

L. RICHARD MABERY, P.C.
234 N. Montezuma Street
Prescott, Arizona 86301
(928) 778-1116
State Bar I.D. No. 005188
Attorney for Verde Ditch

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OCT 16 2001
NORBERT G WEDEPOH, Clerk
By *Dennis [Signature]*
Deputy

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

)	No. 4772
)	
In re THE VERDE DITCH)	Division 1
)	
)	PETITION FOR CONSIDERATION
)	AND APPROVAL OF CAMP VERDE
)	SANITARY DISTRICT REQUEST
)	TO UTILIZE A PORTION OF
)	THE VERDE DITCH EASEMENT
)	

The Verde Ditch Commissioners, JOHN REDDELL, JOHN TEAGUE, VERNON HILBERS, DAVID STUTZMAN and GORDON WILLIAMS, respectfully request that the Court, as Master of the Verde Ditch, authorize and approve the request of the Camp Verde Sanitary District to utilize a portion of the existing Verde Ditch easements for the purposes of placement of a portion of the Camp Verde Sanitary District's 2001 Expansion pipeline adjacent to or under the Verde Ditch.

1. On March 10, 1999, the Camp Verde Sanitary District sent a letter to all Verde Ditch Shareholders regarding the planned expansion of the Camp Verde Sanitary District and proposed joint use of a portion of the Verde Ditch easements. (See Exhibit 1).

Law Offices of
L. Richard Mabery, P.C.
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Prescott, Arizona 86301-3008
(520) 778-1116

2. Thereafter, the Verde Ditch Commissioners voted to require certain minimum standards for the protection of the Verde Ditch and its' shareholders in the event that the Camp Verde Sanitary District's proposal to use a portion of the Verde Ditch Easements culminated in actual plans. Such minimum standards include the following requirements:

- a. The placement of underground sewer lines and improvements to be within four (4) feet of the edge of the Verde Ditch easements, excepting where specific site conditions prohibited such distance and in such case, the pipeline is to be constructed as close to the edge of the Verde Ditch easement as possible, but in no event closer than sixteen (16) feet from the center line of the Verde Ditch;
- b. All manhole covers be constructed and placed at least to be twelve (12) inches or lower than the adjacent Verde Ditch ditch bank;
- c. Any portion of the Camp Verde Sanitary District's pipeline which crosses existing drainage or overflow channels adjacent to the Verde Ditch, or under the Verde Ditch, shall be sealed in concrete for a minimum of ten

(10) feet from the edge of the banks of the existing drainage, channel or ditch bank;

- d. The Camp Verde Sanitary District provide a Hold Harmless and Indemnification for the Verde Ditch Company, its' Commissioners and Shareholders for any damages resulting from the construction and utilization of the pipeline;
- e. All pipeline materials and construction practices meet or exceed municipal industry standards, and in compliance with MAG and/or ADEQ requirements, whichever are more stringent;
- f. All manhole covers will be sealed to prevent infiltration or seepage of water or waste;
- g. The Camp Verde Sanitary District cooperate with the Verde Ditch in the maintenance of any surface roads located on the ditch bank utilized by the Camp Verde Sanitary District in the construction of the pipeline and not impede or allow materials to be placed on the roads which restrict or limit the ability of the Verde Ditch Company to utilize the roads to maintain the Ditch; and
- h. Any crossings underneath the Verde Ditch be kept to a minimum, at such locations as may be approved by the Verde Ditch Commissioners and with adequate depth between

the bottom of the Ditch and the pipeline to ensure that Verde Ditch's cleaning efforts will not be impeded or impacted in the future.

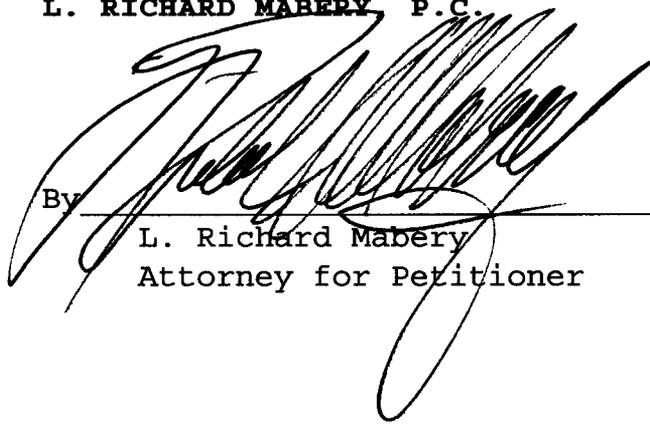
4. The Camp Verde Sanitary District has now developed sufficient plans and specifications which provide for the general alignment of the facilities expansion along and within a portion of existing Verde Ditch easements.

5. The Commissioners have considered the proposed alignment and do not object to the alignment as proposed by the Camp Verde Sanitary District.

NOW THEREFORE, it is respectfully requested that the Court consider and approve the Camp Verde Sanitary District's request for placement of a portion of its Sanitary District's pipeline along, adjacent and under the Verde Ditch.

RESPECTFULLY SUBMITTED this  day of October, 2001.

L. RICHARD MABERY, P.C.

By 

L. Richard Mabery
Attorney for Petitioner

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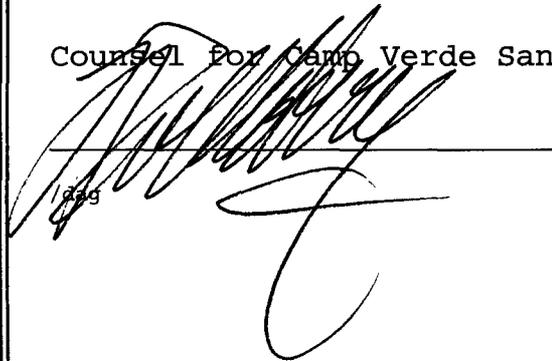
**COPY of foregoing Petition for
Consideration and Approval**
hand-delivered October 11, 2001,
to:

Corbin Vandemoer, Esq.
VAN WYCK & VANDEMOER
515 E. Highway 89A, #109
Cottonwood, AZ 86326
Counsel for Camp Verde Sanitary District

and

Fred H. Rosenfeld, Esq.
GUST ROSENFELD, PLC
201 N. Central, Suite 3300
Phoenix, AZ 85073-3300

Counsel for Camp Verde Sanitary District



Law Offices of
L. Richard Mabery, P.C.
234 North Montezuma Street
Prescott, Arizona 86301-3008
(520) 778-1116

Camp Verde Sanitary District
435 H South Main Street
P.O. Box 1205
Camp Verde, AZ 86322
Ph. # (520) 567-6794

March 10, 1999

Verde Ditch Shareholders;

Re: Camp Verde Sanitary District
Notification of joint use of The Verde Ditch easement

The Camp Verde Sanitary District is currently in the process of expanding sanitary sewer service to the I-17 and State Road 260 Interchange. The commercial enterprises located at the Interchange that are now served by the District have to depend on the "vault and haul" system, until such time that our collection system is extended to serve the Interchange. This is a courtesy notification by the Camp Verde Sanitary District to inform the Verde Ditch Shareholders that the District intends to use a portion of the existing Verde Ditch easement as shown on the attached Exhibit "A". This joint use of the Verde Ditch easement will place the proposed sanitary sewer main parallel with the Verde Ditch for a distance of approximately seven thousand-three hundred (7,300) feet. The sewer main would be constructed approximately sixteen (16) feet south of the top of the Verde Ditch bank. The construction of this sanitary collection system would in no way interfere with the flow of the Verde Ditch or the ability of the Verde Ditch to be maintained. The collection system is designed and will be constructed in compliance with all applicable Federal, State, and local standards.

An environmental review was completed by the Rural Economic and Community Development (RECD) department of the United States Department of Agriculture. Additionally the State Historic Preservation Office, Arizona Department Commerce, Arizona Department of Water Resources, and Arizona Game and Fish were also contacted in regard to potential environmental impacts.

Plans and specifications for the sanitary sewer main are available for review the Camp Verde Sanitary District office located at 435 H South Main Street, Camp Verde.

Questions, comments, or objections to the joint use of this easement should be submitted in writing to, The Verde Ditch Company, P.O. Box 2345, Camp Verde, AZ 86322, no later than March 28, 1999.

Sincerely,

Suzy Burnside, Chairperson, Camp Verde Sanitary District