downing is requesting permission to install a 12'x40' mobile trailer to be used as office space at their construction yard, 661 S. Broad St., not to exceed a period of two years.

This item will be on the agenda for the regular meeting of 6/5/78.

10. City Manager Blair advised that he had met with the Gila County Board of Supervisors on the use of the City building by LARC during fiscal year 1976-1977.

It is the feeling of the auditors that the use of the City building as inkind match is not legitimate without a written agreement or lease.

Mr. Jerry DeRose, attorney for the Board of Supervisors, is preparing said agreement.

This item will be on the agenda for the regular meeting of 6/5/78.

11. Mr. Rick Hyde, Director of La Questa, addressed the Council and requested \$4,350 to sell services of his organization to the City.

He advised that due to money shortages, La Questa has taken a loan for \$15,000 to continue operation.

Due to this problem a reduction will be made in staff and in services to the community.

Vice-Mayor Gibson inquired how services would affect the City should the City charge rent on the building.

Mr. Hyde replied that since state and federal monies were used to build the building he did not think this could be done.

Vice-Mayor Gibson advised Mr. Hyde that this item would be taken under consideration.

12. Approval of transfer of liquor license at Marks Tavern, 1920 E. Ash, from Mark and Gladys Williams to Eva Marie Angal will be on the agenda for the regular meeting of 6/5/78.
13. City Manager Blair advised that two bids had been received on the garbage truck as follows:

| | |
|-------------------|-------------|
| Western Machinery | \$36,982.05 |
| McSpadden Ford | \$35,303.72 |

Awarding of bids on the garbage truck will be on the agenda for the regular meeting of 6/5/78.

14. City Manager Blair advised that only one bid had been received on the dump truck. The bid received was from McSpadden Ford in the amount of \$32,613.76.

Awarding of bid on the dump truck will be on the agenda for the regular meeting of 6/5/78.

15. Councilman Ollson advised that the drain at the corner of Blake and Broad needs to be bolted down.
16. Councilman Aguirre advised that the City has lost out on receiving CSA monies through CAAG.

Vice-Mayor Gibson advised that this agreement was not signed due to the fact that it was faulty.

Meeting adjourned at 9:30 P.M.

EXHIBIT V

Rec. 6/24/80

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BEFORE THE DIRECTOR OF THE
ARIZONA DEPARTMENT OF HEALTH SERVICES

In the Matter of:)
CITY OF GLOBE WASTEWATER) NO. W8010
TREATMENT FACILITY,)
Gila County, Arizona.) CEASE AND DESIST
ORDER

TO: City of Globe, a municipal corporation
H.A. Bennett, in his capacity as Mayor of
the City of Globe; John Burleson, in his
capacity as City Manager of the City of Globe;
Tom Collins, in his capacity as Director of
Public Works for the City of Globe

YOU ARE HEREBY NOTIFIED that, on the basis of a review
of Arizona Department of Health Services records and an inspection
of said system, the undersigned has reasonable cause to believe
that you are engaged in practices which constitute violations of
the health laws of this State.

Inspections of the above-referenced facility conducted
by an employee of the Arizona Department of Health Services on
May 21, 1980, and June 11, 1980, revealed that the present facil-
ity is overloaded and, from time to time, ¹ excess flows are dis-
charged directly into Pinal Creek, ² that there are excess floating
solids in the aerated "U"-shaped lagoon, ³ that the large unaerated
lagoon has accumulations of sludge such that the lagoons do not
operate at their highest practical efficiency, ⁴ that the inter-
ceptor carrying the sewage to the lagoons is undersized, resulting
in periodic sewage surcharges at manholes numbers 3 and ⁵ that
the surcharging sewage enters Pinal Creek, ⁶ that pools of water
are allowed to form in the vicinity of the manholes, providing
breeding grounds for mosquitoes and other disease-bearing insects;
⁷ that efforts on the City's part to eliminate these surcharges
have included rerouting a portion of the sewage flow directly to
the second lagoon, by-passing the aerated lagoon, ⁸ that the surface
level in the second lagoon has been lowered to accommodate this.

1 new inflow, that these actions have resulted in the short-
2 circuiting of the second lagoon and in the discharge of nearly
3 raw sewage from that lagoon into Pinal Creek, and that there is
4 inadequate sampling, recordkeeping, and maintenance of the
5 facility.

6 These conditions constitute violations of A.R.S.
7 §§ 36-601.A.1, 36-601.A.4, 36-601.A.5 and 36-601.A.9, and A.C.R.R.
8 R9-8-313, R9-8-323 and R9-8-327, adopted pursuant to A.R.S.
9 §§ 36-132.A.12 and 36-136.G.9.

10 YOU ARE THEREFORE HEREBY ORDERED, pursuant to A.R.S.
11 § 36-601.B, to immediately cease and desist failing to operate
12 and maintain the sewage treatment facility in compliance with the
13 above-cited statutes and regulations of the State of Arizona.
14 Compliance with the schedule set forth in Exhibit A, attached
15 hereto and incorporated herein, will constitute compliance with
16 Order. Please direct all correspondence and copies of pleadings
17 with respect to this Order or compliance therewith to Susan Bliss,
18 Assistant Attorney General, Office of Attorney General, State
19 Capitol, West Addition, 1700 West Washington, 2nd Floor, Phoenix,
20 Arizona 85007.

21 YOU ARE FURTHER NOTIFIED that, within fifteen days after
22 receipt of this Order, you may request in writing that a hearing
23 be held by the Director of the Arizona Department of Health Ser-
24 vices to review this Order. A request to review must be filed
25 with the Clerk of the Arizona Department of Health Services, 1740
26 West Adams Street, Room 407, Phoenix, Arizona 85007.

27 This Cease and Desist order shall become effective fif-
28 teen days from the date of its receipt unless a request for a
29 hearing is filed as noted above, in which case this Order shall
30 become effective upon issuance of an Order, pursuant to such
31 hearing, by the Director of the Arizona Department of Health
32 Services.

1 YOU ARE FURTHER NOTIFIED that failure to comply with
2 this Order may subject you to criminal and injunctive action in
3 Superior Court.

4 DATED this 20th day of June, 1980.

5 ARIZONA DEPARTMENT OF HEALTH SERVICES

6
7 Suzanne Dandoy, M.D., M.P.H.
8 Director

9
10 By R. Bruce Scott
11 R. Bruce Scott, P.E.
12 Assistant Director
13 Environmental Health Services

14 Copies of the foregoing Cease
15 and Desist Order mailed Certified
16 Mail, Return Receipt Requested,
17 this 23 day of June, 1980, to:

18 H.A. Bennett
19 150 North Pine Street
20 Globe, Arizona 85501

21 John Burlison
22 150 North Pine Street
23 Globe, Arizona 85501

24 Tom Collins
25 150 North Pine Street
26 Globe, Arizona 85501

27
28 Maria R. Engels
29
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EXHIBIT A

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1. Within thirty days of the date of this Order, remove accumulated sludge from the existing lagoons.

2. Within sixty days from the date of this Order, provide for sufficient flow capacity from manhold number 4 to the aerated lagoon to handle all flow that enters manhole number 4.

3. Immediately begin to plan for a new wastewater treatment facility, including the following steps:

a. By January 1, 1981, submit to the Arizona Department of Health Services completed plans and specifications, prepared by an engineer registered in the State of Arizona, for a new treatment plant and interceptor.

b. If the Arizona Department of Health Services notifies you that revisions are required to the plans submitted pursuant to Item 3.a above, submit revised, approvable plans to the Department within thirty days after receipt of such notification.

c. By March 1, 1981, advertise for bids for construction in accordance with approved plans.

d. By June 1, 1981, begin construction of new interceptor and treatment plant.

e. By October 1, 1981, complete construction of problem portion of interceptor (from fourth manhole to plant).

f. By June 1, 1982, complete construction of treatment plant and balance of interceptor.

4. Immediately impose a moratorium on all new sewer hookups until such time as the new treatment plant and interceptor have been completed and placed into service.



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BEFORE THE DIRECTOR OF THE
ARIZONA DEPARTMENT OF HEALTH SERVICES

| | | |
|--------------------------|---|----------------|
| In the Matter of: |) | NO. D80-124 |
| CITY OF GLOBE WASTEWATER |) | STIPULATION OF |
| TREATMENT FACILITY, |) | FACTS AND |
| Gila County, Arizona. |) | CONSENT ORDER |

COME NOW the parties hereto and for purposes of this administrative proceeding and any injunctive action resulting from this proceeding, stipulate to the following facts:

1. The sewage treatment facility serving the City of Globe (hereinafter "City") is hydraulically and organically overloaded. The facility has a design capacity of 0.8 mgd. ¹ Both the aerated pond and the lagoon have sludge accumulations such that the present rated capacity of the facility is approximately 0.2 mgd. Over the past year, flows have exceeded the design capacity, but because ² a good portion of the flow has been discharged into Pinal Creek before reaching the plant, and because ³ the flow measuring equipment has been inoperable, no accurate flow measurement is available.

2. ⁴ There are floating septic solids in the aerated pond. This small "U"-shaped pond at the head of the plant has acted as a sedimentation basin with ⁵ solids settling to the bottom downstream of the aerators. As these solids become septic, gas forms and black septic sludge rises to the surface. Noxious odors are released, creating a nuisance.

3. There has been a sludge build-up in the lagoon which follows the aerated pond. ⁶ Sludge has accumulated over the years to the point that the capacity of the lagoon has been greatly reduced. This has resulted in a much shorter residence time, which in turn has resulted in ⁷ inadequately treated sewage being discharged.

. . .

1 4. Raw sewage has been periodically discharged directly
2 into Pinal Creek. ⁸ The interceptor carrying the sewage to the
3 lagoons is undersized (10 inches) from the fourth manhole
4 upstream of the lagoons all the way to the point of discharge in
5 the aerated lagoon. Above manhole number four, the pipe is 14
6 inches in diameter. ⁹ This situation has resulted in surcharging
7 at manholes numbers three and four, with sewage overflowing from
8 these manholes and entering Pinal Creek.

9 5. ¹⁰ A portion of the sewage flow now bypasses the
10 aerated pond and flows into the lagoon that discharges directly
11 into Pinal Creek. This short-circuits the treatment process and
12 results in inadequately treated sewage being discharged to Pinal
13 Creek.

14 6. The above-referenced facility ¹¹ does not adequately
15 treat sewage and the effluent discharged from the plant to Pinal
16 Creek is dangerous to the public health.

17 7. The City has made the following corrections since
18 June 23, 1980:

19 a. Removed some of the sludge build-up from both
20 the aerated pond and the lagoon and deposited it in the area
21 between the two units;

22 b. Restored damaged portions of the berm
23 surrounding the lagoon;

24 c. Removed some of the weeds from around both
25 units.

26 Pursuant to the above stipulation, IT IS HEREBY ORDERED
27 as follows:

28 1. The City must make the following interim
29 corrections to the plant by the indicated dates:

30 a. By October 1, 1980, submit plans for interim
31 changes to the present sewage facility to the Technical Review
32 Section of the Bureau of Water Quality Control. These plans must:

- 1 (1) Prevent all future surcharges and
2 discharges of raw sewage into Pinal Creek from manholes on the
3 undersized portion of the interceptor;
- 4 (2) Provide for aeration on both ends or ✓
5 "legs" of the U-shaped pond;
- 6 (3) Provide for all sewage flows to enter ✓
7 upstream of the aerators;
- 8 (4) Provide for discharge from both legs of ✓
9 the U-shaped pond into the lagoon;
- 10 (5) If this plan includes an open^{a pipe} ditch, the
11 ditch is to be lined with plastic (minimum four mil thickness),
12 fenced, and posted, "Danger--Raw Sewage--Keep Out," or equivalent;
- 13 (6) Provide the capability to accurately
14 measure all flows into the plant;
- 15 (7) If Technical Review notifies you that any
16 changes are required to plans submitted, pursuant to Item 1.a
17 above, submit to Technical Review revised, approvable plans within
18 fifteen days after receipt of such notification.
- 19 (8) Within thirty days after receipt of final
20 approval of plans submitted, pursuant to Item 1.a above, complete
21 construction in accordance with the approved plans.
- 22 b. By November 1, 1980, prepare a plan of
23 operation of the existing plant, as changed by the interim
24 corrections, that will ensure optimal treatment of sewage while
25 the new plant is under construction.
- 26 c. By November 1, 1980, begin submitting all data
27 and records required by the federal Discharge Monitoring Reports
28 (DMRs). Thereafter, continue submitting such information at
29 quarterly intervals as required in NPDES permit number
30 AZ 040020249;
31
32

1 d. By December 1, 1980, remove the remaining
2 sludge from both the aerated pond and the lagoon and dispose of
3 all sludge in a manner acceptable to the Department.

4 2. The City must plan for and construct a new sewage
5 treatment facility and a replacement for the undersized portion
6 of the interceptor in accordance with the following schedule:

7 a. By June 1, 1981, submit to the Arizona
8 Department of Health Services completed plans and specifications,
9 prepared by an engineer registered in the State of Arizona, for a
10 new treatment facility and replacement of the undersized portion
11 of the existing interceptor.

12 b. If the Arizona Department of Health Services
13 notifies you that revisions are required to the plans submitted
14 pursuant to Item 2.a above, submit revised, approvable plans to
15 the Department within thirty days after receipt of such
16 notification.

17 c. By August 1, 1981, advertise for bids for
18 construction in accordance with approved plans.

19 d. By November 1, 1981, begin construction of new
20 treatment facility and replacement interceptor segment.

21 e. By May 1, 1983, complete construction of new
22 treatment facility and replacement interceptor segment.

23 3. Immediately impose a moratorium on all new sewer
24 hookups until such time as the new treatment facility and
25 replacement interceptor segment has been completed and placed
26 into service. The City shall ensure that the moratorium is
27 legally binding. This moratorium may be modified by agreement of
28 the parties to this Consent Order if the City can demonstrate to
29 the satisfaction of the Department that the interim corrections
30 made pursuant to Item 1 have substantially restored the original
31 design capacity of the present facility, and the proposed
32 operation of the facility during the construction of the new

1 facility will not adversely affect the rated capacity of the
2 present facility. The City must meet discharge limits set in
3 NPDES permit number AZ 040020249 prior to any modification in the
4 moratorium.

5 The parties to this proceeding agree to entry of this
6 Consent Order without further notice, and agree that this Consent
7 Order may be enforced by injunctive action without further
8 administrative proceedings.

9 DATED this 10th day of October, 1980.

10 CITY OF GLOBE
11 a municipal corporation

12
13 By John C. Burleson
14 JOHN BURLESON
City Manager

15
16 H.A. Bennett
17 H.A. BENNETT,
Mayor

18 ATTEST:

19
20 John C. Burleson
21 Acting
City Clerk

22
23 ROBERT K. CORBIN
24 Attorney General

25
26 Frank E. Tippet Susan Bliss
FRANK E. TIPPETT SUSAN BLISS
27 City Attorney Assistant Attorney General

28 IT IS SO ORDERED this ~~10~~ 17th day of October, 1980.

29 ARIZONA DEPARTMENT OF HEALTH SERVICES

30
31 Suzanne Dandoy
32 SUZANNE DANDROY, M.D., M.P.H.
Director

EXHIBIT W

GLOBE WATER SYSTEM

LEGEND

- CITY
- WATER MAIN
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- FIRE ALARM
- FIRE PUMP
- FIRE TOWER
- FIRE TOWER (ELEV. 1000)



COMPUTER MODEL SCHEMATIC
southwest computing inc. phoenix, arizona
 DESIGNED BY: [unreadable]
 DRAWN BY: [unreadable]
 CHECKED BY: [unreadable]
 DATE: 2-27-79



EXHIBIT X

CHAIN OF TITLE REPORT

SCHEDULE A

Order No. NCS-713605-PHX1
REF: APN 205-01-014F

1. This report is for informational purposes only and is not to be considered as a commitment to issue any form of Title Insurance Policy. This report is for the sole use and benefit of the parties set forth in Number 2 below and liability is hereby limited to the amount of the fee paid.

2. For the use and benefit of:

Arizona Water Company

3. The land referred to in this report is situated in Gila County, AZ, and is described as:

SEE EXHIBIT "A" ATTACHED HEREIN

Search made to January 30, 2015 at 7:30 A.M. and from the recordation of the patents prior thereto.

FIRST AMERICAN TITLE INSURANCE COMPANY

By: Daniel Figueroa (602)567-8100

EXHIBIT "A"

THE SURFACE AND THE GROUND TO A DEPTH OF ONE HUNDRED (100) FEET IMMEDIATELY BENEATH THE SURFACE OF THAT CERTAIN PIECE OR PARCEL OF LAND LYING IN AND BEING A PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 14 AND THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 23, ALL IN TOWNSHIP 1 NORTH, RANGE 15 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, GILA COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF THE EXISTING SOUTHERN PACIFIC RAILROAD TRACKS FROM WHICH POINT THE 1/4 SECTION CORNER OF SAID SECTIONS 14 AND 23 BEARS N. 62° 07' 57" E., 771.03 FEET;

THENCE S. 61° 41' W., 263.95 FEET;

THENCE N. 23° 45' 50" W., 297.13 FEET;

THENCE N. 36° 49' 10" W., 191.60 FEET;

THENCE N. 51° 34' 40" W., 256.37 FEET;

THENCE N. 36° 45' 20" W., 339.81 FEET;

THENCE N. 29° 52' W., 198.41 FEET;

THENCE N. 15° 04' W., 470.93 FEET;

THENCE N. 45° 13' 40" E., 323.51 FEET TO THE CENTER OF THE EXISTING SOUTHERN PACIFIC RAILROAD TRACKS;

THENCE S. 35° 08' 30" E., 1007.18 FEET;

THENCE S. 20° 21' 20" E., 814.12 FEET TO THE POINT OF BEGINNING;

EXCEPTING AND EXCLUDING FROM THE ABOVE DESCRIBED PARCEL OF LAND THAT PORTION LYING WITHIN THE RIGHT OF WAY OF THE ABOVE MENTIONED SOUTHERN PACIFIC RAILROAD.

SCHEDULE B

Order No. NCS-713605-PHX1

After examination of the property indices in the Title Plant of the Company's issuing office affecting the real property set forth in Item 3 of Schedule "A"; the following information is furnished as to listings of recorded Deeds and recorded Transfers of mineral rights interests, with the understanding that such information is without examination of the sufficiency or validity of any instruments which purport to affect the real property.

This report was prepared for a search of those matters set forth herein, and for no other purposes.

1. Deed recorded December 17, 1904 as Book 5 of Deeds, page 393 by and between Mari Maurel and Andre Maurel.

Affects portion in Section 23
2. Deed recorded April 14, 1905 as Book 5 of Deeds, page 424 by and between Andre Maurel and Old Dominion Mining and Smelting Company, a New Jersey corporation.

Affects portion in Section 23
3. Patent recorded December 19, 1905 as Book 5 of Deeds, page 596 by and between United States of America and Andre Maurel.

Affects portion in Section 23.
4. Patent recorded February 26, 1910 as Book 17 of Deeds, page 123 by and between United States of America and Joseph W Hamm.

Affects portion in Section 14.
5. Indenture recorded May 6, 1911 as Book 17 of Deeds, page 362 by and between Joseph W Hamm and Alice Hamm, his wife and RM Coffee.

Affects portion in Section 14.
6. Indenture recorded May 6, 1911 as Book 17 of Deeds, page 363 by and between RM Coffee and Emma G Coffee and Old Dominion Copper Mining and Smelting Company, a New Jersey corporation.

Affects portion in Section 14.
7. Indenture recorded February 26, 1917 as Book 27 of Deeds, page 421 by and between Old Dominion Copper Mining and Smelting Company, a New Jersey corporation and Old Dominion Company, a Maine company.

8. Deed recorded April 29, 1940 as Book 17 of Mines, page 404 by and between Old Dominion and Miami Copper Company, a Delaware corporation.

A copy of this document is not available. Please check with the Gila County Recorder's Office.

9. Deed recorded March 29, 1946 as Book 19 of Mines, page 159 by and between Eleanor Kell Mathews and IM Cunningham.

A copy of this document is not available. Please check with the Gila County Recorder's Office.

10. Quit Claim Deed recorded April 24, 1946 as Book 64 of Deeds, page 88 by and between Ollie C Cunningham, a married woman and IM Cunningham, a married man.

11. Warranty Deed recorded May 13, 1950 as Book 67 of Deeds, page 345 by and between IM Cunningham and Doloris Cunningham, husband and wife and Phillip E Besnetherick.

12. Warranty Deed recorded October 6, 1950 as Book 68 of Deeds, page 10 by and between Doloris Cunningham, a married woman and IM Cunningham her husband.

13. Warranty Deed recorded October 20, 1950 as Book 68 of Deeds, page 30 by and between IM Cunningham and Doloris Cunningham, husband and wife and Phillip E Besnetherick.

14. Warranty Deed recorded October 24, 1950 as Book 68 of Deeds, page 37 by and between Phillip E Besnetherick and Edna Besnetherick, husband and wife and TH Woods and Thelma Woods, his wife.

15. Quit Claim Deed recorded February 20, 1951 as Book 68 of Deeds, page 233 by and between TH Woods and Thelma Woods, his wife and Louis B Ellsworth, Jr. husband of Mary Jean Ellsworth and Truman E Sullins, a divorced man, a co-partnership dba Sully's Used Car Lot.

16. Deed recorded February 26, 1981 as Docket 527, page 911 by and between Cities Service Company, a Delaware corporation and City of Globe, a municipal corporation.

Note: Information regarding merger between Miami Copper Co and Cities Service Co.

17. All matters set forth in Final Judgment entered in United States District Court District of ARizona under Case No. CV94-0275-PHX-ROS, a certified copy of which recorded June 12, 2002 in 2002-9507 of Official Records.

D E E D

THIS INDENTURE, made this 26th day of February, 1981,
 by and between CITIES SERVICE COMPANY, a Delaware corporation
 duly authorized to transact its corporate business in the State
 of Arizona, party of the first part, and THE CITY OF CLOBE, a
 municipal corporation, party of the second part,

W I T N E S S E T H :

That Cities Service Company, for the purpose of making a
 charitable gift, has granted and conveyed, and by these presents
 does grant and convey unto the party of the second part, subject
 to the exceptions and reservations hereinafter set forth, those
 certain premises situate in Gila County, Arizona and more parti-
 cularly described as follows, to wit:

The surface and the ground to a depth of One
 Hundred (100) feet immediately beneath the surface
 of that certain piece or parcel of land lying in
 and being a portion of the S. 1/2 of the SW. 1/4
 of section 14 and the N. 1/2 of the T. 1 N., 1/4 of
 section 23, all in T. 1 N., R. 15 E., G. & S. R. M.,
 Gila County, Arizona and more particularly described
 as follows:

Beginning at a point in the center of the existing
 Southern Pacific Railroad tracks from which point the
 1/4 section corner of said sections 14 and 23 bears
 N. 62° 07' 57" E., 771.03 feet; thence S. 61° 41' W.,
 263.95 feet; thence N. 23° 45' 50" W., 297.13 feet;
 thence N. 36° 49' 10" W., 191.60 feet; thence N. 51°
 34' 40" W., 256.37 feet; thence N. 36° 45' 20" W.,
 339.81 feet; thence N. 29° 52' W., 198.41 feet; thence
 N. 15° 04' W., 470.93 feet; thence N. 45° 13' 40" E.,
 321.31 feet to the center of the existing Southern
 Pacific Railroad tracks; thence S. 35° 08' 30" E.,
 1007.18 feet; thence S. 20° 21' 20" E., 814.12 feet
 to the point of beginning, containing 16.025 acres
 more or less, including the railroad right of way.

Excepting and excluding from the above described
 parcel of land that portion lying within the right of
 way of the above mentioned Southern Pacific Railroad.

Provided, however, that this instrument is not intended to
 convey and does not convey any of the above described premises lying

at a greater depth than one hundred (100) feet immediately beneath the surface nor any of the ores or minerals contained in the ground lying at a greater depth than one hundred (100) feet immediately beneath the surface.

And provided further that the party of the first part reserves and excepts from this conveyance for itself, its successors or assigns, the following:

(a) All of the said premises hereinabove described except the surface and the ground to a depth of one hundred (100) feet immediately beneath the surface thereof.

(b) The right to carry on mining operations thereunder and extract ores therefrom in any manner other than from the surface, and to carry on operations incident thereto and perform such activities on or under the property now or hereafter owned by it in the vicinity of the property hereinabove described without liability by the party of the first part, its successors and assigns, to the party of the second part, its successors and assigns, for any claim or demands that may arise on account of damages to the premises hereinabove described or to any part thereof or to any buildings or improvements thereon or to be erected thereon, or to any occupancy or business or occupation conducted on or to be conducted thereon, by reason of such mining operations and operations incident thereto due to any alleged nuisances or other causes arising out of such mining operations incidental thereto heretofore or hereafter made and carried on by the party of the first part, its successors or assigns, provided, however, that the party of the second part, its successors or assigns, shall be entitled to lateral and subjacent support for the surface and all buildings or residences which have been or may be erected on said premises.

(c) This conveyance is further subject to taxes for the year 1930, easements, exceptions, reservations and restrictions of record.

TO HAVE AND TO HOLD, all and singular, the above described premises, together with the tenements, hereditaments and appurtenances thereunto belonging, unto the party of the second part, its successors and assigns, forever, subject to the foregoing reservations and exceptions, it being the intent hereof that the party of the first part, its successors and assigns, shall be entitled to conduct its mining operations in all aspects, by any manner other than by means of operations conducted on or from the surface of said premises, without liability, present or future, to the party of the second part, its successors and assigns, except for lateral and subjacent support, notwithstanding the conveyance of the portion of the property hereinabove described.

IN WITNESS WHEREOF, the party of the first part has caused this instrument to be executed by its proper officer thereunto duly authorized as of the day and year hereinabove written.

CITIES SERVICE COMPANY

By Q. T. Brown
Its Vice-President, Metals

STATE OF ARIZONA)
) SS.
County of Gila)

The foregoing instrument was acknowledged before me this 6th day of June, 1980, by C. T. Brown, as Vice-President, Metals of CITIES SERVICE COMPANY, a Delaware corporation, on behalf of said corporation.



David A. Horvath
Notary Public

My commission expires: March 11, 1982

466915
2:00

466915

STATE OF ARIZONA, County of Gila, ss:
I do hereby certify that the within instrument was filed and recorded at request of City of Globe

Date Feb. 26, 1981 Time 2:00 P. M., Docket 527 Official Records Page 911-914

Records of Gila County, Arizona.

WITNESS my hand and official seal the day and year first above written.

MARY V. DE PAOLI, County Recorder

City of Globe
150 N. Pine St.
Globe, Az, 85501

INDEXED

By *Mary V. De Paoli*, Recorder.

PAGED

EXHIBIT Y



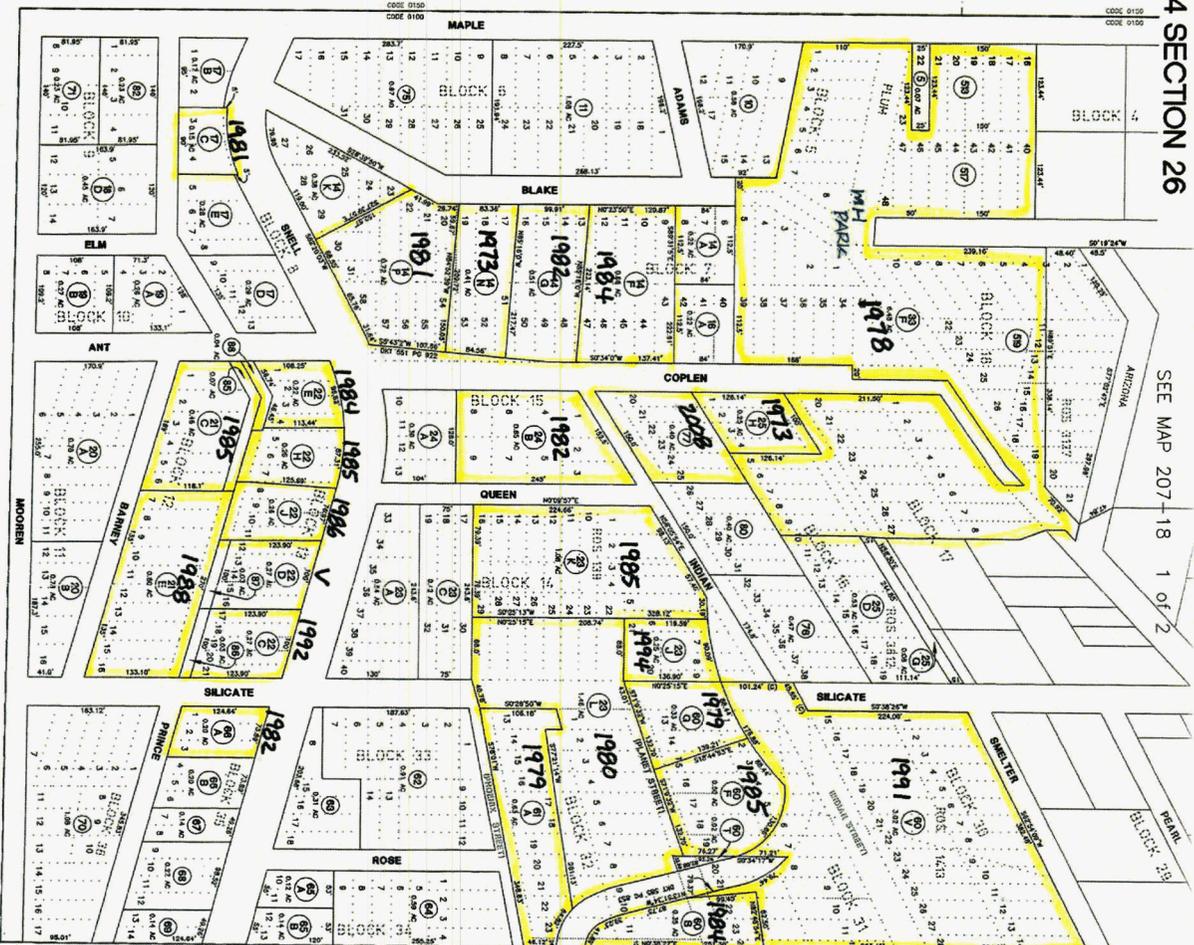
National Agricultural Imagery Program
USDA Farm Service Agency
1-Meter 2013 Aerial Image

EXHIBIT Z

PT NE 1/4 SW 1/4 SECTION 26
T1N R1E

SEE MAP 207-18 1 of 2

207-18
2 of 2
CODE 0100
UPDATED 4-13-12



SEE MAP 207-16

SEE MAP 207-19

SEE MAP 207-20

ARLINGTON HEIGHTS
Gila County Recorded Plat 31

GILA COUNTY ASSESSOR

FOR INFORMATION ONLY, NO LIABILITY ASSUMED.
SCALE = 1" = 100'
(C) = CALCULATED
(R) = RECORDED

