

contacted shortly before the deadline to submit 2016 applications or the availability of funds. If approved by the Court, the Grant has been approved by the USDA Forest Service. The Commissioners further request authority to execute and deliver all documentation necessary to effectuate and complete the terms of the Grant on behalf of the Verde Ditch Company.

1. The Rules and Regulations governing the Verde Ditch Company do not provide that the Commissioners are authorized to seek grants for Ditch improvements. The Verde Ditch Company has been working to improve the management of water diverted and efficiency of the Verde Ditch which will benefit all of the users of the water from the Verde Ditch, and will provide additional benefits to other Verde River water users including fish, fowl, wildlife and others interested in the sustainability of the Vere River by upgrading ditch infrastructure to reduce water loss, reducing Ditch inefficiencies, improve water quality, improve the ability to provide irrigation water when needed and increase the natural flow of the Verde River by decreasing the duration and amount of water needed to be diverted.

2. The Grant will allow the Verde Ditch Company to undertake two specific projects:
- a. Install another automated turnout gate to allow increased water management, efficiency and safety.
 - b. Install erosion control structures along the ditch to reduce bank erosion and sedimentation to the river as well as increasing Ditch velocity which reduces conveyance time and which allows a reduction in the amount of water diverted.

3. If the Court approves, the Verde Ditch Company will undertake the specific improvements during the normal winter maintenance period of 2016/2017 and should be complete

by October 2017. These projects are subject to weather disruptions, subcontractors availability and the coordination of water demands from Verde Ditch water users.

4. Attached hereto as Exhibit "1" is a copy of the Grant Proposal Application (Project Submission Form) as approved by the USDA Forest Service.

5. The Verde Ditch Company will file a report with the Court on the completion of the improvements and will provide a separate grant account and accounting for all grant funds.

6. It is unknown if future grant funds will be available, but if they are, the Verde Ditch Company proposes to seek additional grant funding for similar type projects in the future.

RESPECTFULLY SUBMITTED this 2nd day of November, 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

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

/clr

EXHIBIT 1

**2008 - 2013 SECURE RURAL SCHOOLS
PUBLIC LAW 112-141
TITLE II PROJECT SUBMISSION FORM
USDA FOREST SERVICE**

Name of Resource Advisory Committee: Yavapai
Project Number (Assigned by Designated Federal Official):
Funding Fiscal Year:

SRS PROJECT

2. Project Name: Verde Ditch Infrastructure Project **3a. State:** Arizona

3b. County: Yavapai

4. Project Submitted by: Verde Ditch Association **5. Date:**

6. Contact Phone: (928) 300-4578 **7. Contact E-Mail:** aldupuy@aldinc1.com

8. Project Location

a. National Forest: Prescott National Forest **b. Forest Service District:** Verde Ranger District

c. Location (Township-Range-Section): 13N-05E-34, 13N-05E-34, 13N-05E-28, 13N-05E-21, 13N-05E-20, 13N-05E-17, 13N-05E-8, 13N-05E-7, 13N-04E-12, 13N-04E-1, 13N-05E-4, 14N-05E-31, 14N-05E-32, 14N-05E-30, 14N-05E-25, 14N-05E-24, 14N-05E-13, 14N-05E-14

9. Project Goals and Objectives: Our goal is to restore flow to the Verde River for the benefit of wildlife, fish habitat, and recreation

Objectives

- 1 Install a automation on turnout gate to allow increased water management capacity
- 2 Install erosion control structures to reduce bank erosion and sedimentation to the river as well as increasing water velocity within the ditch to reduce conveyance time This results in a reduction in water diversion needed

10 Project Description

a. Brief. (in one sentence): Upgrade the infrastructure on the Verde Ditch to improve flows in the Verde River

b. Detailed. Through this project, the Verde Ditch Association will undertake 2 activities to improve water delivery through an aging, 18 mile-long ditch The first will be to install a automation for a turn-out gate that will allow the ditch to more efficiently control their diversion amount Secondly, the ditch association will install erosion control structures that will reduce sediment load in the Verde River, as well as improve transmission of water through the ditch

Background
The Verde River is impacted by surface water withdraws, groundwater pumping, and the immediate effect of the long term drought Flows in the Verde River are at a historic low and many stretches of the river nearly run dry due to irrigation diversions Historically, thirteen native fish populations have lived in the watershed and currently seven of these fish are endangered or threatened The Verde also supports one-third of the breeding areas for the desert nesting bald eagle, some of the best remaining populations of southwestern willow flycatcher and yellowbilled cuckoo, and more than 200 other bird species that use the riparian areas The watershed supports 94 species of mammals most of which use the river at some point in their lifecycle and some which spend their entire life in the river such as otters and beaver The Verde is one of only two places in Arizona with active breeding population of river otter

In order to improve flows to the river, it is integral to reduce surface water diversion for irrigation The Verde Ditch is one of the largest diversions within the Verde Valley, serving the west side of the river from just upstream of I-17 all the way down to Beasley Flats Water diverted into the Verde Ditch could contribute to improved flows in almost half of the Verde Valley for fish, wildlife and people The Verde Ditch is mostly an unlined dirt ditch with limited sections of pipeline The diversion structure is a primitive push-up dam constructed of boulders and sediments, which diverts the majority of the river into the ditch The primary ditch runs to almost a mile from the diversion structure to the headgate where unneeded water is returned back to the river The ditch takes anywhere from 30 to 70 cfs through the headgate depending on season and river level The Verde ditch serves about 1,450 acres of irrigated lands and more than 680 users This represents about 25% of the irrigated acres within the Verde Valley

Water lost through ditch seepage can account for 30 % of total water diverted Also, due to the length of this expansive ditch, low flow problem are clear between the point of diversion and the return flow (at the end of the ditch) One method to reduce this problem is to install a automation on a turnout gate to allow water to be returned back into the river This allows ditch management to more easily control the flow that is delivered based on the demand for crop and keep the excess free flowing in the river

Erosion Control Structure
Sedimentation has been identified as a concern in the Verde River as it influences the ability of wildlife Sediment is introduced into the Verde River through floods, overland flows, and other natural and human caused sources The amount of sediment contributed from ditches overall has not been quantified The amount of sediment introduced into the Verde River from the Verde Ditch has not been studied, however, qualitative observations suggest that many areas along the ditch contribute sediment By lining sections of ditch with concrete blocks (known as "heavies") the width of the ditch can be constricted to a narrower width to reduce erosion and improve water conveyance Just the sides of the ditch will be lined, not the bottom This activity provides both water quality and quantity benefits

The Verde Ditch Association will use funds from this grant to purchase concrete blocks and the association will provide all costs to transport and install the concrete

Turnout Gate
Turn-out gates along a ditch are critical for proper management of flows They enable the ditch managers to return water back to

the river in case of high water or emergencies such as clogs or leaks along the ditch system. Adding another turnout gate will allow the ditch managers to more efficiently use and monitor water levels in the ditch. Thus, the managers will be able to return water easily to the system for the benefit of fish and wildlife. The Verde Ditch Association will provide staff time to supervise and monitor the installation to insure neighbors are not affected and work is completed to a high standard.

11. State/Private/Other lands involved? Yes Land Status: Other

If Yes, specify: The Verde Ditch traverses the west side of the Verde River for 18 miles from Horseshoe Bend above I-17 to just north of Beasley Flats. The projects will all occur within the ditch right of way which may be on public and private lands. The benefits of this project will reach from the headgate of the Verde Ditch through the Verde Valley and down through the Wild & Scenic reach of the river.

12. How does the proposed project meet purposes of the Legislation? (check at least 1) Improves maintenance of infrastructure, Implements stewardship objectives, Restores and improves land health, Restores water quality

13. Project Type:

a. Project Type: Other Infrastructure Maintenance, Watershed Restoration & Maintenance, Wildlife Habitat Restoration, Fish Habitat Restoration

b. Primary Purpose: Watershed Restoration & Maintenance Describe other project type:

14. Project's Accomplishments

#	Quantity	Accomplishment
1	18	Miles of stream/river restored/improved
2	18	Miles of fish habitat restored/improved
3	153	Acres of wildlife habitat restored/improved

15. Estimated Project Start Date: 10/1/2016 16. Estimated Project Completion Date: 10/1/2017

17. List known partnerships or collaborative opportunities: The Nature Conservancy

18. Identify benefits to communities (max 12 lines):
 1 Improve water delivery system for 680 people - about 25% of irrigated lands in the Verde Valley
 2 Improve flows and water quality in the Verde River for the benefit of fish and wildlife
 3 Improve flows for recreational use of the Verde River

19. How does this project benefit federal lands/resources? (max 12 lines)
 1 Improve flows and water quality in the Verde River for the benefit of fish and wildlife
 2 Improve flows for recreational use of the Verde Valley which include lands owned by Prescott National Forest

20. What is the proposed method(s) of accomplishment? (check at least 1) Contract

21. Will this project generate merchantable timber? No

22. Anticipated Project Costs:

a. Please fill out a project cost form for each fiscal year the project will be funded

Item	Column A Fed. Agency Appropriated Contribution	Column B Requested Title II Contribution	Column C Other Contributions	Column D Total Available Funds
Field Work & Site Surveys				
NEPA/CEQA				
ESA Consultation				
Permit Acquisition				
Project Design & Engineering				

Contract/Grant Preparation			
Contract/Grant Administration		2	2
Contract/Grant Cost		16,000	16,000
Salaries		5,000	5,000
Materials & Supplies		38,500	38,500
Monitoring			
A Other			
B Other			
C Other			
Project Sub-Total			
FS Indirect Costs		1,925	1,925
Total Other Funds	21,000		
Total Title II Funds:	40,427		
Total Fed Funds.	0		

Notes:

Field Work & Site Survey reflects Pre-NEPA Costs
 Contract/Grant Administration includes Contracting Officer Representative (COR) cost Excludes Contracting Officer costs
 Salaries - Cost of implementing project
 Examples for "Other" include equipment rentals, travel, etc
 FS indirect costs including contracting/grant officer costs if needed

24. Monitoring Plan

a. Provide a plan that describes your process for tracking and explaining the effects of this project on your environmental and community goals outlined above

Monitoring Plan. The Nature Conservancy will conduct photomonitoring after the projects are complete to ensure that all aspects of the proposal are met.

b. Identify who will conduct the monitoring: The Nature Conservancy

c. Identify total funding needed to carry out specified monitoring tasks.

Monitoring Costs: 0 00

Identify remedies for failure to comply with terms of the agreement.

If project cannot be completed under the terms of this agreement: Unused funds will be returned to the RAC account

If other is selected, explain:

Monitoring Remedies:

Project Status: Proposed

Project Recommended by: