



City Manager's Office

3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

Date: December 19, 2022
To: Honorable Mayor and City Council
Through: Jim Thompson, City Manager
From: Stephanie Zamora, Management Associate to the City Manager
Subject: Citizen Petition to enter agreement with EPCOR to provide water to Rio Verde Foothills

Petition

On November 21, 2022, a citizen petition was presented to the City Council by Paul Mann requesting that the city enter an agreement with EPCOR Water to treat and deliver water to the Rio Verde Foothills (RVF) while EPCOR constructs the necessary infrastructure to deliver water to the residents. In October 2021, customers were notified that starting January 1, 2023, the city would no longer allow non-residents to utilize the city's water supply. As such, the petitioners request that the city enter this agreement before year end.

A total of 135 signers joined the petition, of which 130 report addresses within Scottsdale city limits and five outside city limits (Attachment 1). Since 52 people signed the petition more than once, the petition has a total of 187 signatures. This petition was directed, by action of the City Council, to the city manager's office to be investigated with a written response prepared and sent to the Council and the petitioner.

Considerations

History

The city of Scottsdale has spent the last two decades developing plans to ensure the health of its water resources even through regional water challenges. The first iteration of the Drought Management Plan (DMP) was adopted in 2003 and updated in 2014 to reflect the city's development of a more robust water portfolio and improvements in modeling water supplies for projected drought scenarios. In 2015, Scottsdale Water began enforcing a 12-month limit on temporary hydrant meters, which impacted multiple meters being used by water haulers supplying the Rio Verde area.

Recognizing the immediate hardship this would place on customers who rely on hauled water, specifically in the Rio Verde Foothills, Scottsdale Water allowed the haulers to continue using the hydrant meters on Dynamite Road until the appropriate infrastructure could be put in place to accommodate both the commercial and residential water haulers. This resulted in the construction of the Jomax Road water filling station. This was not intended to provide long-term service to this area beyond city limits.

In 2016, Scottsdale made the decision to remove temporary fire hydrant meters on Dynamite Road due to safety concerns from water haulers using the hydrants as a permanent water distribution point. This was not the original intended use of the hydrants, which began to be overutilized. In accordance with Sec. 49-50 of Chapter 49 of the Scottsdale Code of Ordinances, water haulers were instructed to use Scottsdale's permanent filling station at Jomax Road and Pima Road as of October 1, 2016. To accommodate the increased water demand, Scottsdale modified the existing filling station to support the logistical and water flow capacity for both commercial and residential water haulers. Through this process, Scottsdale recognized that the Rio Verde Foothills community was increasingly reliant on water

being hauled from Scottsdale and it became evident, especially as the community continues to expand, that this was not a sustainable situation.

At around this same time in 2015-2016, the Rio Verde Foothills resident water taskforce, which later became RVF Water Resources Incorporated was created and approached Scottsdale about the options for establishing a long-term water supply solution for Rio Verde Foothills. Scottsdale told the group that “the City cannot guarantee service in the future and has advised the area residents to obtain a separate water source.” This was advised due to the persistent drought on the Colorado and the city’s commitment and legal obligation to the Drought Management Plan. This same messaging was written in communications provided in 2019, 2020, and in 2021 to the RVF community and Maricopa County officials (Attachment 2).

City Actions

Scottsdale continued to vocalize that the infrastructure and water rights have been funded entirely by rate payers in Scottsdale. The city’s primary commitment is to ensure Scottsdale customers have first priority to the city’s water supplies. These customers within Scottsdale’s service area have funded the system for almost 50 years. Additionally, the city has a 100-Year Assured Water Supply as certified by the Arizona Department of Water Resources. Scottsdale’s assured water supply designation applies to the city’s population at build out. It does not account for customers outside its service area.

The city maintains a Drought Management Plan (DMP) as part of its overall water management strategy and as mandated by Arizona Revised Statutes §45-342. The statute requires communities to have a drought preparedness plan that shall have “response stages providing for the implementation of measures in response to reduction in available water supply due to drought or infrastructure failure.” The function of the DMP is to provide guidelines for implementing the appropriate series of options and actions in response to successive levels of reduction in the city’s water supply.

The current update of the Drought Management Plan 2021 or Amended DMP, was in the development process since the execution of the Lower Basin Drought Contingency Plan (DCP) in 2019. The DCP establishes additional shortage guidelines based on water elevation of Lake Mead, triggering levels of shortage for Arizona’s Colorado River allocation. The 2021 DMP was presented to the Scottsdale Environmental Advisory Commission in December of 2020 and approved by Council in April of 2021.

In August of 2021 the Bureau of Reclamation declared the first ever Tier 1 shortage on the Colorado River system, effective for calendar year 2022. In response, Scottsdale city manager Jim Thompson activated Stage One of the DMP in the same month which states “Scottsdale’s commercial and residential fill station shall be shut down or restricted at this stage. Any water hauling operations will cease unless the water hauling customer, whether residential or commercial, can prove indisputably that the hauled water is being supplied directly to a City of Scottsdale resident or business.” As such, the city’s Utility Billing department sent notices in August 2022 to all water hauling customers regarding termination of services, effective January 1, 2023, unless they can prove the water would be used within city limits (Attachment 3).

In August 2022 the Bureau of Reclamation triggered additional cuts to the system and a Tier 2a shortage will be in effect for calendar year 2023. While water restrictions are not currently in place, a voluntary 5% reduction has been asked of all Scottsdale residents and businesses. Anticipated further cuts from the federal government in 2023 and/or beyond could result in advising Council to consider heightened conversation efforts to better manage demand and best use the city’s water supplies. In fact, the Scottsdale City Council passed Resolution 12649 in October 2022 which approved a Memorandum of Understanding in which more than 30 water agencies and providers have committed to take additional actions to reducing water demands and helping protect the Colorado River system (Attachment 4). This

commits the city of Scottsdale to conserving water, decreasing water demands, and expanding water reuse and recycling in an effort to reduce demand on the Colorado River.

County Actions

The Rio Verde Foothills area is unincorporated and is therefore governed by Maricopa County and currently represented by Supervisor Tom Galvin. In May 2020 and again in May 2021, Scottsdale Water sent letters to Maricopa County Supervisor and Representative John Kavanagh about Scottsdale's stance regarding RVF. The message was consistent to Stage One of Scottsdale's Drought Management Plan in stating Scottsdale has no obligation to provide water to Rio Verde residents and reserves the right to serve only its citizens or customers in preservation of water resources. They were also notified that "it is our intention ... to require that anyone purchasing water to haul ... to demonstrate that the water will be used in the Scottsdale service area." Further stating "it is prudent for the Rio Verde residents to find a long-term water supply and distribution system to meet their needs."

Some residents in RVF heeded this advice by trying to form a Domestic Water Improvement District (DWID) to solidify a permanent water source for their community. As part of their application, Arizona law requires that the proposed DWID obtain the consent of the governing body of any municipality that is located within six miles of the proposed district area. The Fountain Hills Town Council provided consent on January 5, 2021. On February 2, 2021, the Scottsdale City Council adopted Resolution No. 12063 consenting to the formation of Rio Verde Foothills Domestic Water Improvement District, which was recommended by staff (Attachment 5). The Maricopa County Board of Supervisors voted against the formation of the DWID on August 31, 2022. Supervisor Tom Galvin instead recommended to the Maricopa County Board of Supervisors in a statement that "a professionally run, regulated utility company that is experienced and knowledgeable about providing water is the best option" in a statement posted on September 6, 2022.

This issue has been a concern throughout the greater Phoenix Metropolitan Area. In 2017, the City of Phoenix discontinued water hauling to unincorporated areas of New River as similar concerns were echoed by Phoenix. The county and the state hold ultimate responsibility and authority over areas with unfettered growth that have limited to no long-term access to water.

Current Water Agreements

Scottsdale currently has several agreements in place with surrounding government bodies to accommodate treat and transport agreements. However, the potential agreement with city of Scottsdale would not be in partnership with RVF's governing body (Maricopa County) but instead the private water company. EPCOR is regulated by the Arizona Corporation Commission and has no jurisdiction over RVF. The agreements currently in place are:

1. Tonto Hills – In 2000 Tonto Hills Utility Company entered into an agreement with Scottsdale to treat and transport their Central Arizona Project (CAP) subcontract water. Eventually this subcontract was assigned to the Tonto Hills Domestic Water Improvement District (DWID) to which the agreement with Scottsdale was amended and updated in 2009 and 2019.
2. Carefree – Since 1998, Scottsdale has had an agreement to treat and transport Carefree's CAP subcontract water. The Carefree Water Company is a Utility Facility District (UFD) that is governed by their town's Council
3. City of Phoenix – In 2008, Scottsdale and Phoenix entered a Treat and Transport Agreement to be able to provide emergency backup water at an interconnect between the two systems. This Intergovernmental Agreement (IGA) was amended in 2011 and 2020 and will continue to be a long-standing relationship with the City of Phoenix.

EPCOR as a Solution

The County continues to approve building permits for this community while being aware of the serious challenges in access to a long-term water supply—an issue the city of Scottsdale has alerted in multiple communications. The unlimited and unregulated growth of this surrounding community is also not calculated in Scottsdale’s General or Master Plan regarding an assured water supply. In late summer of 2022, the Arizona Corporation Commission contacted regulated water companies that operate near the Rio Verde Foothills to ask for interest in providing service to the community. In August 2022, EPCOR submitted a letter indicating interest that it may be able to assist. EPCOR’s concerns mirror that of the city of Scottsdale—growth in the area is unchecked and continues even with limited supplies. This is a factor that can only be addressed by Maricopa County officials.

EPCOR communicated interest to the Arizona Corporation Commission in 2022 in a written communication to provide a possible long-term water solution to RVF, voicing concerns in that letter that their solution would not be viable for at least two years pending plans for infrastructure construction. The proposal put forth to the Arizona Corporation Commission does not offer an interim solution from the company. The city of Scottsdale was then approached as that possible interim solution but uncertainties regarding this are still outstanding. There is limited understanding about the short and long-term implications and logistics of the EPCOR plans. Some of the unknown factors and challenges include:

1. Providing water to a community outside city of Scottsdale limits is a violation of the city’s Drought Management Plan. The city has been in violation of its own Stage One declaration by continuing to provide water to RVF after its official adoption in August 2021.
2. Limited information about the extent to which Scottsdale property would be used including purchasing, renting, and infrastructure.
3. Without said details, it is difficult to know if a temporary and/or permanent solution would utilize Scottsdale resources and infrastructure and possibly burden the system.
4. With unlimited and unregulated growth in RVF, this increased water use could stress the city’s system and resources, and Scottsdale would not be able to regulate water consumption at its standpipe.
5. EPCOR is a private company with no jurisdiction over this region. Without a DWID, and no County involvement, the issue of the unlimited and unregulated growth would still be left unaddressed.

Continued Water Hauling

Dynamite Water Company has proposed that they can purchase a one-year lease from the San Carlos Apache Tribe (SCAT). There are several points to consider in this concept. While this has been proposed on a very high level, the city has not seen the agreement, or the conditions of the agreement (Attachment 6). The additional points to consider are the following:

1. SCAT annual leases would be subject to potential future reductions to the Colorado system which is highly uncertain at this time and therefore this proposal is viewed as somewhat unstable. The city has redundancy in its supply and holds an Assured Water Designation with the State. This proposal is a singular source that is susceptible to even mid-year reductions by the federal government.
2. Treat and Transport agreements through our system with non-regulated or non-governmental entities (e.g., a commercial entity) have been viewed as risky. It has been clearly stated that this is not an agreement the city is interested in pursuing.
3. Such an agreement would create a monopoly among the water haulers in this area. There is no guarantee that SCAT will renew in 2023 especially as the condition on the Colorado River continues to degrade.

4. This type of agreement would still require transporting water through the city of Scottsdale's system and is similar to what EPCOR proposed in the interim. Accepting this scenario means the city of Scottsdale would be with a non-regulated commercial customer that has no long-term plan.

Conclusion

For nearly a decade, Scottsdale has warned and advised the citizens of Rio Verde and Maricopa County officials that the city cannot be responsible for the water needs of a separate community especially given its unlimited and unregulated growth. Land subdivided into 6 or more lots must demonstrate a 100-year water supply before any homes can get built. Many lots in the RVF skirt this by being under the threshold, adding to continual and unfettered growth all the while relying on Scottsdale's water and infrastructure.

EPCOR answered the call to work alongside RVF residents to find a solution to its water crisis, which can also be pursued with other neighboring governments. For example, the Town of Fountain Hills would not require any franchising agreements from EPCOR so long as the appropriate permits are secured by the company to use public right-of-way to conduct its service (Attachment 7). EPCOR currently services the Town of Fountain Hills. In addition, there is knowledge of a tentative agreement with the San Carlos Apache Tribe and Dynamite Water Company to provide water to RVF, which EPCOR can pursue at their discretion.

Scottsdale does have partnership agreements with other governments in the surrounding community. The EPCOR agreement, however, would be with a private company, which does not have governmental oversight for the residents or its growth. While the city was willing to work with RVF should a DWID be approved, that option is no longer viable given the decision of County Supervisors to not establish it despite residents' efforts.

Many uncertainties are still left unanswered by both Scottsdale and EPCOR about the actual execution of any agreement. Further, Scottsdale has no authority to allocate use amounts per resident which may cause issues in overall caps created by Scottsdale that would protect its water supply for residents and businesses paying into its system.

Scottsdale's priority is to its citizens. With an updated Drought Management Plan, Council has approved the shutoff of water to outside communities in Stage One, which was made official on August 21, 2021. This allows for the City to focus on water conservation and possible future restrictions, and to account for future supply uncertainties. Although the city had authority and capacity to stop water to RVF when this decision was made in 2021, it still continued to provide water while providing ample warning that it would not be able to beyond 2022. The city's water future must remain within the city's limits with continued efforts based on the Drought Management Plan.

Scottsdale has been a generous and accommodating neighbor for years, providing approximately 117 acre-feet of water to the RVF community annually. Scottsdale captures all in-city wastewater, treats it to high levels and recycles it for beneficial use. During the many years that RVF has been using Scottsdale's water, the city did not have the ability to recycle this water for its own use. Traffic and noise are also a concern and have increased; in the month of November 2022 alone, 335 water hauls took place within the city. The city is now limited in extending previous accommodations due to regional drought issues for which its leadership has prepared for the last two decades. As the government of the Rio Verde Foothills community, Maricopa County should exercise its authority and responsibility to establish stable, long-term solution that accommodate this growing community and ensure its self-sufficiency

Attachments

1. Citizen Petition
2. Written Communications from the City of Scottsdale to Rio Verde Foothills
3. Letter of Intent to Shut-off Water
4. Resolution 12649 Memorandum of Understanding Among Colorado River Basin Municipal and Public Water Providers
 - a. Press Release Regarding MOU
5. Council Report to Adopt Resolution No. 12063
6. San Carlos Apache Tribe Press Release
7. Town of Fountain Hills legal option regarding franchise agreements

PETITION

SCOTTSDALE CITY CLERK
2022 NOV 21 PM 2:58

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

I am a resident of Scottsdale and have recently become aware of a proposal for EPCOR to provide water to our neighbors in the Rio Verde community in cooperation with the City of Scottsdale.

EPCOR is a private water company regulated by the Arizona Corporation Commission that currently serves portions of Scottsdale. It is proposed that EPCOR provide water to the City of Scottsdale and pay the City of Scottsdale to treat and deliver the water to Rio Verde until EPCOR builds the infrastructure to treat and deliver the water themselves.

This proposal will not use any water allocated to the City of Scottsdale and would reimburse the City for all costs incurred. In short, it will not cost Scottsdale residents anything to help.

The Arizona Corporation Commission is in the process of considering EPCOR's request for this service area and approval of their rates and fees. A final decision is expected shortly.

If the City of Scottsdale does not enter into an agreement with EPCOR, residents of Rio Verde will be held hostage to unregulated, wildcat water haulers who have uncertain access to water.

There is great urgency to get this agreement in place before the end of the year since the City plans to discontinue providing water to Rio Verde at year end.

Given the urgency of this situation and dire consequences to the Rio Verde Foothills community if we cannot come to an agreement with EPCOR, please show that we are good neighbors and, pending approval from the Arizona Corporation Commission, Thank you for placing this matter on a City Council agenda to authorize staff to work quickly in cooperation with EPCOR to work out the details of the plan to provide water to Rio Verde at no cost to Scottsdale tax payers and to enter into an agreement to adopt the plan as soon as possible, and preferably before year end. Thank you.

PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

- 1 *Janette Demets* 9450 No. 94th PL #217 Scottsdale, AZ 85258
- 2 *Sarah Nicholson Brown* 10255 E. V.A LINDA #2055 85258
- 3 *Rebecca Hansen* 13560 E Bloomfield Dr Scottsdale AZ 85259
- 4 *Bill Lyde* 9989 E VOGELAVE, Scottsdale 85258
- 5 *[Signature]* 11002 N 111TH WAY SCOTTSDALE AZ 85259
- 6 *John Meek* 6308 N. Granite Rd Scottsdale 85250
- 7 *Tallara McCann* 9460 E. Becker Lane #1065 Scottsdale 85260
- 8 *[Signature]* 12202 E Appalooza Pl. Scotts. AZ 85257
- 9 *Tom Stowell* 15720 N 115th way Scottsdale AZ 85255
- 10 *Susan Tepley-Cupo* 15029 N. Thompson Plakes PKWY Scottsdale AZ 85260
- 11 *[Signature]* 8400 E. Granite Dr. Scottsdale 85264

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- 11 *[Signature]* 8400 E. Quilley Dr. Scottsdale 85264

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Print Name	Street Address, City, Zip Code	Signature	Date
Maarke Villagomez	7208 E Monte Vista Rd Scottsdale, AZ 85257		18 NOV 2022
Andrew Dickson	26405 N 41st Way Phoenix AZ 85020		18 NOV 2022
Wendy Jimatis	15095 N THOMPSON PEAK PARKWAY #1046 Scottsdale, AZ 85260		18 NOV 2022
BARBARA REINSTEIN	7775 E SANDS DR SCOTTSDALE AZ 85255		11-21-22
Jessica Ward Dykstra	9112 E Pershing Ave Scottsdale AZ 85260		21-Nov-2022

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Print Name	Street Address, City, Zip Code	Signature	Date
Adelaide Barnes	11085 E. Hedgeroy Pl. Scottsdale 85262	Adelaide Barnes	11-14-22
Ronald R. Barnes	1685 E. Hedgeroy W. Scottsdale 85262	[Signature]	11-15-22
GENEVA MILLER MONTAGNA J. JENNIFER	8300 E. Dixie Ln Lot 242 SCOTTSDALE 85262	Geneva Miller	11-15-22
KATHRYN PARKS	9055 E LaRosada Ct Scottsdale 85255	Kathryn Parks	11-15-22
Cindy Adelock Zandbergen	11093 E Hedgeroy Pl Scottsdale 85262	Linda Debel Zandbergen	11-15-22
BLAKE M. ZANDBERGEN	11093 E HEDGEROY PL SCOTTSDALE 85262	Blake M. Zandbergen	11-15-22
Carolyn Gordon	11072 E Hedgeroy Pl Scottsdale 85262	Carolyn Gordon	11/15/22

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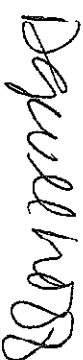







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Print Name	Street Address, City, Zip Code	Signature	Date
Diana Gevelhoff	5402 N 78TH PLACE Scottsdale, AZ 85250		11/15/22
Sandy Costello	5101 N. Casa Blanca Dr Scottsdale/PY AZ 85253		11/15/22
James Krimbill	9180 N. 106th Place Scottsdale AZ 85258		11/16/22
Greg Nakenawa	10945 E Gelding Dr. Scottsdale, AZ 85255		11/16/22
Paul Appala	10122 E. DRIFTS AVE. SCOTTSDALE, AZ. 85260		11/16/22
EMIL A NALEVANSKI	5460 E. Oakbury Rd Scottsdale AZ 85254		11/16/22
Kirk Gregor	7025 E VIA SOLERI DRIVE #2006 SCOTTSDALE, AZ. 85251		11/14/22
MARVANN LECHNER	1040 N. 81st PL SCOTTSDALE AZ, 85253		11/16/22

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Print Name	Street Address, City, Zip Code	Signature	Date
Richard Sullivan	12201 N. SCOTTSDALE AZ 85262		11/13/22
Gerald Grady	11276 N 130th Way Scottsdale 85259		11/13/22
Barbara Nakamura	16420 N Thom Rd P.O. Scottsdale AZ 85026		11-14-22
DANIEL BRUNNEN	9110 N. 92ND AVE, SCOTTSDALE, AZ 85266		11-13-22
KENNETH C WOOD	27036 N. 70th PL SCOTTSDALE, AZ 85266		11-13-22
WAMPEN WOOD	27036 N. 70th PL SCOTTSDALE, AZ 85266		11-13-22
CAROLINE WOOD	27036 N. 70th PL SCOTTSDALE, AZ 85266		11-13-22
JACK R. SALE	27018 70th PL SCOTTSDALE, AZ 85266		11-13-22

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LINDA EDWARDS	11846 N. 93rd St. Scottsdale, AZ 85260	<i>Linda Edwards</i>	11/16/22
Daniel J Linaway	9718 E. Gieling Dr Scottsdale, AZ 85260	<i>Daniel J Linaway</i>	11/16/22
Charles Polmann	10727 E. Caribbean Ln Scottsdale, AZ 85255 7200 E. MADISON DR SCOTTSDALE, AZ 85255	<i>Charles Polmann</i>	11/16/22
Alice Lambert	SCOTTSDALE, AZ 85255	<i>Alice Lambert</i>	11/16/22
Nancy Fox	12077 E. Gail Rd. Scottsdale, AZ 85259	<i>Nancy Fox</i>	11/16/22
Wendy Coye	12307 N. 119th St. Scottsdale, AZ 85259	<i>Wendy Coye</i>	11/16/22
WILLIAM A. WELSHLIN	8457 N. 82ND R. SCOTTSDALE, AZ 85258	<i>William A. Welshlin</i>	11-16-22
Vicki A Rousey	10425 N TR 11th Way Scottsdale, AZ 85258	<i>Vicki A Rousey</i>	11-17-22
TRACY ANNE BOFFINGTON	13156 N 104th St. SCOTTSDALE, AZ 85260	<i>Tracy Anne Boffington</i>	11/17/22
Rebekah Ross	10827 E. Rousey Dr	<i>Rebekah Ross</i>	11/17/22
Thomas Dooloy	16341 N 109th Way SCOTTSDALE, AZ 85258	<i>Thomas Dooloy</i>	11/17/22
Jim Basciani	9405 E PIERRA SCOTTSDALE, AZ 85255	<i>Jim Basciani</i>	11/17/22
RON AMERICKA	9889 N. 101st STREET	<i>Ron Americka</i>	11/17/22

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Print Name	Street Address, City, Zip Code	Signature	Date
Jane Murray	10040 E HAPPY VALLEY #144 Scottsdale AZ 85255	Jane Murray	11/18/2022
MICHAEL MARRAN	10040 E. HAPPY VALLEY RD SCOTTSDALE AZ 85255	Michael Marran	11/18/2022
Bruce Rowland	9290 E. Thompson Peak Dr Scottsdale, AZ 85255	Bruce Rowland	11/18/2022
Alfred Courtenay	24350 N. WHISPERING PINE WAY #59 SCOTTSDALE AZ 85255	Alfred Courtenay	11/18/2022
Catherine Stewart	17916 N. 93rd way Scottsdale, AZ 85255	Catherine Stewart	11/18/2022
Faulette Morina	9290 E Thompson Peak Dr Scottsdale AZ 85255	Faulette Morina	11/18/2022
MICHEL BROCHE	9290 E Thompson Peak Dr Scottsdale, AZ 85255	Michelle Broche	11/18/2022
Renata Johnson	18933 N. 90th WAY Scottsdale AZ 85255	R. Johnson	11/18/2022

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Brian Amcraft	12756 E. Appleton #11 Scottsdale AZ 85259		11-18-22
Michael A. Hardin	10015 E. MTN. VIEW RD, #2006 Scottsdale, AZ 85258		11-18-22
Barbara Bamstead	20100 N. 78th PL Scottsdale, AZ 85255	B. Bamstead	11/18/22
Michael Keown	8621 E. Sun AVE. Pt Scottsdale, AZ 85258		11/18/22
Bud Bryant	10787 N. 108th Way Scottsdale, AZ 85266	B. Bryant	11/18/22
Rosemary Hartman	10202 N. 103rd St. Scottsdale AZ 85258	Rosemary Hartman	11/18/22
Sue Gauder	10202 N. 103rd St. Scottsdale 85258	Sue Gauder	11/16/22
Michael Keown	10202 N. 103rd St.	Michael Keown	11/16/22



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Douglas A. Lemink	2976D N. 118th Pl. Scottsdale AZ 85255		11-18-22
Cynthia Leming	24700 N 118th Pl Scottsdale, AZ 85255		11-18-22
Michael ABELN	14000 N 99th ST UNIT SCOTTSDALE AZ 85260 1005		11-18-22
Joseph Gorha	6900 N. 79th Place Scottsdale, AZ 85250		12/18/22
William SENEFF	11015 N. SUNBOARD SCOTTSDALE, AZ 85260		11/18/22
Mark LADDAY	4739 N. SCOTTSDALE RD SCOTTSDALE, AZ 85251		11/18/22
Jeff GORIN	9416 E GARDNER LN SCOTTSDALE AZ 85255		11/18/22
Susan EPERES	9708 E VIALA WDA #2388 Scottsdale AZ 85258		11/18/22

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MARGARITA FARRONIA	3073 SCOTTSDALE, AZ 85260 9026 E. CHARNO DELSANTO	Margarita Farronia	11/18/22
MARY FARRONIA	9026 E. CHARNO DELSANTO SCOTTSDALE, AZ 85260	Mary Farronia	11/18/22
JESSICA HART	14155 E. KALID DRIVE	Jessica Hart	11/18/22
DOUGLAS M HART	Same	Douglas M Hart	11/18/22
STEPHANIE HORSKORN	7499 SAGE MANOR SCOTTSDALE, AZ 85258	Stephanie Horscorn	11/18/22
Douglas Balkem	10290 E. Willow Cir Scottsdale 85255	Douglas Balkem	11/18/22
RYAN DORRAN	9284 E. Sutton Dr. Scottsdale	Ryan Dorran	11/18/22

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Kaye Dooley	10341 N. 100th Way Scottsdale AZ 85259	Kaye Dooley	11/18/22
Spere Comerford	10403 E. Sun Salvia Drive Scottsdale, AZ 85268	Spere Comerford	11/18/2022
J. Michael Langley	9934 E Pine Valley Rd 85259	J. Michael Langley	11/18/2022
ROBERT KREHMAYER	11758 N. 131st St 85259	Robert Krehmayer	11/18/2022
Lillian Thomas	9115 E. Siesta Lane Scottsdale	Lillian Thomas	11-18-22
Karen Degross	2883 N. 108th St 85262	Karen Degross	11/18/22
Jan Mychay	26116 N. 115th Pl 85262	Jan Mychay	11/18/22
Bryan McVine	9308 E. Coronado Rd. Scottsdale AZ 85262	Bryan McVine	11/18/22

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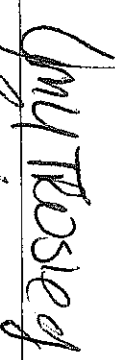




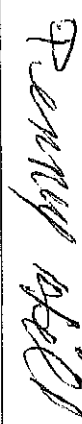

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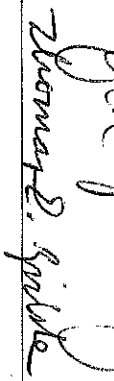
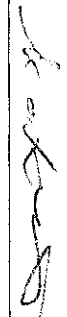


Print Name	Street Address, City, Zip Code	Signature	Date
AMY TRUSLEY	1515 E. DOLA DR SCOTTSDALE, AZ 85255		11/15/2022
NICK HEARN	9430 E. HIDDEN GREEN DR SCOTTSDALE, AZ 85262		11/16/2022
ANTHEE CRAWLEY	11818 E. LA ROSA DR SCOTTSDALE, AZ 85255		11/15/2022
RONGKARN WALSH	11767 E. QUAIL TRAIL DR. SCOTTSDALE, AZ 85262		11/17/2022
DANNE WEBER	10030 E. MTR DEW LK DR SCOTTSDALE, AZ 85255		11-17-2022
EMILY MITCHELL	8700 E. SCOTTSDALE SCOTTSDALE, AZ 85255		
EMILY MITCHELL	8700 E. MTR DEW LK DR SCOTTSDALE, AZ 85255		11-17-2022
RYCE BARTRAM	7834 EAST VILANO DR SCOTTSDALE, AZ 85224		11/18/22

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Kurt Larson	7557 E ALONDROSE DR 85260		11-13-22
Dan Ryan	34321 N 140th St 85262 Scottsdale, AZ		11-13-22
JENNIFER M. ZIRKLE Jennifer Margaret Zirkle	7857 E SWEETWATER 85260		11-13-22
THOMAS E. ZIRKLE Thomas E. Zirkle	7857 E SWEETWATER 85260		11-13-22
Erino Kennedy	9705 E MONTANA WINDCLIFF DR 85262		11-13-22
Michael Kuehn	13606 E. Chandler Oak Dr. 85262		11-17-22
1620 W. W. Stogers Stogers, W. W.	3114 W. W. Stogers 85262 Scottsdale, AZ		11-13/22

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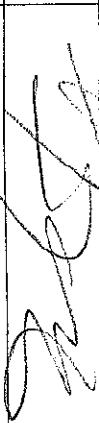
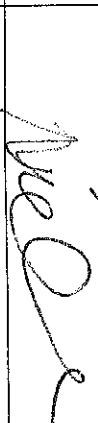
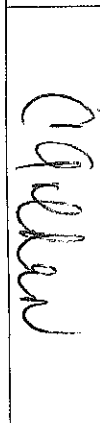
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Michelle Glancy	12037 E Arabian Park Dr Scottsdale 85255		11-13-22
PEREN CHSON;	26490 N 113th ST Scottsdale 85262		11-13-22
Tina Cassan	2106 QD N 119th ST Scottsdale 85262		11-13-22
LEVI BENSON	15923 NW 107th DR SCOTTSDALE AZ, 85255		11-13-22
Jaime Benson	15923 NW 107th DR Scottsdale AZ 85255		11-13-22
Holden Hobbs	10953 E Greenway Rd Scottsdale AZ		11/13/22
Maurice Schmitt	10918 E Greenway Rd Scottsdale AZ		11/13/22
Ashley Good	8993 E Lawson Dr Scottsdale AZ 85260		11/13/22

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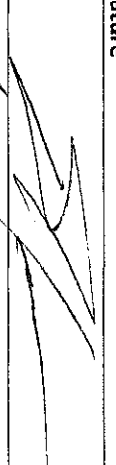
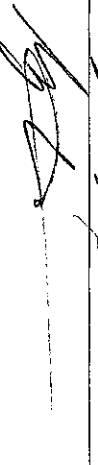
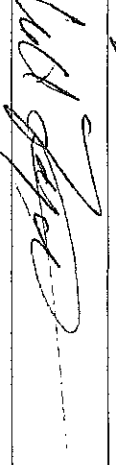
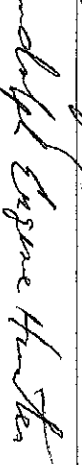

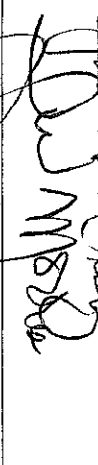


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Daniel Kenuse	13528 N. Geneva Way Scottsdale AZ 85260		11-15-22
Chad Bohannon	13156 N. 109th St Scottsdale AZ 85260		11-05-22
William Zagzeuski	6608 E. Phyllis Rd Scottsdale AZ 85254		11-15-22
Randolph Eugene Hunter	8832 N. 85th Pl. Scottsdale, AZ 85258		11-15-22
Cynde Rae Lutz	8642 E. San Lucas Dr. Scottsdale AZ 85258		11-15-22
LAURENCE W. MORRIS	10511 N. 17th Pl SCOTTSDALE AZ 85259		11-15-22
Jeff Block	10001 N. 77th St. Scottsdale, AZ 85258		11-15-22
OLEGOY KOJINSON	11675 E. WEATHERS FIELD ROAD SCOTTSDALE, AZ 85257		11-15-22

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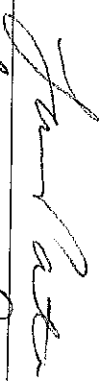
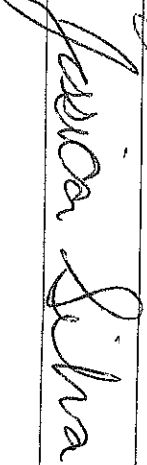

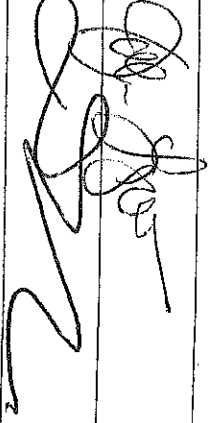


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Jessica Silva	10933 E. Pinnacle Vista Dr. Scottsdale, AZ 85262		11/15/22
Patricia Ferris			
Patricia Ferris			
John Algeo	31113 N. 19th Way Scottsdale, AZ 85266		11-16-22
DUSTIN MULLERS	5416 E Diamond Scottsdale Rm D Cir, 85255		11-16-22
Debra J. Mills	11741 E Mariposa Grande Dr Scottsdale 85255		11-16-22
Elanor Weissenrieder	9998 E. Alden Valley Rd. Scottsdale AZ 85262		11-16-22

PETITION TO SCOTTSDALE CITY COUNCIL TO ENTER AGREEMENT WITH EPCOR TO PROVIDE WATER TO THE RIO VERDE COMMUNITY

We, the undersigned Scottsdale residents, understand there is a proposal for EPCOR to provide water to our neighbors in the Rio Verde community in cooperation with the City of Scottsdale. EPCOR is a private water company regulated by the Arizona Corporation Commission that currently serves portions of Scottsdale.



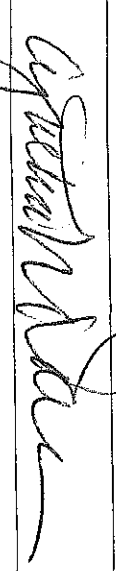
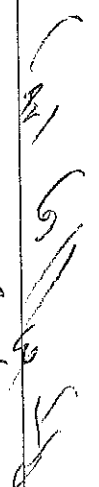

It is proposed that EPCOR provide water to the City of Scottsdale and pay the City of Scottsdale to treat and deliver the water to Rio Verde until EPCOR builds the infrastructure to treat and deliver the water themselves.

This proposal will not use any water allocated to the City of Scottsdale and would reimburse the City for all costs incurred. In short, it will not cost Scottsdale residents anything to help. The Arizona Corporation Commission is in the process of considering EPCOR's request for this service area and approval of their rates and fees. A final decision is expected shortly.

If the City of Scottsdale does not enter into an agreement with EPCOR, residents of Rio Verde will be held hostage to unregulated, wildcat water haulers who have uncertain access to water.

There is great urgency to get this agreement in place before the end of the year since the City plans to discontinue providing water to Rio Verde at year end.

Therefore, we request the City Council be good neighbors and, pending approval from the Arizona Corporation Commission, place this matter on a City Council agenda to authorize staff to work quickly in cooperation with EPCOR to work out the details of the plan to provide water to Rio Verde Foothills at no cost to Scottsdale tax payers and to enter into an agreement to adopt the plan as soon as possible, and preferably before year end. Thank you.

Print Name	Street Address, City, Zip Code	Signature	Date
John Andrew Gase	17721 119 th Way Scottsdale 85255		11/18/22
D Conaghan	20517 N. 93 rd Pl 85258		11/18/22
Cynthia Middenb. Valliere	10724 E Greghorn Dr 85262		11-18-22
			
CHARL Collette	19475 N. Greghorn Scottsdale 85255		11-18-22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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Given the urgency of this situation and dire consequences to the Rio Verde Foothills community if we cannot come to an agreement with EPCOR, please show that we are good neighbors and, pending approval from the Arizona Corporation Commission, place this matter on a City Council agenda to authorize staff to work quickly in cooperation with EPCOR to work out the details of the plan to provide water to Rio Verde at no cost to Scottsdale tax payers and to enter into an agreement to adopt the plan as soon as possible, and preferably before year end. Thank you.

PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE



MICHAEL ABELN

14000 N 94th ST UNIT #1205

SCOTTSDALE AZ 85260

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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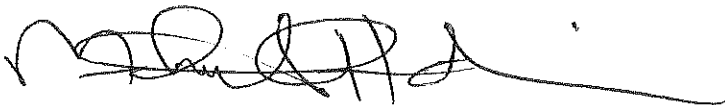
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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

MICHAEL A. HARDIN
10015 E. Mountain View Rd
#2006
Scottsdale, AZ. 85258



Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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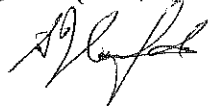
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Steve Comerford
10463 E Ssee Salvador Dr
Scottsdale, AZ 85258


Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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J. Michael Langley
9734 E Pine Valley Rd
Scottsdale AZ 85260
11/18/2022

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

MARK N. LAFFAY
4739 N. SCOTTSDALE RD. #2000
SCOTTSDALE, AZ 85251



Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

Barbara Barnstead
20100 N. 78th Pl
Unit 2116
Scottsdale, Az 85255
Barbara Barnstead

11/18/2022

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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Michael Keown

8621 E San Ardo Dr
Scottsdale, AZ 85258



11/18/22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

Brian Amkcat
12756 E. Appalouse Pl
Scottsdale Az 85259
Be
11-18-22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE



Bryce Bartlett

7834 East Visco Dr

Scottsdale, AZ 85266

11/17/22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

Rosent Grant
10202 NO 105th St
Scottsdale AZ 85258
Rant / auto

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

Kaye Dooley
16341 N. 109th Way
Scottsdale, AZ 85255

11/18/22

Kaye Dooley

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

DOUGLAS A. LEWIS 24760N. 118th Pl. Scottsdale, AZ 85255
DL 11-18-22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

Susan Garter
10202 N. 103rd St
Scottsdale 85258



Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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MANSOUR FARIDAN
9006 E. CAMINO DEL SANTO
SCOTTSDALE, AZ 85260
Mansour Faridan

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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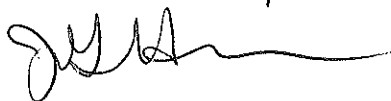
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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

Jessica G. Hart
14155 E. Kalil Drive
Scottsdale, AZ 85259



Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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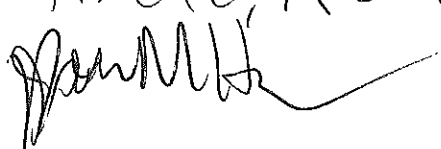
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Doug Hart
14165 E. Kalil Drive
Scottsdale, AZ 85259


Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

Stephane Hoedstra
7424 N. San Manuel Rd
Scottsdale, AZ
85258

10/18/2022

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE


9284 E Sutton Dr. Scott 85242
11/18/22 Roy DASTA

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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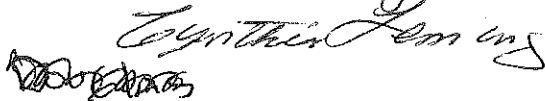
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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

Cynthia Leming, 24760 N 118th, Scottsdale, AZ 85255


~~DO NOT SIGN~~

11/18/2

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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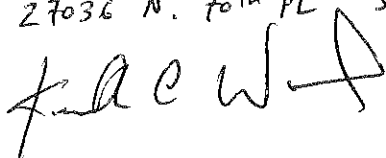
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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

KENNETH WOOD

27036 N. 70TH PL SCOTTSDALE, AZ 85266



NOV 13, 2022

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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WANPHEN WOOD

27036 N. 70th Pl, Scottsdale, AZ 85266

Wanphen Wood
Nov 13, 2012

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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 Roongkarn Walsh

11767 E Quail Track Dr.
Scottsdale, AZ 85262

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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GARY BUFFINGTON 13156 N. 104TH ST SCOTTSDALE AZ 85266
 11-15-22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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William Zagowski
6608 E Phelps Rd
Scottsdale, AZ 85254

 11/15/22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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Randolph Eugene Hunter
8832 N. 85th Pl.
Scottsdale, AZ 85258

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11-15-22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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Cydney Rae Rutz

8642 E. San Lucas Dr.

Scottsdale, AZ 85258

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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LAWRENCE W. MORRIS
10511 N. 117TH PL
SCOTTSDALE AZ 85259
LW Morris 11-15-22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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Jeff Bloch
10001 N. 77th St.
Scottsdale, AZ 85258
Jeff Bloch

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

Gregory Dagan Robinson
11675 E. Wetherstead Rd
Scottsdale, AZ 85259

Gregory D Robinson
11/15/2022

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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Thomas J Dooley
16341 W 109th Way.
Scottsdale
Thomas J Dooley
11/17/22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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Thank you.

PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

Chuck A Rowsey 10425 N 78th way Scottsdale, AZ 85258
Vicki A Rowsey 11-12-22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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WALTER SLOWSKI
13983 E KALL DR
Scottsdale AZ 85259
Walter Slowski

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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**PLEASE SIGN WITH YOUR NAME AND FULL
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SCOTTSDALE**

Rick Ross
10187 E Bayview DR
SCOTTSDALE AZ 85258
Rick R
11/17/22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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TRACY ANNE BUFFINGTON
13152 N. 104th ST
SCOTTSDALE, AZ 85260
T Buffington

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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Ronald W. Auerbach
Ronald W. Auerbach
9889 N. 101st St.
SCOTTSDALE, AZ 85258
11/17/22
c/c

60

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

JAMES M BASCIANI
9905 E PIEDRA
SCOTTSDALE 85255
11/17/22



Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

Linda EDWARDS
11846 N. 93rd St.
Scottsdale, AZ 85260

Linda Edwards

11/16/22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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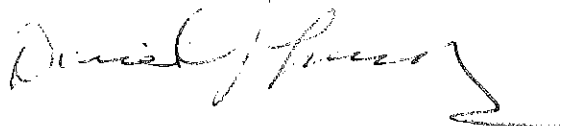
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Daniel J Laraway
9718 E. Gelding Dr.
Scottsdale, AZ 85260



Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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Charles Bollmann
10727 E Caribbean Ln
Scottsdale, AZ 85255
Charles Bollmann

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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GREGG VINCENT
7700 E. PRINCESS DR #108
SCOTTSDALE, AZ 85255
Gregg Vincent 11/16/22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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Nancy Fox
12077 E Gail Rd.
Scottsdale, AZ 85259

Nancy Fox
11/16/22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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Una M. Lege
12307 N. 119th St.
Scottsdale, AZ, 85259
Una Lege 11/16/22

Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

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WILLIAM A. MCGLOTHLIN

8457 N. 82ND PL.

SCOTTSDALE, ARIZONA 85258



Email to Scottsdale City Council

CityCouncil@scottsdaleaz.gov

RE: Rio Verde and EPCOR

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PLEASE SIGN WITH YOUR NAME AND FULL ADDRESS TO SHOW YOU ARE A RESIDENT OF SCOTTSDALE

CAROLINE WOOD

27036 N 70th Pl SCOTTSDALE, AZ 85266

Caroline Wood

NOV 13, 2022



9379 E. San Salvador Drive
Scottsdale, AZ 85258

Phone: 480-312-5685
ScottsdaleAZ.gov/Water

February 28, 2019

[REDACTED]

Dear [REDACTED],

At our meeting on February 22, 2019, you requested that I put in writing Scottsdale Water's intentions as they relate to Rio Verde residents. As I have expressed in the past, Scottsdale Water (a division of the City of Scottsdale) has no obligation to provide water to Rio Verde residents who are outside of Scottsdale's boundaries and service area and who are not connected to Scottsdale's system. Scottsdale Water reserves the right to serve only our citizens or customers directly connected to our system. It is our intention, at some point in time in the future, to require that anyone purchasing water to haul, either for private or commercial use, demonstrate that the water will be used within Scottsdale's service area. Since Scottsdale has no obligation to provide Rio Verde with water, it is prudent of you and your neighbors to find a long-term water supply and distribution system to meet your needs.

Contingent on no service disruptions of our water supplies, Scottsdale Water intends to continue to provide water at our commercial hauling station for the remainder of 2019 to water haulers who in turn, may choose to service Rio Verde residents. We will evaluate our water supplies annually to determine if this practice will be allowed to continue in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Biesemeyer", with a long horizontal flourish extending to the right.

Brian K. Biesemeyer
Executive Director, Scottsdale Water

Cc: Jim Thompson, City Manager
Bruce Washburn, City Attorney
Kelly Corsette, Communications and Public Affairs Director
Nicole Sherbert, Public Information Officer





9379 E San Salvador Drive
Scottsdale, AZ 85258

Phone: 480-312-5685
ScottsdaleAZ.gov/Water

May 11, 2020

The Honorable Steve Chucri
Maricopa County Board of Supervisors
301 West Jefferson Street
Phoenix, Arizona 85003

Dear Supervisor Chucri,

This letter is a follow-up to our meeting earlier this year. At that time, you asked for clarification on Scottsdale Water's position with respect to providing water for commercial and private water haulers providing service to Rio Verde residents. As I have expressed previously to Rio Verde residents, Scottsdale Water (a division of the City of Scottsdale) has no obligation to provide water to Rio Verde residents who are outside of Scottsdale's city boundaries and service area and who are not connected to Scottsdale's water system. Scottsdale Water reserves the right to serve only our citizens or customers directly connected to our system. It is our intention, at some point in time in the future, to require that anyone purchasing water to haul, either for private or commercial use, to demonstrate that the water will be used in the Scottsdale service area. Since Scottsdale has no obligation to provide Rio Verde with water, it is prudent for the Rio Verde residents to find a long-term water supply and distribution system to meet their needs.

Contingent on no service disruptions of our water supplies, Scottsdale Water intends to continue to provide water services at our commercial hauling station for the remainder of 2020 to water haulers who in turn may choose to serve Rio Verde residents. We evaluate the next years water availability every August with the announcement of lake levels at Lake Meade and the corresponding Arizona Drought Contingency Plan (DCP) shortage levels. Currently at Tier 0 of the DCP, Scottsdale Water does not have any of its water portfolio impacted, however at DCP Tier 1 or lower, restrictions will occur with our water portfolio. In this situation we will balance available water with our forecast demand and may discontinue allowing water hauling outside of our service area.

A handwritten signature in blue ink, appearing to read "B. Biesemeyer", with a horizontal line extending to the right.

Brian K. Biesemeyer
Executive Director, Scottsdale Water

cc: Jim Thompson, City Manager
Bill Murphy, Assistant City Manager
Brad Lundahl, Government Relations Director





9379 E San Salvador Drive
Scottsdale, AZ 85258

Phone: 480-312-5685
ScottsdaleAZ.gov/Water

May 7, 2021

The Honorable Steve Chucri
Maricopa County Board of Supervisors
301 W. Jefferson, 10th Floor
Phoenix, AZ 85003

Dear Supervisor Chucri,

This letter is in response to your request for an update on Scottsdale's position regarding water hauling outside the City of Scottsdale.

Since my last letter to you (dated May 11, 2020), the drought conditions on the Colorado River basin have intensified. Scottsdale City Council has also unanimously approved a new Drought Management Plan (DMP) in order to better prepare the city of this environmental milestone; it is available online at www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Water/Drought+Management+Plan.pdf.

The April update presented by the U.S. Bureau of Reclamation (USBR) indicates that a Tier 1 shortage on the Colorado River is very likely for 2022. This shortage will reduce the amount of Colorado River Water flowing through the Central Arizona Project (CAP) canal by 512,000 acre feet of water. This is approximately 1/3 of the CAP allocation and means Scottsdale's CAP water allocation will be affected. This August, the USBR will make the final decision of Tier 1 Shortage declaration that would take effect January 1, 2022.

In response to the impending Colorado River Shortage declaration, the DMP update is aligned with the shortage triggers on this system. When the Colorado River system goes into Tier 1 shortage, Scottsdale's DMP would be triggered for Stage 1, invoking access restrictions at water hauling stations to non-residents of the City of Scottsdale. Due to mitigation measures in the Arizona Drought Contingency Plan, Scottsdale may choose to continue to allow for water hauling by users who are not Scottsdale residents, however, after 2022 a substantial portion of mitigation measures will end. Should we be in a Tier 1 shortage in 2023, Scottsdale will impose its Stage 1 restrictions on water hauling.



While I cannot predict the future, the hydrology models on the Colorado River indicate that a Tier 1 shortage is likely for both 2022 and 2023 and a Tier 2 and 3 are possible for 2024 and 2025.

Scottsdale's infrastructure and water rights have been funded entirely by rate payers in Scottsdale. The city's number one commitment is to ensure Scottsdale customers – those customers within our service area – have priority to the city's water supplies.



Brian Biesemeyer
Executive Director, Scottsdale Water

Cc: Jim Thompson, City Manager
Bill Murphy, Assistant City Manager
Brad Lundahl, Government Relations Director
Rachel Smetana, Mayor's Chief of Staff



City Treasurer's Office
Business Services

7447 E Indian School Rd, Suite 110
Scottsdale, AZ 85251

WEB www.scottsdaleaz.gov

08/08/2022

RE:

Dear Water Hauling Customer,

Our records indicate that you have an active account using the City of Scottsdale's Water Filling station at 26602 N Pima Road, Scottsdale, Arizona. On October 6, 2021, you were notified of water restrictions being carried out due to Stage One of Scottsdale's Drought Management Plan. This would close your account on January 1, 2023, if proof of residency and need were not received by August 1, 2022.

Scottsdale has not received proof that the property requiring water hauling is within the City of Scottsdale and has a direct need. Thus, your account will be deactivated on January 1, 2023.

For questions, please contact Utility Billing at (480) 312-2461 or email UtilityBilling@ScottsdaleAZ.gov.

Sincerely,

Scottsdale Water

RESOLUTION NO. 12649

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTIVE DIRECTOR OF SCOTTSDALE WATER TO SIGN ONTO THE MEMORANDUM OF UNDERSTANDING (MOU) BY AND AMONG COLORADO RIVER BASIN MUNICIPAL AND PUBLIC WATER PROVIDERS OR A SIMILAR DOCUMENT.

WHEREAS, the City recognizes that the prolonged regional drought has had significant impacts on the Colorado River basin and the water levels at Lake Mead and Lake Powell;

WHEREAS, the City of Scottsdale has a robust water conservation program with strong public participation;

WHEREAS, multiple water providers from Colorado, Nevada, and southern California began a Memorandum of Understanding by and Among Colorado River Basin Municipal and Public Water Providers (MOU) (Attachment A) highlighting their water conservation efforts and committing to additional conservation practices; and

WHEREAS, the City desires to join with other water providers and municipalities on this MOU or a similar document describing our commitment to conserving water, decreasing water demands, and expanding water reuse and recycling in an effort to reduce demand on the Colorado River;

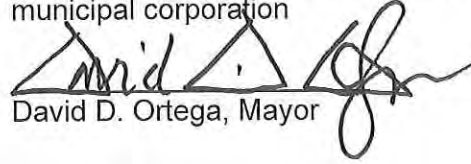
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The City Council hereby authorizes the Executive Director of Scottsdale Water or designee to sign onto the MOU or a similar document describing our commitment to conserving water, decreasing water demands, and expanding water reuse and recycling in an effort to reduce demand on the Colorado River.

Section 2. The City Council also authorizes the Executive Director of Scottsdale Water, to execute such documents and take such other actions as are necessary to carry out the purposes of this Resolution.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 25 day of October, 2022.

CITY OF SCOTTSDALE, an Arizona
municipal corporation


David D. Ortega, Mayor

ATTEST:



Ben Lane, City Clerk

APPROVED AS TO FORM:



Sherry R. Scott, City Attorney
By Janis L. Bladine, Senior Assistant City Attorney

Memorandum of Understanding
by and among Colorado River Basin Municipal and Public Water Providers
November 1, 2022

Over the past two decades, the Colorado River basin has experienced the worst drought in the last 1,200 years, which has reduced storage levels in Lakes Powell and Mead to unprecedented and critical levels. Water users throughout the basin must reduce demands to bring supply and use back into balance.

For over 20 years, communities have adapted to persistent and intensifying drought and reduced water supplies by achieving significant efficiencies in water use through direct and indirect conservation programs, including improved technology for indoor water fixtures, changes to landscapes and watering practices, conservation-oriented rates and fees, reuse and recycling programs, marketing and education campaigns, and efficient land use and development policies. Yet, climate change and the resulting hydrological shifts we are experiencing require all water users in the basin to redouble our efforts to conserve our water resources.

Together, since 2000 we have decreased annual water use by over a million acre-feet while also adding over five million people to our communities.

Much of this savings has been achieved through indoor and outdoor water use efficiencies. Recognizing that a clean, reliable water supply is critical to our communities, we can and must do more to reduce water consumption and increase reuse and recycling within our service areas. We pledge to be part of the solution.

Specifically, we commit to take the following actions:¹

1. Continue and expand our programs to increase indoor and outdoor water use efficiency.
2. Introduce a program to reduce the quantity of non-functional turf grass by 30% through replacement with drought- and climate-resilient landscaping, while maintaining vital urban landscapes and tree canopies that benefit our communities, wildlife, and the environment.
3. Increase water reuse and recycling programs where feasible, contingent on the dependability and security of our existing Colorado River supplies essential to support these efforts.

¹ [INSERT LANGUAGE ON WHOLESALER CONSTRAINTS]

4. Implement best practices and sharing lessons learned to help one another accelerate our efficiency strategies. Water providers will select from the following approaches those tactics best tailored to preserve thriving communities, environmental health, and strong economies:

- a. Transforming our outdoor landscapes and urban environments in a manner that improves climate resilience and promotes an ethic of wise water use through mandatory watering schedules and compliance enforcement, incentivized turf removal, and limitations on new turf;
- b. Increasing efficiency of indoor fixtures and appliances;
- c. Employing best practices for industrial processes and commercial operations, including minimization of evaporative cooling;
- d. Adopting conservation-oriented rate structures to incentivize efficiency;
- e. Accelerating water loss control by prioritizing supply considerations in asset management programs and exploring water loss control regulations to minimize water loss;
- f. Improving coordination between land use and water planning efforts through improved processes, best management practices, and additional regulations, where appropriate; and
- g. Employing other strategies tailored to the unique needs of each community.

5. Collaborate with other water users in the Colorado River basin to bring the supply and use of the river into balance. A robust agricultural economy, healthy watersheds, opportunities to recreate, and vibrant communities are all vital to our western way of life. No one sector, nor one state, can achieve sufficient use reductions independently. For the sake of current and future generations, we all must work together to achieve a balance of supply and use and thereby preserve a functioning and healthy river system.

6. Parties to this Memorandum of Understanding have signed below. Additional parties may join the Memorandum of Understanding without amendment by affixing their signature to the signature page.

Aurora Water

Denver Water

Marshall Brown, General Manager

James S. Lochhead, Chief Executive Officer

Metropolitan Water District of Southern
California¹

Pueblo Water

Adel Hagekhalil, General Manager

Seth Clayton, Executive Director

Southern Nevada Water Authority

Entity

John J. Entsminger, General Manager

Signatory, Title

Entity

Entity

Signatory, Title

Signatory, Title

For Immediate Release
Nov. 16, 2022

Media Contacts: *See list below*

WATER AGENCIES UNITE AND COMMIT TO REDUCING DEMANDS ON COLORADO RIVER

Multi-agency agreement outlines best practices and water-saving actions to protect water supplies serving 40 million Americans

Nov. 16, 2022 – Recognizing that a reliable water supply is critical to all economies and communities relying on the drought-stricken Colorado River, more than 30 water agencies and providers have committed to take additional actions to reducing water demands and helping protect the Colorado River system.

Through a Memorandum of Understanding (MOU) that was delivered to the Bureau of Reclamation Commissioner Camille Touton, municipal and public water providers in the Upper and Lower Colorado River Basin affirmed their commitments to implement comprehensive and innovative water conservation programs, initiatives, policies, and actions within their communities, including:

- Expanding water efficiency programs for indoor and outdoor water use.
- Implementing programs and polices reducing and replacing non-functional, decorative grass by 30 percent while protecting urban landscapes and trees canopies.
- Increasing water reuse and recycling programs where feasible.
- Implementing water efficiency strategies and best practices, such as water loss controls, conservation-based rate structures, industrial and commercial conservation, land use coordination and other suitable conservation strategies within each community.

“As we consider the long-term aridification of the Colorado River Basin, the math is simple: water uses exceed water supplies,” said John Entsminger, General Manager of the Southern Nevada Water Authority. “But solving that equation will require all Colorado River water users across every sector to make hard decisions and be fully invested in water conservation if we are going to bring our shared river system into balance.”

“This problem is of the highest magnitude, but collectively we have the resources to find the solution,” said Brenda Burman, Executive Strategy Advisor of Central Arizona Project. “The path forward will require all Colorado River water users to contribute, and Central Arizona Project continues to make investments and commitments to support the Basin to reach a sustainable water future.”

“The significance of nearly 30 municipal and industrial providers of Colorado River water signing on to this agreement is truly historic,” said Gene Shawcroft, General Manager of the Central Utah Water Conservancy District. “The commitments of municipal and industrial water agencies in both the Upper and Lower Colorado River Basins toward a unified approach to problem solving is critical in light of the current drought conditions and historic low reservoir elevations confronting the basin. I hope this agreement will provide an example of effective Basin-wide collaboration on the many Colorado River issues we face now and into the future.”

“Forging a sustainable future for the Colorado River will take a commitment from all of us to use less water. More than two dozen water agencies from cities across the Southwest have made this commitment on behalf of the millions of people they serve,” said Adel Hagekhalil, General Manager

of the Metropolitan Water District of Southern California. “This MOU is a key step towards bringing the River into balance, and powerful proof that working together, we can build solutions.”

Under the MOU, each participating water provider will implement the conservation actions, programs and/or policies most appropriate for its individual communities and water efficiency goals. While these water agencies primarily represent urban water uses, which is only a small fraction of the Colorado River’s total water consumption, the conservation strategies outlined will help reduce demands and protect water levels in lakes Powell and Mead.

“A sustainable, long-term plan for the Colorado River Basin requires all water users to reduce water demand commensurate with what the Colorado River can realistically supply given the new normal of hotter, drier weather,” said Ron Burke, President and CEO of the Alliance for Water Efficiency. “To this end, the Alliance for Water Efficiency commends the commitments from local water providers to expand water efficiency and conservation programs.”

In a joint letter of support, seven environmental, conservation, and non-governmental organizations called the MOU “an important step in the right direction,” further stating that “achieving these commitments is a necessary first phase to preserve the longevity of the Basin.”

Today’s announcement builds upon an initial MOU executed in August 2022 between Aurora Water, Denver Water, The Metropolitan Water District of Southern California, Pueblo Water and Southern Nevada Water Authority, significantly expanding participation and commitments from water providers across the Basin to implement best practices to conserve and enhance water efficiency.

Links to the [Memorandum of Understanding](#), [Water Provider Letters](#), [Joint Letter from NGOs](#) and [Alliance for Water Efficiency Letter](#)

Below is a list of all participating municipal and public water providers, as well as the respective media contacts:

ARIZONA

Central Arizona Project

Crystal Thompson, cthompson@cap-az.com, 602-321-9349
DeEtte Person, dperson@cap-az.com, 480-620-7685

City of Chandler

Toni Smith, toni.smith@chandleraz.gov, 480-782-2701

City of Mesa

Weston Brown, weston.brown@mesaaz.gov, 480-644-5713

City of Peoria

Briana Cortinas, briana.cortinas@peoriaaz.gov, 623-773-7825

City of Phoenix

Michael Gertzman, michael.gertzman@phoenix.gov, 602-534-1209
Athena Sanchez, athena.sanchez@phoenix.gov, 602-261-8681

City of Tempe

Nikki Ripley, nikki_ripley@tempe.gov, 480-313-8850

City of Tucson

Andy Squire, andrew.squire@tucsonaz.gov, 520-306-0080

Scottsdale Water

Valerie Schneider, vschneider@scottsdaleaz.gov, 480-312-5689

Town of Gilbert

Kelsey Perry, kelsey.perry@gilbertaz.gov, 480-273-0398

CALIFORNIA

City of Burbank Water and Power

Jeannine Edwards, jjedwards@burbankca.gov, 818-238-3856 or 818-561-8019

City of Santa Monica

Constance Farrell, constance.farrell@santamonica.gov, 424-280-0008

Coachella Valley Water District

Lorraine Garcia, lorraine.garcia@cvwd.org, 760-398-2661 x2549

Eastern Municipal Water District

EMWD, Public and Government Affairs Department, 951-928-3777 x4219

Foothill Municipal Water District

Nina Jazmadarian, nina.jaz@fmwd.com, 818-790-4036 x102

Long Beach Water

Lauren Gold Howland, lauren.howland@lbwater.org, 562-570-2314

Metropolitan Water District of Southern California

Rebecca Kimitch, rkimitch@mwdh2o.com, 202-821-5253

Maritza Fairfield, mfairfield@mwdh2o.com, 909-816-7722

Rancho California Water District

Kimy Wall, wallk@ranchowater.com, 951-401-9587

San Diego County Water Authority

Mike Lee, mlee@sdwca.org, 760-208-0588

Western Municipal Water District

Grace Cardenas, gcardenas1@wmwd.com, 951-290-7026

COLORADO

Aurora Water

Greg Baker, gbaker@auroragov.org, 303-739-7081

Castle Rock Water

Carrie Mahan Groce, cmahangroce@crgov.com, 303-660-1381

Colorado Springs Utilities

Jennifer Jordan, jbjordan@csu.org, 719-668-3848

Denver Water

Todd Hartman, todd.hartman@denverwater.org, Media line: 303-628-6700

Travis Thompson, travis.thompson@denverwater.org, Media line: 303-628-6700

Pueblo Water

Joe Cervi, jcervi@pueblowater.org, 719-584-0212

Southeastern Colorado Water Conservancy District

Chris Woodka, chris@secwcd.com, 719-766-4253

NEVADA

Southern Nevada Water Authority

Bronson Mack, bronson.mack@snwa.com, 702-822-8543

NEW MEXICO

Albuquerque Bernalillo County Water Utility Authority

David Morris, dmorris@abcwua.org, 505-264-5691

City of Santa Fe

Christine Chavez, cychavez@santafenm.gov, 505-955-4219

UTAH

Central Utah Water Conservancy District

Lisa Anderson, landerson@cuwcd.com, 801-226-7100

Jordan Valley Water Conservancy District

Matt Olsen, matto@jvwcd.org, 801-565-4300

Salt Lake City Department of Public Utilities

Chloe Morroni, chloe.morroni@slcgov.com, 801-702-0801

Washington County Water Conservancy District

Karry Rathje, karry@wcd.org, 435-668-5622

CITY COUNCIL REPORT



Meeting Date: **February 2, 2021**
General Plan Element: **Public Services & Facilities**
General Plan Goal: **Partner with Other Jurisdictions and Agencies**

ACTION

Adopt Resolution No. 12063 Providing Consent for formation of Rio Verde Foothills Domestic Water Improvement District.

BACKGROUND

The City of Scottsdale Water Resources Division (Scottsdale Water) has been approached by a group of citizens who reside in the unincorporated area of Rio Verde which borders on a portion of the City's northeastern borders. These citizens intend to petition Maricopa County to establish a water improvement district for the area that they generally describe as located in Maricopa County bounded by the City of Scottsdale to the West, Tonto National Forest to the North, Tonto National Forest North of Dixileta Dr.; Dixileta West to 172nd St.; 172nd St. South to Rio Verde Dr.; Rio Verde Dr. East to 176th St.; 176th St. to The McDowell Mountain Regional Park comprise the East boundary, and The McDowell Mountain Regional Park on the South. This area is not part of the City's water service area. However, some residents in this area do either directly or indirectly purchase retail water from the City and haul water to their parcels for potable water use. The City provides this water on an "as available" basis at a water filling station located within the City but the City does not have any commitments to provide water. Scottsdale Water's current planning does not include any intent to expand into the subject area. However, Arizona law requires that the proposed Improvement obtain the consent of the governing body of any municipality that is located within six miles of the proposed district area. The Fountain Hills Town Council provided consent on January 5, 2021. Accordingly, this group has requested consent from the City.

ANALYSIS AND ASSESSMENT

As noted, Scottsdale Water has provided retail water sales at filling stations on an as available basis. The Rio Verde area is outside of the city limits and not in Scottsdale Water's service. As a result, Scottsdale Water does not have a long-term assured supply designated for this area. Thus, future water shortages or restrictions could impact the City's ability to make retail water sales available for this purpose. If formed, the proposed water improvement district will seek to secure its own water rights and assured supply and put some or all of the district's members in a better position of not being dependent upon the City's water availability to provide for their needs. Therefore, City Staff recommend that the City consent to formation of the District.

RESOURCE IMPACTS

Available Funding

Adopting this resolution will not require funding from the City of Scottsdale.

Staffing, Workload Impact

No additional resources are required. If approved, the City may have discussions with the newly formed District regarding potential water treatment agreements similar to those that the City has with other water providers.

Future Budget Implications

There are no direct budget impacts expected from this action.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach

Adopt Resolution No. 12063 Providing Consent for formation of Rio Verde Foothills Domestic Water Improvement District.

RESPONSIBLE DEPARTMENT(S)

Water Resources Department

STAFF CONTACTS (S)

Brian K. Biesemeyer, Water Resources Executive Director
(480) 312-5683, bbiesemeyer@ScottsdaleAZ.gov

APPROVED BY



Brian K. Biesemeyer, Water Resources Executive Director
(480) 312-5683, bbiesemeyer@ScottsdaleAZ.gov

1-15-2021

Date

ATTACHMENTS

1. Resolution No. 12063
2. Draft Petition for the Establishment of the Rio Verde Foothills Domestic Water Improvement District and Petition to Incur Expense

ATTACHMENT 1

RESOLUTION NO. 12063

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA PROVIDING CONSENT FOR FORMATION OF RIO VERDE FOOTHILLS DOMESTIC WATER IMPROVEMENT DISTRICT.

WHEREAS, a group of residents of Maricopa County have expressed their desire and intention to form a domestic water improvement district in the Rio Verde Foothills area in accordance with Chapter 6 of Title 48 of the Arizona Revised Statutes;

WHEREAS, the proposed water improvement district will not be within the corporate boundaries of the City of Scottsdale but portions may be within six miles of the corporate boundaries of the City;

WHEREAS, Section 49-902 of the Arizona Revised Statutes requires the consent of any incorporated city or town within six miles of the proposed district;

WHEREAS, it is in the best interests of the City of Scottsdale to provide consent to formation of the Rio Verde Foothills Domestic Water Improvement District; and

NOW, THEREFORE, BE IT RESOLVED by the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The governing body of the City of Scottsdale hereby provides its consent to formation of the Rio Verde Foothills Domestic Water Improvement District or such district by a similar name located generally within the following described area:

The area located in Maricopa County bounded by the City of Scottsdale to the West, Tonto National Forest to the North, Tonto National Forest North of Dixileta Dr.; Dixileta West to 172nd St.; 172nd St. South to Rio Verde Dr.; Rio Verde Dr. East to 176th St.; 176th St. to The McDowell Mountain Regional Park comprise the East boundary, and The McDowell Mountain Regional Park on the South.

Section 2. The City Manager or his designee is authorized to submit public comments or execute any forms or documents and appear or attend any such proceedings as may be necessary to carry out the purposes of this resolution.

PASSED AND ADOPTED by the Council of the City of Scottsdale this ____ day of _____, 2021.

ATTEST:

CITY OF SCOTTSDALE, an Arizona municipal corporation

By: 
Carolyn Jagger, City Clerk

By: _____
David D. Ortega, Mayor

APPROVED AS TO FORM:


Sherry R. Scott, City Attorney
By: Eric Anderson, Senior Assistant City Attorney

ATTACHMENT 2

PETITION FOR THE ESTABLISHMENT OF THE RIO VERDE FOOTHILLS DOMESTIC WATER IMPROVEMENT DISTRICT AND PETITION TO INCUR EXPENSE

TO THE HONORABLE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA:

The undersigned real property owners ("Petitioners"), as identified in Exhibit A attached hereto and incorporated herein, petition ("Petition") the Board of Supervisors of Maricopa County, Arizona ("County") to enter its final order declaring the formation, organization and establishment of the **RIO VERDE FOOTHILLS DOMESTIC WATER IMPROVEMENT DISTRICT** ("District"). This Petition is made pursuant to Sections 48-901 to 48-967, inclusive, and Sections 48-1011 to 48-1019, inclusive, of the Arizona Revised Statutes ("A.R.S."), as the same may be amended from time to time (collectively, the "County Domestic Water Improvement District Laws").

As required by A.R.S. Section 48-903(C), the Petitioners hereby assert and declare the following facts and make the following representations in support of this Petition:

1. The name of the proposed District is the "Rio Verde Foothills Domestic Water Improvement District" of Maricopa County, Arizona.
2. The necessity for the proposed District is the need to provide a secure source of water, purchase land and construct one or more standpipes for a domestic water system and other local improvements, and the financing of such improvements by the issuance of bonds or such other financial mechanisms as the District may determine in its discretion for the benefit of the parcels of land so benefitted within the proposed District, charging and collecting fees and charges as may be permitted by law, and levying taxes within the proposed District to operate and maintain such improvements.
3. The public convenience, necessity and welfare will be promoted by the establishment of the District and the real property to be included therein will be benefitted by the improvements which can be ordered upon the formation of the District.
4. The **Initial Proposed Boundary Description** for the District is described in Exhibit B: PROPOSED BOUNDARY DESCRIPTION attached hereto and the **Initial Proposed Boundaries Map** for the District is depicted in Exhibit C: PROPOSED BOUNDARIES MAP attached hereto. The intent is to show the boundaries within which Petitioners are required to own land in order to sign the Petition.

After all petition signatures are gathered, there will be an amended Exhibit B: PROPOSED BOUNDARY DESCRIPTION and an amended Exhibit C: PROPOSED BOUNDARIES MAP created that will include only those parcels whose owners have signed this Petition. Parcels whose owners did NOT sign this petition will NOT be included in the District.

The parcels to be included within the boundaries of the proposed District are not, wholly or partially, within either of the following:

- a. The boundaries of the existing service territory of a public service corporation that provides domestic water or wastewater services as defined by a certificate of convenience and necessity issued by the Arizona Corporation Commission.

- b. The boundaries of the proposed service territory of a public service corporation that provides domestic water or wastewater services as defined in an application for a certificate of convenience and necessity that is pending before the Arizona Corporation Commission or that has been considered by the Arizona Corporation Commission within one year before the date this Petition for an improvement district is filed with the Clerk of the Board of the County.
5. The proposed improvements may include, but are not limited to, acquiring a secure source of water, acquisition or construction of a well or wells, installation of a pump or pumps, construction of a water storage tank or tanks, and construction of a standpipe or standpipes, combined with water hauling by independent commercial and/or private water haulers delivering water from the constructed water infrastructure to parcels included within the District, or the sale of water from the domestic water system, all as part of a domestic water system.
 6. Petitioners ask that the proposed District have the power and authority to: (i) construct, acquire and/or improve a domestic water system and all appurtenances thereto, within and without the District; (ii) make any and all other local improvements as may be required or necessary to fulfill such purpose; (iii) fund by loans, grants, assessments, special assessments, the issuance of bonds, and/or imposition of charges as may now or hereafter be ordered under and pursuant to the County Domestic Water Improvement District Laws; and (iv) provide for the operation, maintenance, repair and replacement of such improvements, as the need may arise. The proposed District shall be a special purpose district and municipal corporation for all applicable purposes. These purposes consist of, but are not limited to, the purposes prescribed in A.R.S. Section 48-909(A) as well as the related powers prescribed in A.R.S. Section 48-909(B) and A.R.S. Section 48-910.
 7. Petitioners request that the District have an elected Board of Directors consisting of five members and that the following qualified electors of the District be appointed as the initial Board of Directors:

<u>Name of Director</u>	<u>Address</u>
Jennifer Simpson	13824 E Olesen Rd Scottsdale, Arizona 85262
John Jouas	35607 N 138 th Way Scottsdale, AZ 85262
Karen Nabity	13730 E. Cavedale Drive Scottsdale, Arizona 85262
Michelle Jameson	30507 N 164 th St Scottsdale, Arizona 85262

[INSERT]

8. Election dates shall be the same as the county-wide general election date of each even numbered year commencing in 2022, and terms of the applicable class shall expire on the last day of December following the election.

9. When the District is formed, this Petition shall be deemed to be a petition to the Board of Directors of the District that the District incur the expense of appointing and employing a District engineer, drafting and preparing plans, specifications and estimates of the District's improvements or any one of them, and of taking all action to initiate and complete such improvements. Further, this Petition shall be deemed to be a petition to the Board of Directors of the District to incur the expenses of acquiring a secure source of water and constructing a domestic water system, to pay a required bond, other fees and expenses, costs of mailings, notifications, professionals and of taking all action to initiate and complete the process of obtaining a secure source of water and any improvements.
10. The Petitioners agree to pay all expenses connected with the proceedings in case the Board of Supervisors refuses to establish the District. If the District is established but the improvement work is abandoned by the District, the costs incurred previous to the abandonment (*i.e.*, costs for engineering, legal, financial, and other incidental expenses) will be paid by the District, such payment will be provided for by the levy and collection of taxes upon all the property, real and personal, in the District, or payment for such costs will be made by any other remedy or law in force at the time of abandonment.
11. Petitioners understand that the engineer's estimate of costs of the improvements have not been completed nor has the assessment methodology been determined or approved by the Board of Directors, and therefore no maximum limit on the amount of any assessment or the aggregate amount of all assessments has been established.
12. Petitioners acknowledge that the formation of the District may result in the levy of ad valorem taxes, assessments, and other charges to pay the costs of taking all action to initiate and complete the anticipated improvements, and for their operation and maintenance, and that the real property included within the District will be subject to the ordinances, resolutions, and other laws of the District. **The owners of real property within Exhibit B: PROPOSED BOUNDARY DESCRIPTION and Exhibit C: PROPOSED BOUNDARIES MAP who do not sign this Petition shall be excluded from the District.**
13. The Petitioners represent and/or acknowledge that: (1) this Petition constitutes a binding obligation; (2) this Petition has been validly authorized and executed as verified in the verification attached hereto; (3) this Petition meets the majority requirements of A.R.S. Sections 48-903(A); (4) the proposed District is a non-contiguous District and after all Petitioners sign this petition, an amended **Exhibit B: PROPOSED BOUNDARY DESCRIPTION** and an amended **Exhibit C: PROPOSED BOUNDARIES MAP** will be created including ONLY those parcels whose owners have signed this Petition; and as a result (5) 100% of the owners of 100% of the real property to be included in the District will have signed this Petition.

IN LIGHT OF THE FOREGOING, and in furtherance of their desire to provide a permanent and reliable source of domestic water to landowners within the boundaries of the proposed District, the Petitioners ask the Board of Supervisors: (i) to summarily order the formation of the District since the Petition will have been signed by the owners of all real property to be included in the proposed District; and (ii) (iii) after consideration of any objections that may be made, enter a formal order declaring the following:

- A. That the County finds this Petition was signed by the owners of all of the real property to be included within the proposed District, and all of such property owners are qualified electors of the proposed District;
- B. That the County finds the public health, convenience, necessity and welfare will be promoted by the establishment of the proposed District, and the real property to be included therein will be benefited by the improvements to be constructed by the proposed District;
- C. That the County issue a formal order declaring that this Petition conforms with all applicable legal requirements relating to the formation of the District, and define and establish the boundaries of the District as described in the amended **Exhibit B: PROPOSED BOUNDARY DESCRIPTION** and the amended **Exhibit C: PROPOSED BOUNDARIES MAP**;
- D. That in accordance with A.R.S. Sections 48-1011 *et seq.*, the County finds that the proposed District should be governed by an elected Board of Directors, and that the first Board of Directors shall consist of the five persons listed in Paragraph 7 of this Petition;
- E. That the first election for at least two of the initial members of the Board of Directors be held on the first Tuesday after the first Monday in November 2022, with subsequent elections being held in each even-numbered year on the first Tuesday after the first Monday in November;
- F. That, in accordance with A.R.S. Section 48-915, the District be authorized to incur expenses and debt for which the District will be liable; and
- G. That the County performs such other and further acts as are required by law.

RESPECTFULLY SUBMITTED this ___ day of _____, ____.

[Signatures are attached as Exhibit A]

Approved as to form:

Jeffrey W. Crockett, Esq.
 CROCKETT LAW GROUP PLLC
 2198 E. Camelback Road, Suite 305
 Phoenix, Arizona 85016
 Phone: (602) 441-2775
 E-mail: jeff@jeffcrockettlaw.com
 Attorney for the Petitioners

Exhibit A

I have personally signed this petition. I have not signed any other petition for the same measure. I am a property owner within the Initial Proposed Boundaries Map that is located in the state of Arizona, county of Maricopa. I have read the Petition requesting the establishment of the Rio Verde Foothills Domestic Water Improvement District and Petition to Incur Expenses, and all exhibits. Warning: It is a class 1 misdemeanor for any person to knowingly do any of the following: 1. Sign a district creation petition with a name other than the person's own name, except in a circumstance where the person signs for another person, in the presence of and at the specific request of that person, who is incapable of signing that person's own name because of physical infirmity. 2. Sign the person's name more than once for the same parcel number. 3. Sign a district creation petition if the person is not a property owner within the initial proposed boundaries.

Signature	Name (As on Deed to property)	Actual Address of Parcel (if no street address: Description w/ cross roads)	Mailing Address (if different)	Parcel No.	Date MM/DD/YY
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

I, _____, am the volunteer responsible for the signatures collected above.

Signature _____ Printed Name _____ Volunteer's Actual Address _____

Exhibit B
PROPOSED BOUNDARY DESCRIPTION
Rio Verde Foothills Domestic Water Improvement District

The **Initial Proposed Boundary Description** is:

The area is located in Maricopa County and is bounded by the City of Scottsdale to the West, Tonto National Forest to the North, Tonto National Forest North of Dixileta Dr.; Dixileta West to 172nd St.; 172nd St. South to Rio Verde Dr.; Rio Verde Dr. East to 176th St.; 176th St. to The McDowell Mountain Regional Park comprise the East boundary, and The McDowell Mountain Regional Park on the South.

EXCEPT the following areas:

Granite Mountain Ranch; encompassed by Lone Mountain Rd. to the North, 144th St. to the East, Dixileta Dr. to the South and 140th St. to the West.

Rio Mountain Estates; encompassed by Dixileta Dr. to the North, 152nd St. to the East, Rio Verde Dr. to the South and 150th St. to the West.

The following parcels which are included in EPCOR's service area:

These are located West of 172nd St. and North of Rio Verde Dr.:

Parcel 219-38-009H	Parcel 219-39-009P	Parcel 219-38-979
Parcel 219-38-009N	Parcel 219-38-978	

These are located West of 176th St. South of Rio Verde Dr.:

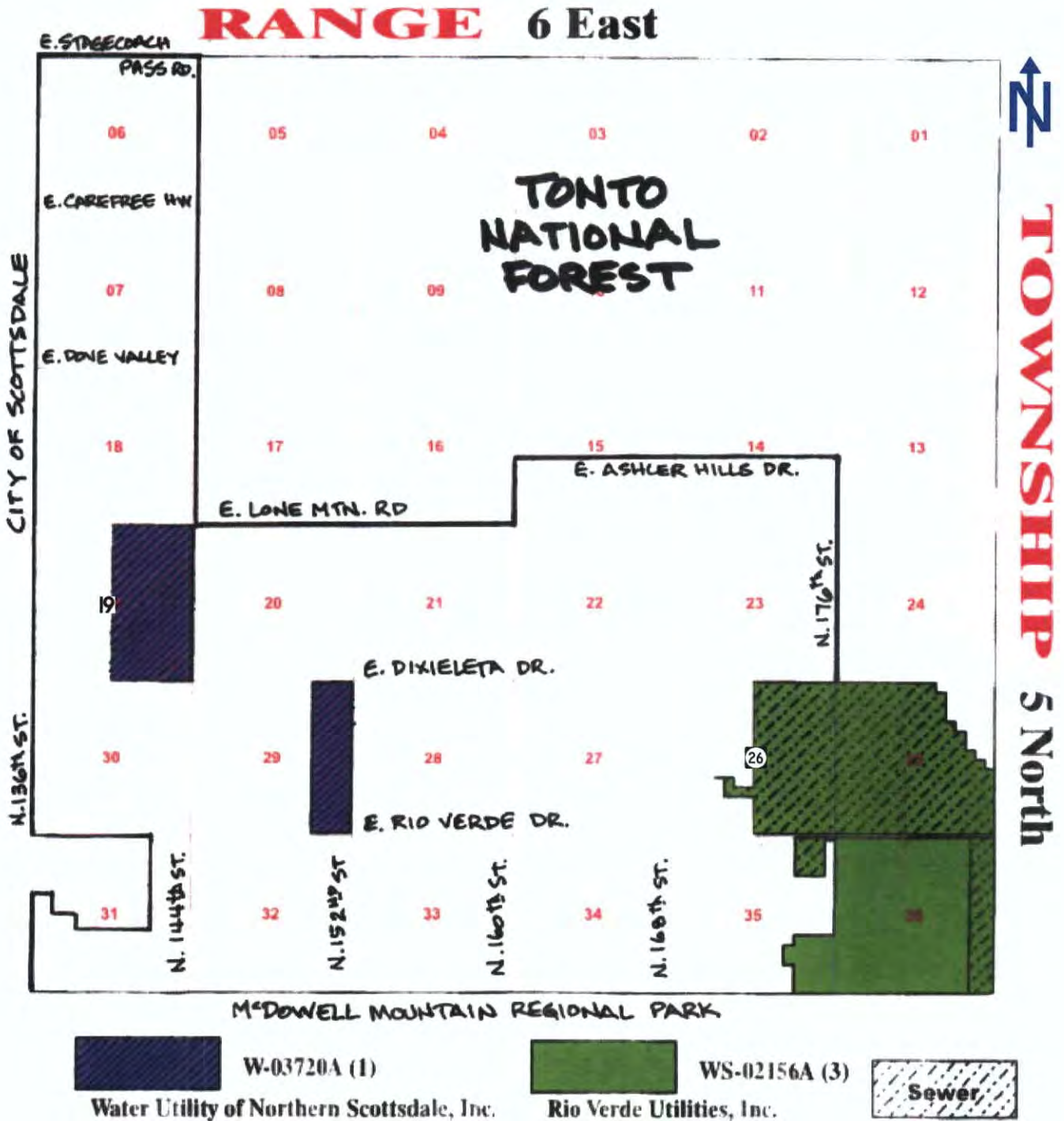
Parcel 219-38-046	Parcel 219-38-056C	Parcel 219-38-160F
Parcel 219-38-047	Parcel 219-38-158	Parcel 219-38-160G
Parcel 219-38-052C	Parcel 219-38-159A	Parcel 219-38-160H
Parcel 219-38-052H	Parcel 219-38-159C	Parcel 219-38-160J
Parcel 219-38-052J	Parcel 219-38-159D	Parcel 219-38-160K
Parcel 219-38-052N	Parcel 219-38-159E	Parcel 219-38-161
Parcel 219-38-052P	Parcel 219-38-159F	Parcel 219-38-162
Parcel 219-38-052Q	Parcel 219-38-106A	Parcel 219-38-163
Parcel 219-38-052S	Parcel 219-38-106B	Parcel 219-38-164
Parcel 219-38-052T	Parcel 219-38-106C	Parcel 219-38-165
Parcel 219-38-052U	Parcel 219-38-160D	
Parcel 219-38-056B	Parcel 219-38-160E	

An **Amended Proposed Boundary Description** will supersede and replace this Exhibit B and will list only those Parcels whose owners have signed the accompanying Petition and are within the above Initial Proposed Boundary description. No other parcels will be included.

Exhibit C
PROPOSED BOUNDARIES MAP
Rio Verde Foothills Domestic Water Improvement District

This is the **INITIAL PROPOSED BOUNDARIES MAP**. The intent of this map is to show the boundaries within which Petitioners are required to own property to sign the accompanying Petition.

After all petition signatures are gathered, there will be an **AMENDED PROPOSED BOUNDARIES MAP** created that will include only those parcels whose owners have signed the accompanying Petition. The AMENDED PROPOSED BOUNDARIES MAP will supersede and replace this Exhibit C. Parcels whose owners did NOT sign will NOT be included in the Amended Proposed Boundaries Map.



PETITION FOR ESTABLISHMENT OF IMPROVEMENT DISTRICT
RIO VERDE FOOTHILLS DOMESTIC WATER IMPROVEMENT DISTRICT
OF MARICOPA COUNTY, ARIZONA

STATE OF ARIZONA)
) ss
COUNTY OF MARICOPA)

I, the undersigned, being first duly sworn, on oath depose and say that the facts stated in the foregoing petition are true; that I own real estate within the boundaries of the proposed Rio Verde Foothills Domestic Water Improvement District ("District"); that I signed the foregoing petition with regard to the real estate within the proposed District; and that I have examined attached copies of the petition and hereby verify that the signatures thereto are, to the best of my knowledge, the genuine signatures of the owners of land, or their authorized representatives, within the District.

X _____
Karen Nability

Acknowledged before me this ____ day of _____, 20 ____,

By _____

Notary Public
My commission expires on:



Terry Rambler
Chairman

SAN CARLOS APACHE TRIBE

P.O. Box 0, San Carlos, Arizona 85550

Phone (928) 475-1600

Fax (928) 475-2567

Tao Etpison
Vice-
Chairman

FOR IMMEDIATE RELEASE

San Carlos Apache Tribe Reaches Preliminary Agreement to Supply CAP Water to Rio Verde Foothills

December 7, 2022

San Carlos Apache Reservation—The San Carlos Apache Tribe has reached a preliminary, one-year agreement with Dynamite Water Company to provide water for the Rio Verde Foothills community that faces a January 1 deadline to secure a new water source.

The tentative agreement calls for the Tribe to lease up to 200-acre-feet (65-million gallons) of its Central Arizona Project water allocation to Dynamite Water to help meet the immediate water needs for the Rio Verde Foothills community. A final agreement will require approvals from U.S. Bureau of Reclamation, the U.S. Bureau of Indian Affairs and the San Carlos Apache Tribe Council.

“The Tribe is pleased to have the opportunity to provide assistance to Arizona communities in need of water and stands ready to work in a cooperative manner on complex water issues facing our Tribe and State,” said Terry Rambler, Chairman of the Tribe.

“We are grateful that the San Carlos Apache Tribe was willing to assist our community with water it desperately needs, and I look forward to reaching a final agreement in the near future,” said Dynamite Water owner Damon Bruns. *“We now have a tangible plan in place to provide an immediate solution to a pending cutoff of water to more than 700 Rio Verde homes by the end of the year.”*

The City of Scottsdale announced in 2021 that it would no longer provide water to commercial companies hauling water to Rio Verde Foothills by the end of this year. Most of the Rio Verde Foothills community – an unincorporated area adjoining Scottsdale that has about 740 homes – relies on commercial water companies to haul water to their homes. Dynamite Water has been hauling water to Rio Verde Foothills since 2006. Bruns is also a Rio Verde Foothills resident.

Nov 23 87 04:00p

William E. Farrell

(802) 661-7454

p. 2

Law Offices Of
WILLIAM E. FARRELL

Telephone (802) 661-6044
Facsimile (802) 661-7454

William E. Farrell
Andrew J. McGuire

Suite 220
10135 East Via Linda
Scottsdale, Arizona 85258-8912

November 21, 1997

Erik Eriksson, Jr., Esq.
Managing Counsel
Chaparral City Water Company
5847 San Felipe
Suite 2600
Houston, Texas 77257

RE: **CCWC - Rights to Supply Within
Boundaries of the Town**

Dear Erik:

You have requested my opinion, as Town Attorney for the Town of Fountain Hills, regarding the continuing rights of Chaparral City Water Company ("CCWC") to supply water within the corporate boundaries of the Town.

Specifically, you have informed us that CCWC continues to hold its Certificate of Convenience and Necessity, granted by the Arizona Corporation Commission on April 20, 1971. However, the Maricopa County franchise granted to CCWC on August 3, 1970 expired by its own terms 25 years thereafter, in 1995.

The Town of Fountain Hills regulates CCWC's activities within its rights-of-way through several mechanisms, e.g., Chapter 16 of the Town Code regulating work within Town Streets and sidewalks, and specifically, the Town's requirement of encroachment permits for such activities. Furthermore, Section 16-1-2 (D) of the Town Code provides in part that "[n]o permit is required for a continuing use or maintenance of encroachments lawfully installed by public utilities[.]"

CCWC has legally installed facilities pursuant to its Maricopa County franchise rights. Additionally, since the enactment of Chapter 16 of the Town Code, the Town has required CCWC to obtain encroachment permits for facilities work within its rights-of-way, on the terms provided in the ordinance.

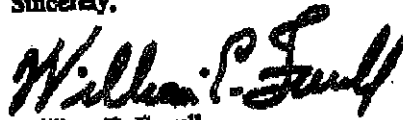
EWYDZATAVWCCWCLLTA

November 21, 1997

Page 2

Accordingly, it is the position of the Town of Fountain Hills that CCWC does not need to obtain a new franchise from the Qualified Electors of the Town in order to continue to provide water service to the Town residents through CCWC's existing water system within Town rights-of-way. Additionally, CCWC may service and replace that system, and extend that system within Town rights-of-way, provided it complies with the requirements of Chapter 16 of the Town Code regarding the issuance of encroachment permits.

Sincerely,



William E. Farrell
Town Attorney

WEF:tpf

24V9DATA\PROCCO\1178

Mr. Burns: I would like to make one point, speaking of duty. It is the duty of the people of Guadalupe that if this club does not operate within the law and does not operate properly, to call the proper authorities, and if they don't operate properly and they do get this liquor license, the State Liquor Department can take it away from them, and if it is ever taken away, they will never get it back from this Board, so you do your duty, and lets get on with the meeting here.

Mr. Garcia: They will never get it back from this Board, that is contradictory with what the Chairman said.

Mr. Stark: No it isn't.

2. Application by Thelma Evelyn Rhyner for an Original Series 11 License:

Business Name: Hi-Way Variety and Hardware
Location: 6037 East Cave Creek Road, Cave Creek, Arizona

There was no one present who wished to be heard.

Mr. Stark made the motion, which carried by majority vote with Mr. Stark and Mr. Burns voting "yes" and Mr. Haws voting "no," that the Board recommend approval of this application.

3. Application by Leslie E. Godare for an Original Series 16 License:

Business Name: Nineteen-Twelve
Location: Hayden Road and University Drive, Tempe, Arizona

The Board considered a report from the Sheriff's Office and discussed it with Mr. Bob Scura who was present representing the applicant.

Mr. Haws made the motion, which was unanimously carried, that this matter be continued for one week, until August 10, 1970, in order to obtain additional information.

4. Application by Jerry Rau and Leona H. Rau for a Person-to-Person Transfer of a Series 7 License from Mary E. Carver:

Business Name: J & L Grill
Location: Hwy. 60-70-89 & 93, Wittman, Arizona

There was no one present who wished to be heard.

Mr. Stark made the motion, which was unanimously carried, that the Board recommend approval of this application.

FRANCHISE GRANTED TO CHAPARRAL CITY WATER COMPANY

BEFORE THE BOARD OF SUPERVISORS
OF
MARICOPA COUNTY, STATE OF ARIZONA

IN THE MATTER OF THE APPLICATION OF)

FRANCHISE

Chaparral City Water Company
FOR A FRANCHISE)

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, STATE OF ARIZONA, THAT:

WHEREAS, Chaparral City Water Company, hereinafter designated as the Grantee, doing business in Maricopa County, Arizona, has filed an application with the Board of Supervisors of Maricopa County, Arizona, bearing date of May 30, 1970, praying for the right, privilege, license and franchise to construct, maintain, and operate water lines, etc., for a period of twenty-five (25) years, for the transmission and delivery of water for domestic use, along, upon, under and across public highways, roads, alleys and thoroughfares (excepting State highways) within that portion of Maricopa County, Arizona, known and described as follows, to-wit:

That portion of Sections 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, 23, 26, 27, 28 and 29, Township 3 North, Range 6 East, Gila and Salt River Base and Meridian, more particularly described as follows:

Beginning at the Southwest corner of Section 29, said point of beginning lies also on the Northerly Boundary line of the Salt River Indian Reservation; thence Northerly along the West line of said Section 29 to the Southwest corner of Section 20; thence continuing Northerly along the West line of said Section 20 to the West 1/4 corner of Section 20; thence Easterly along the North line of the South 1/2 of said Section 20 to the center of said Section; thence Northerly along the West line of the East 1/2 of said Section 20 to the South line of Section 17; thence Westerly along the South line of Section 17 to the Southwest corner of said Section 17; thence Northerly along the West line of said Section 17 to the Southeast corner of Section 7; thence Westerly along the South line of said Section 7 to the Southwest corner of said Section 7; thence Northerly along the West line of said Section 7 to the Southwest corner of Section 6; thence continuing Northerly along the West line of said Section 6 to the Northwest corner of said Section 6; thence Easterly along the North line of said Section 6 to the Northwest corner of Section 5; thence continuing Easterly along the North line of said Section 5 to the Northwest corner of Section 4; thence continuing Easterly along the North line of said Section 4 to the Northeast corner of said Section 4; thence Southerly along the East line of said Section 4 to the Northwest corner of Section 10; thence Easterly along the North line of said Section 10 to the Northwest corner of Section 11; thence continuing Easterly along the North line of said Section 11 to the Northeast corner of said Section; thence Southerly along the Easterly line of Section 11 to the intersection with the Westerly Boundary line of the Fort McDowell Indian Reservation; thence Southwesterly along

said Fort McDowell Indian Reservation Boundary line through Sections 11, 14, 23 and 26 to the intersection of the South line of Section 26; said point of intersection also lies on the Northerly Boundary line of the Salt River Indian Reservation; thence Westerly along said South line of said Section 26 to the Southeast corner of Section 27; thence continuing Westerly along the South line of said Section 27 to the Southeast corner of Section 28; thence continuing Westerly along the South line of said Section 28 to the Southeast corner of Section 29; thence continuing Westerly along the South line of said Section 29 to the Southwest corner of said Section 29; said point also being the point of beginning.

A total of 12,060 Acres;

and not within the confines of any incorporated city or town, and under such restrictions and limitations and upon such terms as the Board of Supervisors may provide, not inconsistent with the laws of the State of Arizona, or the orders and rules of the Corporation Commission of the State of Arizona, and that the Board take such proceedings herein as is provided by laws of the State of Arizona; and

WHEREAS, upon filing said application, the said Board of Supervisors by resolution dated the 6th day of July, 1970, ordered that public notice of the intention of said Board to make such grant be given by publishing a notice in the Arizona Weekly Gazette, a newspaper of general circulation, published in the County of Maricopa, State of Arizona, and that 10:00 a.m., on the 3rd day of August, 1970, at the meeting room of said Board of Supervisors, located at 205 West Jefferson, in the City of Phoenix, Arizona, be set as the time and place of hearing the said application; and

WHEREAS, the said application coming on regularly for hearing on said day and it appearing by the affidavit of the duly authorized agent of the said newspaper that due and regular notice of said time and place set for the consideration of such application has been published for at least once a week for the three week period prior to said date set forth herein, to-wit:

In the issues of the said newspaper on July 14, 21, and 28, 1970 and it appearing that no sufficient protest has been filed by the qualified electors of the said County petitioning said Board of Supervisors to deny such license and franchise, and it further appearing the best interests of Maricopa County will be served by the granting of said application and the franchise referred to therein;

NOW, THEREFORE, the Board of Supervisors of Maricopa County, State of Arizona, acting on behalf of said County, does hereby grant unto Chaparral City Water Company, doing business in Maricopa County, Arizona, subject to the terms, conditions and limitations hereinafter contained, the right, privilege, license and franchise to construct, maintain and operate water lines, pipelines, mains, etc., for a period of twenty-five (25) years, unless earlier terminated, for the transmission and delivery of water for domestic use along, upon, under and across the public highways, roads, alleys and thoroughfares (excepting State highways) within that portion of Maricopa County, Arizona, hereinabove described, under such restrictions and limitations and upon such terms as this Board may, at any time, provide not inconsistent with the laws of the State of Arizona, or the orders and rules of the Corporation Commission of the State of Arizona, specifically providing, however, that:

1. All rights hereunder are granted under the express condition that the Board of Supervisors of said Maricopa County shall have the power at any time to impose such restrictions and limitations and to make such regulations on such highways, roads, and thoroughfares as may be deemed best for the public safety, welfare or convenience.
2. All rights hereby granted shall be exercised so as to not interfere or conflict with any easements or rights-of-way heretofore granted by said Board of Supervisors, and now in force.
3. All rights hereby granted shall be exercised so as not to interfere or conflict with any easement, either public or private, of whatsoever nature, which has been acquired in or to the proper use of said highways, roads, and thoroughfares, or any portion thereof.
4. All rights hereby granted shall be exercised so as not to interfere or conflict with or endanger in any way the proper use by the public of said highways, roads, and thoroughfares, or any portion thereof.
5. That the said Grantee shall bear all expenses incurred including damages and compensation for the alteration of the course, direction, surface, grade or alignment of any of the said highways, roads and thoroughfares necessarily made by the said Grantee for the purpose of this franchise; that the said Grantee will maintain said pipelines and water mains at their own cost and expense and will make all necessary repairs from time to time as the same may be needed without the necessity of notice from Maricopa County, and in the event the said Grantee shall fail to make any repairs within ten days from the time same becomes necessary, then Maricopa County may cause the same to be made, and said Grantee agrees to pay Maricopa County the cost thereof.

6. That all property of the distributing system be installed and operated by the said Grantee and shall be placed, removed or re-located initially and throughout the term of this franchise, along, in, on, under, over and across the said highways, roads and thoroughfares in such manner and location as the Board of Supervisors or its duly authorized agents may designate. Such placement, removal or re-location shall be done at the sole expense of the Grantee upon a determination by the Board of Supervisors of Maricopa County that such placement, removal or re-location is necessary.

If Grantee fails or refuses so to remove or re-locate, Maricopa County may so remove or re-locate, at the sole expense of Grantee, such expenses to include any and all damages and compensation of whatsoever nature arising therefrom.

In this section the term "property" includes conduits, pipes, wires, poles, or other structures and appliances used to supply or deal in gas, electricity, lights, water, heat, refrigeration, power, telephones, telegraph and other public utilities.

Any finding or determination made by the Board of Supervisors pursuant hereto shall be final and binding upon the Grantee whether or not such findings or determination relates to the requirements of public safety, or welfare, the use of public roads or the need for proposed improvements, and whether or not the function to be served by such removal or re-location is of a governmental or proprietary nature.

7. That said Grantee shall indemnify and save harmless, the said County of Maricopa from all costs, expenses and liabilities in connection with the granting of this franchise and exercise of the same by them.

8. That the rights of any person claiming to be injured in any manner by the maintenance of said pipelines, hydrants and water distributing system and apparatus shall not be affected hereby.

9. That the terms and conditions of this franchise shall inure to the benefit of, and be binding upon, all the heirs and assigns of the said Grantee.

10. That the franchise and privilege herein granted shall not be deemed to be exclusive and the said Board of Supervisors hereby expressly reserves the right and power to grant from time to time similar franchises and privileges over the same territory and highways, roads and thoroughfares.

11. This franchise is granted upon the express condition that a Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months from the date of granting of this franchise; and if such Certificate is not granted within six months from said date, then this franchise to be void, otherwise to be in full force and effect for the time herein specified.

Upon motion of Supervisor Stark, which was unanimously carried, the foregoing resolution granting a franchise to Chaparral City Water Company, doing business in Maricopa County, Arizona, to engage in the public service business of supplying and delivering water in the County of Maricopa, State of Arizona, was duly passed and adopted by the Board of Supervisors of Maricopa County at a regular session of said Board held on the 3rd day of August, 1970.

The following recommendations submitted by the County Engineer were adopted and made a part of this franchise:

1. All mains and service lines installed within the rights-of-way of public roads, streets and alleys shall be installed in accordance with standards, depths and locations approved by the County Engineer.

2. All water mains within the above-mentioned rights-of-way shall be of cast iron, cement asbestos or other material recognized by the engineering profession as having an equally long and water-tight life.

3. All services within the above-mentioned rights-of-way shall be of extra strength galvanized pipe or of copper or brass pipe.

4. That the franchise holders shall obtain a permit from the office of the County Engineer prior to the operation of the franchise.

/s/ Bob Stark
Chairman, Board of Supervisors
Maricopa County, Arizona

ATTEST:

/s/ Rhea Woodall
Clerk, Board of Supervisors
Maricopa County, Arizona

FRANCHISE GRANTED TO ELLSWORTH LAND AND LIVESTOCK INC.

BEFORE THE BOARD OF SUPERVISORS
OF
MARICOPA COUNTY, STATE OF ARIZONA

IN THE MATTER OF THE APPLICATION OF)
_____)
Ellsworth Land and Livestock Inc.)
FOR A FRANCHISE)

F R A N C H I S E

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, STATE OF ARIZONA, THAT:

WHEREAS, Ellsworth Land and Livestock Inc., hereinafter designated as the Grantee, doing business in Maricopa County, Arizona, has filed an application with the Board of Supervisors of Maricopa County, Arizona, bearing date of July 2, 1970, praying for the right, privilege, license and franchise to construct, maintain and operate water lines, etc., for a period of twenty-five (25) years, for the transmission and delivery of water for domestic use, along, upon, under and across public highways, roads, alleys and thoroughfares (excepting State highways) within that portion of Maricopa County, Arizona, known and described as follows, to-wit:

Sections 8, 9, 10, 17, 20, 27, 28, and 34 of Township 2 South, Range 7 East of the G&SRB&M

and not within the confines of any incorporated city or town, and under such restrictions and limitations and upon such terms as the Board of Supervisors may provide, not inconsistent with the laws of the State of Arizona, or the orders and rules of the Corporation Commission of the State of Arizona, and that the Board take such proceedings herein as is provided by laws of the State of Arizona; and

WHEREAS, upon filing said application, the said Board of Supervisors by resolution dated the 6th day of July, 1970, ordered that public notice of the intention of said Board to make such grant be given by publishing a notice in the Arizona Weekly Gazette, a newspaper of general circulation, published in the County of Maricopa, State of Arizona, and that 10:00 a.m., on the 3rd day of August, 1970, at the meeting room of said Board of Supervisors, located at 205 West Jefferson, in the City of Phoenix, Arizona, be set as the time and place of hearing the said application; and

WHEREAS, the said application coming on regularly for hearing on said day and it appearing by the affidavit of the duly authorized agent of the said newspaper that due and regular notice of said time and place set for the consideration of such application has been published for at least once a week for the

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