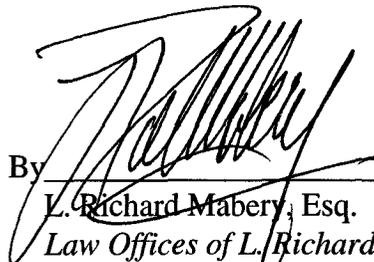




RESPECTFULLY SUBMITTED this 14<sup>th</sup> day of January, 2016.

**L. RICHARD MABERY, P.C.**

By 

L. Richard Mabery, Esq.  
Law Offices of L. Richard Mabery, P.C.  
234 North Montezuma Street  
Prescott, Arizona 86301  
Attorney for The Verde Ditch Company

**MEMORANDUM**

**I. BACKGROUND**

The Camp Verde Sanitary District submitted preliminary plans to the Verde Ditch Company regarding the construction of a new 12 inch sewer line and improvements adjacent to the easterly boundary of the Verde Ditch and also a 12 inch sewer line to be constructed under a portion of the existing Verde Ditch, all as more fully set forth in Exhibits 1, 2 and 3 attached.

The Commissioners of the Verde Ditch have reviewed and considered the request and do not object to the request from the Camp Verde Sanitary District provided:

1. The lift station pump and attendant improvements are located east of and below the Verde Ditch and a sufficient distance from the Ditch is maintained so that any spills or equipment failures do not create a contamination potential to the Verde Ditch.
2. The underground pipeline to be constructed along and adjacent to the east boundary of the Verde Ditch as shown in Exhibit "1" (green and blue lines denote two possible routes along portions of the Verde Ditch) will be constructed not less than six feet from the outer edge of the easterly Verde Ditch bank and will be constructed so that the pipeline does not interfere with or hinder the ability of the Verde Ditch Company to maintain or repair the Verde Ditch and its banks. (As shown in Exhibit "2").

Law Offices of  
L. Richard Mabery, P.C.  
234 North Montezuma Street  
Prescott, Arizona 86301-3008  
(928) 778-1116

Law Offices of  
L. Richard Mabery, P.C.  
234 North Montezuma Street  
Prescott, Arizona 86301-3008  
(928) 778-1116

3. The portion of the underground pipeline to be constructed under and across the Verde Ditch as shown in Exhibit "3" will be buried not less than five feet below the existing bottom of the bottom of the Ditch and the 12 inch sewer line will be constructed and installed within a 24 inch steel casing that will be located not less than 5 feet under the existing bottom of the Verde Ditch so that any pipeline failures or leaks will not allow any contaminates to reach the Verde Ditch. The trench to construct the 24 inch steel casing under the Verde Ditch will be slurry filled from the top of the 24 inch pipeline to the bottom of the Verde Ditch. The 24 inch casing will also extend not less than 5 feet from the east bank and the west bank of the Verde Ditch.
4. The Camp Verde Sanitary District will be solely responsible for all expenses or costs to construct and operate the pipeline and improvements and will indemnify and hold harmless the Verde Ditch Company from any damages of claims resulting from the design, construction and operation of the underground sewer line and improvements.
5. The Camp Verde Sanitary District will be solely responsibility for obtaining any necessary permits, licenses or easements from any governmental agencies and from the owners of the real property affected by the underground sewer pipeline and improvements.
6. During the course of construction, the Camp Verde Sanitary District will undertake all necessary efforts to complete the work in a timely and good workmen manner that will not unreasonably impair or restrict the Verde Ditch Company's ability to deliver water to the Shareholders or to inspect, repair and maintain the Verde Ditch and its banks upon completion of the Camp Verde Sanitary District improvements.
7. That the Camp Verde Sanitary District will promptly restore and compact any ditch banks disturbed or excavated during the course of construction.

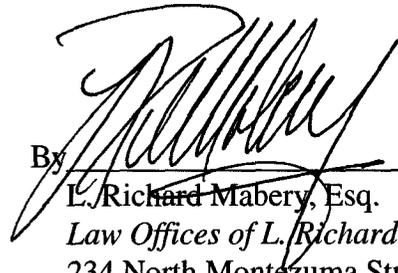
WHEREFORE THE Commissioners request that the preliminary designs as submitted and attached as Exhibits 1, 2 and 3 be approved subject to the provisions set forth above and authorize the Commissioners to review and approve any final plans or designs provided that such plans or designs do not substantially vary from the preliminary plans as submitted herewith and approved by the Court.

///

///

RESPECTFULLY SUBMITTED this 14<sup>th</sup> day of January, 2016.

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*Law Offices of L. Richard Mabery, P.C.*  
234 North Montezuma Street  
Prescott, Arizona 86301  
Attorney for The Verde Ditch Company

Law Offices of  
**L. Richard Mabery, P.C.**  
234 North Montezuma Street  
Prescott, Arizona 86301-3008  
(928) 778-1116



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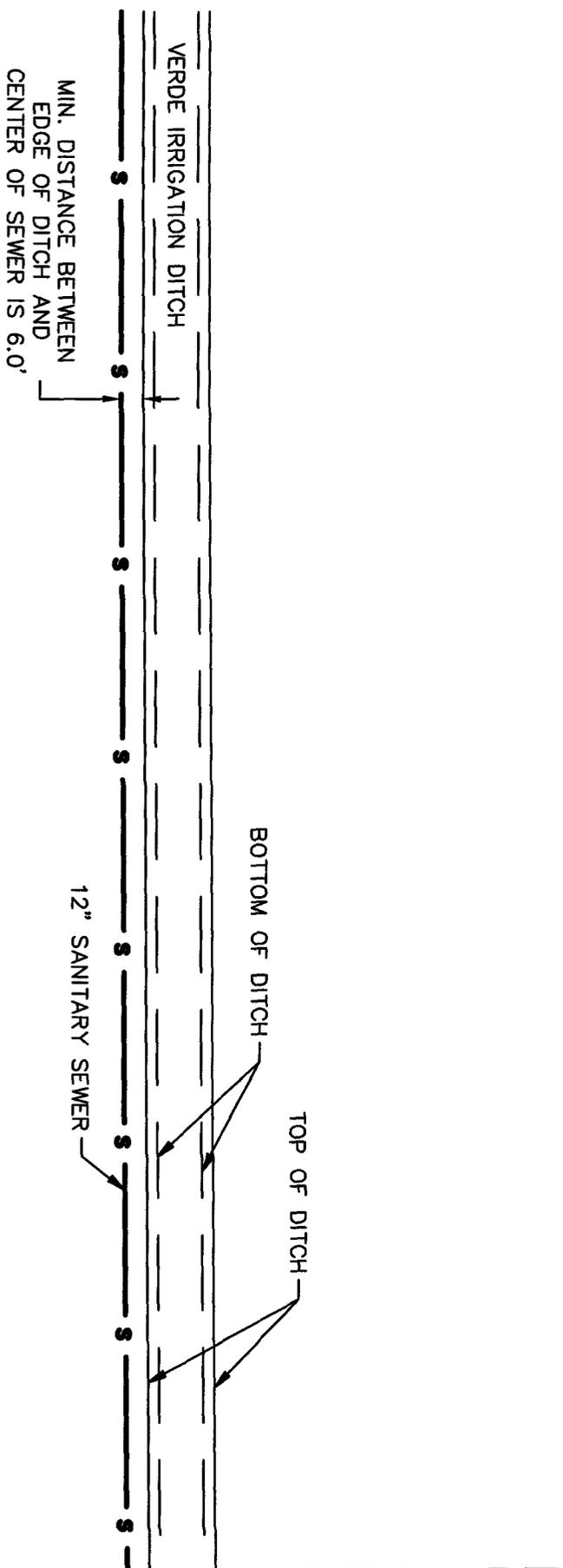
**SWI**  
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75 Kellor Place  
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928 282 2058 fax  
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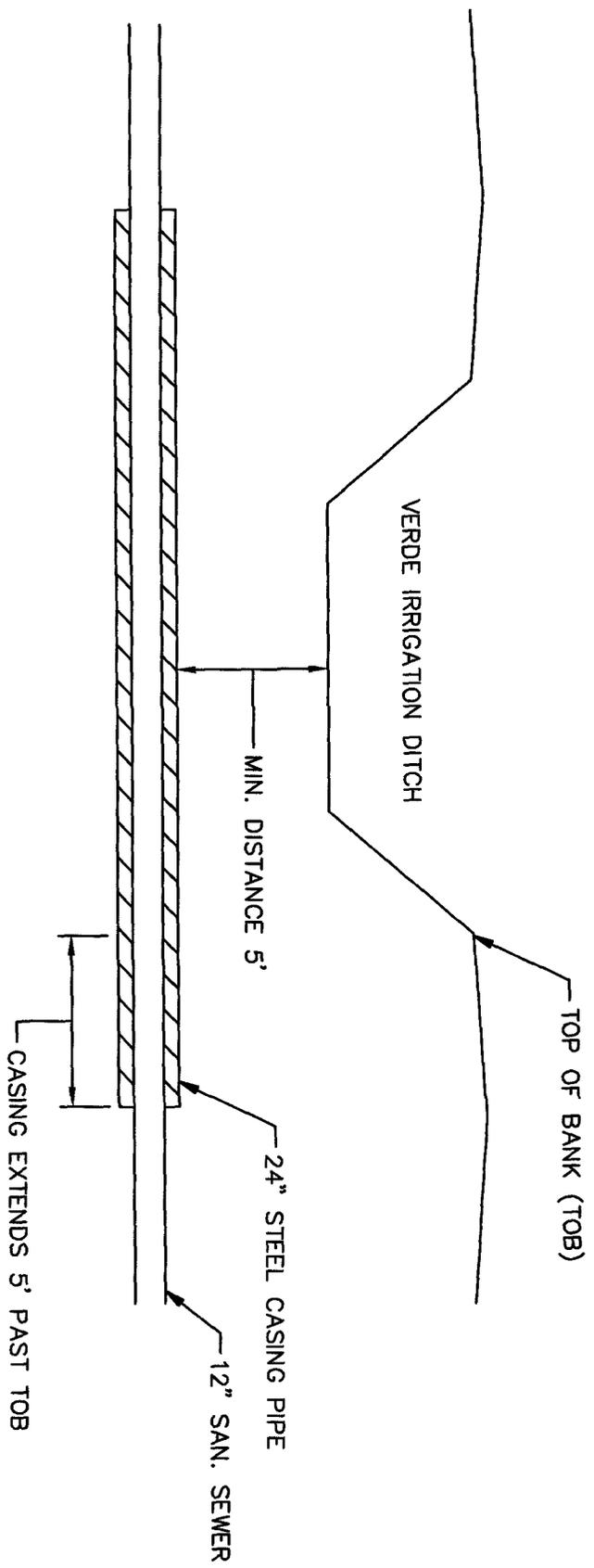
JOB NO: 15068  
DATE: NOV 15  
SCALE: 1"=100'  
DRAWN: MWJ  
DESIGN: DMW

VERDE RIVER RV  
CAMP VERDE  
ARIZONA  
**PRELIMINARY SEWER ALIGNMENTS**

EX1  
SIT NO 1 OF 3



<p><b>PRELIMINARY</b></p> <p>NOT FOR CONSTRUCTION, BIDDING OR RECORDING</p>		<p><b>SWI</b></p> <p>Shepherd &amp; Associates, Inc.</p> <p>110 W. Dale Avenue Flagstaff, AZ 86001 928.774.0354 928.774.8934 fax www.swiagz.com</p>	
<p>JOB NO. 15098</p> <p>DATE DEC 15</p> <p>SCALE</p> <p>DRAWN GAW</p> <p>DESIGN</p> <p>CHECKED</p>	<p>CAMP VERDE SANITARY DISTRICT</p> <p>YAVAPAI ARIZONA</p>	<p>TYPICAL DITCH AND SEWER LINE PLAN VIEW</p>	
<p>SHEET</p> <p><b>1</b></p> <p>OF 2</p>			



**NOTE:**  
 1. WHEN THE VERDE DITCH IS NOT OPERATING THE CONTRACTOR MAY REPLACE THE CASING PIPE BY OPEN TRENCH ALONG THE ALIGNMENT. THE TRENCH SHALL BE SLURRY FILLED TO THE BOTTOM OF THE VERDE DITCH.

**PRELIMINARY**  
 NOT FOR CONSTRUCTION,  
 BIDDING OR RECORDING

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 Shepherd & Wenzel, Inc.  
 110 W. Dale Avenue  
 Flagstaff, AZ 86001  
 928.774.0354  
 928.774.8834 fax  
 www.swhz.com

JOB NO.	15028
DATE	DEC 15
SCALE	
DRAWN	KAW
DESIGN	
CHECKED	

CAMP VERDE SANITARY DISTRICT  
 CROSS SECTION OF DITCH AND SEWER CROSSING

YAVAPAI ARIZONA  
 SHEET **2**  
 OF 2