

**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE**

SPECIAL USE PERMIT

Authority: FEDERAL LAND POLICY AND MGMT ACT, AS AMENDED October 21, 1976
FLAGSTAFF, CITY OF of 211 W ASPEN ATTN: JUSTIN EMERICK, WATER SERVICES
PROJECT MANAGER FLAGSTAFF AZ 86001 (hereinafter "the holder") is authorized to use or
occupy National Forest System lands in the COCONINO NATIONAL FOREST, subject to the terms
of this special use permit (the permit).

This permit covers 141.54 acres or 0 miles in the Sec. 1, T. 23 N., R. 7 E., GILA AND SALT
RIVER MERIDIAN, Sec. 7, T. 20 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 33, T.
20 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 30, T. 20 N., R. 8 E., GILA AND
SALT RIVER MERIDIAN, Sec. 5, T. 19 N., R. 8 E., GILA AND SALT RIVER MERIDIAN, Sec.
29, T. 23 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 27, T. 23 N., R. 7 E., GILA AND
SALT RIVER MERIDIAN, Sec. 14, T. 22 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec.
11, T. 20 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 12, T. 20 N., R. 7 E., GILA AND
SALT RIVER MERIDIAN, Sec. 10, T. 19 N., R. 8 E., GILA AND SALT RIVER MERIDIAN, Sec.
20, T. 23 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 35, T. 23 N., R. 7 E., GILA AND
SALT RIVER MERIDIAN, Sec. 21, T. 22 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec.
11, T. 20 N., R. 6 E., GILA AND SALT RIVER MERIDIAN, Sec. 23, T. 20 N., R. 7 E., GILA AND
SALT RIVER MERIDIAN, Sec. 33, T. 21 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec.
19, T. 20 N., R. 8 E., GILA AND SALT RIVER MERIDIAN, Sec. 21, T. 23 N., R. 7 E., GILA AND
SALT RIVER MERIDIAN, Sec. 36, T. 21 N., R. 6 E., GILA AND SALT RIVER MERIDIAN, Sec.
25, T. 20 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 32, T. 22 N., R. 8 E., GILA AND
SALT RIVER MERIDIAN, Sec. 22, T. 23 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec.
33, T. 23 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 33, T. 22 N., R. 7 E., GILA AND
SALT RIVER MERIDIAN, Sec. 3, T. 20 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec.
4, T. 20 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 6, T. 21 N., R. 8 E., GILA AND
SALT RIVER MERIDIAN, Sec. 31, T. 22 N., R. 8 E., GILA AND SALT RIVER MERIDIAN, Sec.
27, T. 20 N., R. 8 E., GILA AND SALT RIVER MERIDIAN, Sec. 32, T. 20 N., R. 8 E., GILA AND
SALT RIVER MERIDIAN, Sec. 33, T. 20 N., R. 8 E., GILA AND SALT RIVER MERIDIAN, Sec.
28, T. 23 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 36, T. 23 N., R. 7 E., GILA AND
SALT RIVER MERIDIAN, Sec. 32, T. 23 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec.
12, T. 22 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 13, T. 22 N., R. 7 E., GILA AND
SALT RIVER MERIDIAN, Sec. 10, T. 20 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec.
35, T. 20 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 2, T. 21 N., R. 7 E., GILA AND
SALT RIVER MERIDIAN, Sec. 20, T. 20 N., R. 8 E., GILA AND SALT RIVER MERIDIAN, Sec.
1, T. 19 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 26, T. 23 N., R. 7 E., GILA AND
SALT RIVER MERIDIAN, Sec. 2, T. 22 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec.
22, T. 22 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 28, T. 22 N., R. 7 E., GILA AND
SALT RIVER MERIDIAN, Sec. 13, T. 20 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec.
21, T. 20 N., R. 8 E., GILA AND SALT RIVER MERIDIAN, Sec. 28, T. 20 N., R. 8 E., GILA AND

SALT RIVER MERIDIAN, Sec. 18, T. 20 N., R. 8 E., GILA AND SALT RIVER MERIDIAN, Sec. 35, T. 21 N., R. 6 E., GILA AND SALT RIVER MERIDIAN, Sec. 5, T. 20 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 8, T. 20 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 11, T. 21 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, Sec. 15, T. 22 N., R. 7 E., GILA AND SALT RIVER MERIDIAN, ("the permit area"), as shown on the map attached as Appendix A. This and any other appendices to this permit are hereby incorporated into this permit.

This permit issued for the purpose of:

MASTER SPECIAL USE PERMIT FOR WATER TRANSMISSION LINES, WELLS, WATER STORAGE STRUCTURES, WATER TREATMENT PLANT, SEDIMENTATION TANK, SANITARY SEWER TRANSMISSION LINES, POWERLINES OF LESS THAN 33 KV, AND ASSOCIATED ROADS AND IMPROVEMENTS FOR THE TRANSMISSION OF WATER AND SEWAGE TO MEET THE NEEDS OF FLAGSTAFF RESIDENTS.

RIGHT OF INGRESS AND EGRESS IS GRANTED FOR THE PURPOSE OF MAINTENANCE OF THE FACILITIES SUBJECT TO SUCH TRAVEL REGULATIONS THAT MIGHT BE APPLICABLE. NO GROUND DISTURBING ACTIVITY INCLUDING VEGETATION REMOVAL IS PERMITTED WITHOUT PRIOR AUTHORIZATION BY THE FOREST SERVICE.

THE HOLDER IS REQUIRED TO NOTIFY THE PERMIT ADMINISTRATOR WHENEVER A POSITIVE TEST RESULT FOR ALGAL BLOOM TOXINS ARE DETECTED.

THE LIST OF CURRENT IMPROVEMENTS IS ATTACHED AS EXHIBIT A.1 AND EXHIBIT A.2 ADDITIONS OR DELETIONS TO THE MASTER PERMIT WILL BE IN ACCORDANCE WITH THE ATTACHED PROCEDURE (EXHIBIT B) INCLUDING ROUTE PLANNING FORM (EXHIBIT C) AND AMENDMENT (EXHIBIT D).

I. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to the FEDERAL LAND POLICY AND MGMT ACT, AS AMENDED October 21, 1976 and 36 CFR Part 251, Subpart B, as amended, and is subject to their provisions.

B. AUTHORIZED OFFICER. The authorized officer is the Forest or Grassland Supervisor, a District Ranger, or the Station, Institute, or Area Director with delegated authority pursuant to Forest Service Manual 2700.

C. TERM. This permit shall expire at midnight on 12/31/2043. Expiration of this permit shall not require notice, a decision document, or any environmental analysis or other documentation from the date of issuance.

D. CONTINUATION OF USE AND OCCUPANCY. This permit is not renewable. Prior to expiration of this permit, the holder may apply for a new permit for the use and occupancy

authorized by this permit. Applications for a new permit must be submitted at least 6 months prior to expiration of this permit. Issuance of a new permit is at the sole discretion of the authorized officer. At a minimum, before issuing a new permit, the authorized officer shall ensure that (1) the use and occupancy to be authorized by the new permit is consistent with the standards and guidelines in the applicable land management plan; (2) the type of use and occupancy to be authorized by the new permit is the same as the type of use and occupancy authorized by this permit; and (3) the holder is in compliance with all the terms of this permit. The authorized officer may prescribe new terms when a new permit is issued.

E. AMENDMENT. This permit may be amended in whole or in part by the Forest Service when, at the discretion of the authorized officer, such action is deemed necessary or desirable to incorporate new terms that may be required by law, regulation, directive, the applicable forest land and resource management plan, or projects and activities implementing the land management plan pursuant to 36 CFR Part 218.

F. COMPLIANCE WITH LAWS, REGULATIONS, AND OTHER LEGAL REQUIREMENTS. In exercising the rights and privileges granted by this permit, the holder shall comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements that apply to the permit area, to the extent they do not conflict with federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

G. NON-EXCLUSIVE USE. The use or occupancy authorized by this permit is not exclusive. The Forest Service reserves the right of access to the permit area, including a continuing right of physical entry to the permit area and the authorized facilities and improvements for inspection, monitoring, or any other purpose consistent with any right or obligation of the United States under any law or regulation. The Forest Service reserves the right to allow others to use the permit area in any way that is not inconsistent with the holder's rights and privileges under this permit, after consultation with all parties involved. Except for any restrictions that the holder and the authorized officer agree are necessary to protect the installation and operation of authorized temporary improvements, the lands and waters covered by this permit shall remain open to the public for all lawful purposes.

H. ASSIGNABILITY. This permit is not assignable or transferable.

I. TRANSFER OF TITLE TO THE IMPROVEMENTS.

1. Notification of Transfer. The holder shall notify the authorized officer when a transfer of title to all or part of the authorized improvements is planned.

2. Transfer of Title. Any transfer of title to the improvements covered by this permit shall result in termination of the permit. The party who acquires title to the improvements must submit an application for a permit. The Forest Service is not obligated to issue a new permit to the party who

acquires title to the improvements. The authorized officer shall determine that the applicant meets requirements under applicable federal regulations.

II. IMPROVEMENTS

A. LIMITATIONS ON USE. Nothing in this permit gives or implies permission to build or maintain any structure or facility or to conduct any activity, unless specifically authorized by this permit. Any use not specifically authorized by this permit must be proposed in accordance with 36 CFR 251.54 or 251.61. Approval of such a proposed use through issuance of a new permit or permit amendment is at the sole discretion of the authorized officer.

B. DRAWINGS. All drawings for development, layout, construction, reconstruction, or alteration of improvements in the permit area, as well as revisions to those drawings, must be prepared by a professional engineer, architect, landscape architect, or other qualified professional acceptable to the authorized officer. These drawings and drawing revisions must have written approval from the authorized officer before they are implemented. The authorized officer may require the holder to furnish as-built drawings, maps, or surveys upon completion of the work.

C. CONSTRUCTION. Any construction authorized by this permit shall commence by N/A and shall be completed by N/A.

III. OPERATIONS.

A. PERIOD OF USE. Use or occupancy of the permit area shall be exercised at least 365 days each year.

B. CONDITION OF OPERATIONS. The holder shall maintain the authorized improvements and permit area to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer and consistent with other provisions of this permit. Standards are subject to periodic change by the authorized officer when deemed necessary to meet statutory, regulatory, or policy requirements or to protect national forest resources.

C. USE OF NATIONAL FOREST SYSTEM ROADS AND NATIONAL FOREST SYSTEM TRAILS. The holder's use of National Forest System roads and National Forest System trails shall comply with applicable requirements in 36 CFR Part 212, Subpart A; 36 CFR Part 261, Subpart A; and orders issued under 36 CFR Part 261, Subpart B. Motor vehicle use shall be consistent with designations made under 36 CFR Part 212, Subpart B, unless specifically provided otherwise in the operating plan. Over-snow vehicle use shall be consistent with designations made under 36 CFR Part 212, Subpart C, unless specifically provided otherwise in the operating plan.

D. MONITORING BY THE FOREST SERVICE. The Forest Service shall monitor the holder's operations and reserves the right to inspect the permit area and authorized facilities and improvements at any time for compliance with the terms of this permit. The holder shall comply with inspection requirements deemed appropriate by the authorized officer. The holder's obligations under this permit are not contingent upon any duty of the Forest Service to inspect the permit area or

authorized facilities or improvements. A failure by the Forest Service or other governmental officials to inspect is not a justification for noncompliance with any of the terms of this permit.

E. CUTTING, DISPOSAL, AND PLANTING OF VEGETATION. This permit does not authorize the cutting of trees, brush, shrubs, and other plants ("vegetation"). Vegetation may be cut, destroyed, or trimmed only after the authorized officer or the authorized officer's designated representative has approved in writing and marked or otherwise identified what may be cut, destroyed, or trimmed. The holder shall notify the authorized officer when approved cutting, destruction, or trimming of vegetation has been completed. The Forest Service shall determine in advance of felling the method of disposal of trees felled in the permit area that meet utilization standards. Disposal may be by sale or without charge per 36 CFR Part 223, as may be most advantageous to the United States. Debris from felling that does not meet utilization standards shall also be disposed of according to methods determined by the Forest Service. Planting of vegetation in the permit area must have prior written approval from the authorized officer.

IV. RIGHTS AND LIABILITIES

A. LEGAL EFFECT OF THE PERMIT. This permit, which is revocable and terminable, is not a contract or a lease, but rather a federal license. The benefits and requirements conferred by this authorization are reviewable solely under the procedures set forth in 36 CFR 214 and 5 U.S.C. 704. This permit does not constitute a contract for purposes of the Contract Disputes Act, 41 U.S.C. 601. The permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

B. VALID EXISTING RIGHTS. This permit is subject to all valid existing rights. Valid existing rights include those derived under mining and mineral leasing laws of the United States. The United States is not liable to the holder for the exercise of any such right.

C. ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS. The parties to this permit do not intend to confer any rights on any third party as a beneficiary under this permit.

D. NO WARRANTY OF ACCESS, SITE SUITABILITY, OR SERVICES. This permit authorizes the use and occupancy of National Forest System lands by the holder for the purposes identified in this permit. The Forest Service does not make any express or implied warranty of access to the permit area, of the suitability of the permit area for the authorized uses, or for the furnishing of road or trail maintenance, water, fire protection services, search and rescue services, or any other services by a government agency, utility, association, or individual.

E. RISK OF LOSS. The holder assumes all risk of loss to the authorized improvements and all risk of loss of use and occupancy of the permit area, in whole or in part, due to public health and safety or environmental hazards. Loss to the authorized improvements and of use and occupancy of the permit area may result from but is not limited to theft, vandalism, fire and any fire-fighting activities (including prescribed burns), environmental contamination, avalanches, rising waters, winds, falling limbs or trees, and other forces of nature. If any authorized improvements are destroyed or substantially damaged, the authorized officer shall conduct an analysis to determine whether the

improvements can be safely occupied in the future and whether rebuilding should be allowed. If rebuilding is not allowed, this permit shall terminate. If the authorized officer determines that the permit area cannot be safely occupied due to a public health or safety or environmental hazard, this permit shall terminate. Termination under this clause shall not give rise to any claim for damages, including lost profits and the value of the improvements, by the holder against the Forest Service.

F. DAMAGE TO UNITED STATES PROPERTY. The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States that are associated with the use and occupancy authorized by this permit. Damage includes but is not limited to destruction of or damage to National Forest System lands, fire suppression costs, and destruction of or damage to federally owned improvements.

1. The holder shall be liable for all injury, loss, or damage, including fire suppression costs, prevention and control of the spread of invasive species, and the costs of rehabilitation or restoration of natural resources, resulting from the holder's use and occupancy of the permit area. Compensation shall include but not be limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all administrative, legal (including attorney's fees), and other costs. Such costs may be deducted from a performance bond required under clause IV.J.

2. The holder shall be liable for damage to all roads and trails of the United States caused by use of the holder or the holder's heirs, assignees, agents, employees, or contractors to the same extent as provided under clause IV.F.1, except that liability shall not include reasonable and ordinary wear and tear.

G. HEALTH AND SAFETY. The holder shall take all measures necessary to protect the health and safety of all persons affected by the use and occupancy authorized by this permit. The holder shall promptly abate as completely as possible and in compliance with all applicable laws and regulations any physical or mechanical procedure, activity, event, or condition existing or occurring in connection with the authorized use and occupancy during the term of this permit that causes or threatens to cause a hazard to the health or safety of the public or the holder's employees, agents, or contractors. The holder shall as soon as practicable notify the authorized officer of all serious accidents that occur in connection with these procedures, activities, events, or conditions. The Forest Service has no duty under the terms of this permit to inspect the permit area or operations of the holder for hazardous conditions or compliance with health and safety standards.

H. ENVIRONMENTAL PROTECTION.

1. **Compliance with Environmental Laws.** The holder shall in connection with the use and occupancy authorized by this permit comply with all applicable federal, state, and local environmental laws and regulations, including but not limited to those established pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. 9601 et seq., the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq., the Oil Pollution Act, as amended, 33 U.S.C. 2701 et seq., the Clean Air Act, as amended, 42 U.S.C. 7401 et seq., the Toxic

Substances Control Act, as amended, 15 U.S.C. 2601 et seq., the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 et seq., and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f et seq.

2. Definition of Hazardous Material. For purposes of clause IV.H and section V, "hazardous material" shall mean (a) any hazardous substance under section 101(14) of CERCLA, 42 U.S.C. 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. 9601(33); (c) any petroleum product or its derivative, including fuel oil, and waste oils; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive materials, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws.

3. Oil Discharges and Release of Hazardous Materials. The holder shall immediately notify all appropriate response authorities, including the National Response Center and the authorized officer or the authorized officer's designated representative, of any oil discharge or of the release of a hazardous material in the permit area in an amount greater than or equal to its reportable quantity, in accordance with 33 CFR Part 153 and 40 CFR Part 302. For the purposes of this requirement, "oil" is as defined by section 311(a)(1) of the Clean Water Act, 33 U.S.C. 1321(a)(1). The holder shall immediately notify the authorized officer or the authorized officer's designated representative of any release or threatened release of any hazardous material in or near the permit area which may be harmful to public health or welfare or which may adversely affect natural resources on federal lands.

4. Remediation of Release of Hazardous Materials. The holder shall remediate any release, threat of release, or discharge of hazardous materials that occurs in connection with the holder's activities in the permit area, including activities conducted by the holder's agents, employees, or contractors and regardless of whether those activities are authorized under this permit. The holder shall perform remediation in accordance with applicable law immediately upon discovery of the release, threat of release, or discharge of hazardous materials. The holder shall perform the remediation to the satisfaction of the authorized officer and at no expense to the United States. Upon revocation or termination of this permit, the holder shall deliver the site to the Forest Service in compliance with all applicable laws and regulations and free and clear of contamination.

I. INDEMNIFICATION OF THE UNITED STATES. The holder shall indemnify, defend, and hold harmless the United States for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder in connection with the use or occupancy authorized by this permit. This indemnification provision includes but is not limited to acts and omissions of the holder or the holder's heirs, assigns, agents, employees, or contractors in connection with the use or occupancy authorized by this permit which result in (1) violations of any laws and regulations which are now or which may in the future become applicable; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous materials, pollutant, contaminant, oil in any form, or petroleum product into the environment. The authorized officer may prescribe terms that allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions to mitigate damages in combination

with or as an alternative to monetary indemnification.

J. BONDING. The authorized officer may require the holder to furnish a surety bond or other security for any of the obligations imposed by the terms of this permit or any applicable law, regulation, or order.

V. RESOURCE PROTECTION

A. WATER POLLUTION. No waste or by-product shall be discharged into water in connection with the use and occupancy authorized by this permit except in full compliance with all applicable federal, state, and local environmental and other laws. Storage facilities for materials capable of causing water pollution, if accidentally discharged, shall be located so as to prevent any spillage into waters or channels leading into water except in full compliance with all applicable federal, state, and local environmental and other laws.

B. SCENIC VALUES. The holder shall protect the scenic values of the permit area and the adjacent land to the greatest extent possible during construction, operation, and maintenance of the authorized improvements.

C. VANDALISM. The holder shall take reasonable measures to prevent and discourage vandalism and disorderly conduct and when necessary shall contact the appropriate law enforcement officer.

D. PESTICIDE USE.

1. Authorized Officer Concurrence. Pesticides may not be used outside of buildings in the permit area to control pests, including undesirable woody and herbaceous vegetation (including aquatic plants), insects, birds, rodents, or fish without prior written concurrence of the authorized officer. Only those products registered or otherwise authorized by the U.S. Environmental Protection Agency and appropriate State authority for the specific purpose planned shall be authorized for use within areas on National Forest System lands.

2. Pesticide-Use Proposal. Requests for concurrence of any planned uses of pesticides shall be provided in advance using the Pesticide-Use Proposal (form FS-2100-2). Annually the holder shall, on the due date established by the authorized officer, submit requests for any new, or continued, pesticide usage. The Pesticide-Use Proposal shall cover a 12-month period of planned use. The Pesticide-Use Proposal shall be submitted at least 60 days in advance of pesticide application. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests require control measures which were not anticipated at the time a Pesticide-Use Proposal was submitted.

3. Safety Plan. Before applying pesticides in the permit area, the holder shall submit to the authorized officer a safety plan that includes, at a minimum, a precise statement of the treatment objectives; a description of the equipment, materials, and supplies to be used, including pesticide formulation, quantities, and application methods; a description of the lines of responsibility for

project planning, project monitoring, and after-action review; a description of any necessary interagency coordination; a copy of the current Pesticide-Use Proposal for the permit; a description of the process by which treatment effectiveness will be determined; and a spill plan, communications plan, security plan, and when required by applicable local requirements, a provision for prior notification to sensitive individuals.

4. Reporting. By September 30th annually, the holder shall submit to the authorized officer a written report of each pesticide application project completed during the previous 12-month period. The report shall contain information pertaining to the pesticide application projects as requested by the authorized officer.

5. Labeling, Laws, and Regulations. Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers. No pesticide waste, excess materials, or containers shall be disposed of in any area administered by the Forest Service.

E. ARCHAEOLOGICAL AND PALEONTOLOGICAL DISCOVERIES. The holder shall immediately notify the authorized officer of all antiquities or other objects of historic or scientific interest, including but not limited to historic or prehistoric ruins, fossils, or artifacts discovered in connection with the use and occupancy authorized by this permit. The holder shall leave these discoveries intact and in place until otherwise directed by the authorized officer.

F. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (NAGPRA).

In accordance with 25 U.S.C. 3002(d) and 43 CFR 10.4, if the holder inadvertently discovers human remains, funerary objects, sacred objects, or objects of cultural patrimony on National Forest System lands, the holder shall immediately cease work in the area of the discovery and shall leave the discoveries intact and in place. The holder shall follow the applicable NAGPRA protocols for the undertaking provided in the NAGPRA plan of action or the NAGPRA comprehensive agreement; if there are no such agreed-upon protocols, the holder shall as soon as practicable notify the authorized officer of the discovery and shall follow up with written confirmation of the discovery. The activity that resulted in the inadvertent discovery may not resume until 30 days after the authorized officer certifies receipt of the written confirmation, if resumption of the activity is otherwise lawful, or at any time if a NAGPRA plan of action has been executed by the Forest Service following tribal consultation and any preconditions have been met.

G. PROTECTION OF THREATENED AND ENDANGERED SPECIES, SENSITIVE SPECIES, AND SPECIES OF CONSERVATION CONCERN AND THEIR HABITAT.

1. Threatened and Endangered Species and Their Habitat. The location of sites within the permit area needing special measures for protection of plants or animals listed as threatened or endangered under the Endangered Species Act (ESA) of 1973, 16 U.S.C. 1531 et seq., as amended, or within designated critical habitat shall be shown on a map in an appendix to this permit and may be shown on the ground. The holder shall take any protective and mitigation measures specified by the authorized officer as necessary and appropriate to avoid or reduce effects on listed species or designated critical habitat affected by the authorized use and occupancy. Discovery by the holder or

the Forest Service of other sites within the permit area containing threatened or endangered species or designated critical habitat not shown on the map in the appendix shall be promptly reported to the other party and shall be added to the map.

2. **Sensitive Species and Species of Conservation Concern and Their Habitat.** The location of sites within the permit area needing special measures for protection of plants or animals designated by the Regional Forester as sensitive species or as species of conservation concern pursuant to FSM 2670 shall be shown on a map in an appendix to this permit and may be shown on the ground. The holder shall take any protective and mitigation measures specified by the authorized officer as necessary and appropriate to avoid or reduce effects on sensitive species or species of conservation concern or their habitat affected by the authorized use and occupancy. Discovery by the holder or the Forest Service of other sites within the permit area containing sensitive species or species of conservation concern or their habitat not shown on the map in the appendix shall be promptly reported to the other party and shall be added to the map.

H. CONSENT TO STORE HAZARDOUS MATERIALS. The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include, or in the case of approval provided after this permit is issued, shall be amended to include specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill or release prevention and control plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

VI. LAND USE FEE AND DEBT COLLECTION

A. LAND USE FEES. Per 42 U.S.C. 15925, the holder shall pay in advance an annual land use fee as determined in accordance with the Per Acre Rent Schedule established by 43 CFR 2806.20. The initial annual land use fee shall be prorated if less than 6 months in the calendar year remain on the date this permit is issued. Otherwise, the holder shall pay the entire initial annual land use fee.

B. MODIFICATION OF THE LAND USE FEE. The land use fee may be revised whenever necessary to reflect the market value of the authorized use or occupancy or when the fee system used to calculate the land use fee is modified or replaced.

C. LAND USE FEE PAYMENTS.

1. **Crediting of Payments.** Payments shall be credited on the date received by the deposit facility, except that if a payment is received on a non-workday, the payment shall not be credited until the next workday.

2. **Disputed Land Use Fees.** Land use fees are due and payable by the due date. Disputed land use fees, other than land use fees recalculated pursuant to an audit, must be paid in full. Adjustments will be made if dictated by an administrative appeal decision, a court decision, or settlement terms.

3. Late Payments

(a) Interest. Pursuant to 31 U.S.C. 3717 et seq., interest shall be charged on any land use fee amount not paid within 30 days from the date it became due. The rate of interest assessed shall be the higher of the Prompt Payment Act rate or the rate of the current value of funds to the United States Treasury (i.e., the Treasury tax and loan account rate), as prescribed and published annually or quarterly by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. Interest on the principal shall accrue from the date the land use fee is due.

(b) Administrative Costs. If the account becomes delinquent, administrative costs to cover processing and handling the delinquency shall be assessed.

(c) Penalties. A penalty of 6% per annum shall be assessed on the total amount that is more than 90 days delinquent and shall accrue from the same date on which interest charges begin to accrue.

(d) Termination for Nonpayment. This permit shall terminate if the holder fails to pay any land use fee, interest, or any other charges within 90 calendar days of the due date. The holder shall remain responsible for the delinquent charges.

4. Administrative Offset and Credit Reporting. Delinquent land use fees and other charges associated with this permit shall be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 et seq. and common law. Delinquencies are subject to any or all of the following:

(a) Administrative offset of payments due the holder from the Forest Service.

(b) If in excess of 90 days, referral to the United States Department of the Treasury for appropriate collection action as provided by 31 U.S.C. 3711(g)(1).

(c) Offset by the Secretary of the Treasury of any amount due the holder, as provided by 31 U.S.C. 3720 et seq.

(d) Disclosure to consumer or commercial credit reporting agencies.

VII. REVOCATION, SUSPENSION, AND TERMINATION

A. REVOCATION AND SUSPENSION.

1. The authorized officer may revoke or suspend this permit in whole or in part:

(a) For noncompliance with federal, state, or local law;

(b) For noncompliance with the terms of this permit;

(c) For abandonment or other failure of the holder to exercise the privileges granted; or

(d) At the discretion of the authorized officer, for specific and compelling reasons in the public interest.

2. The authorized officer may revoke this permit at the request of the holder. Revocation at the request of the holder must be agreed to in writing by the authorized officer. As a condition of revocation of this permit at the request of the holder, the authorized officer has discretion to impose any terms deemed appropriate as provided for in this permit.

3. Prior to revocation or suspension, other than revocation at the request of the holder under clause VII.A.2 and immediate suspension under clause VII.B, the authorized officer shall give the holder written notice of the grounds for revocation or suspension and a reasonable period, typically not to exceed 90 days, to cure any noncompliance.

B. IMMEDIATE SUSPENSION. The authorized officer may immediately suspend this permit in whole or in part when necessary to protect public health or safety or the environment. The suspension decision shall be in writing. The holder may request an on-site review with the authorized officer's supervisor of the adverse conditions prompting the suspension. The authorized officer's supervisor shall grant this request within 48 hours. Following the on-site review, the authorized officer's superior shall promptly affirm, modify, or cancel the suspension.

C. APPEALS AND REMEDIES. Written decisions by the authorized officer relating to administration of this permit are subject to administrative appeal pursuant to 36 CFR Part 214, as amended. Revocation or suspension of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

D. TERMINATION. This permit shall terminate when by its terms a fixed or agreed upon condition, event, or time occurs without any action by the authorized officer. Examples include but are not limited to expiration of the permit by its terms on a specified date and, in the case of a permit issued to a business entity, termination upon change of control of the business entity. Termination of this permit shall not require notice, a decision document, or any environmental analysis or other documentation. Termination of this permit is not subject to administrative appeal and shall not give rise to any claim for damages by the holder against the Forest Service.

E. RIGHTS AND RESPONSIBILITIES UPON REVOCATION OR TERMINATION WITHOUT ISSUANCE OF A NEW PERMIT. Upon revocation or termination of this permit without issuance of a new permit, the holder shall remove all structures and improvements, except those owned by the United States, within a reasonable period prescribed by the authorized officer and shall restore the site to the satisfaction of the authorized officer. If the holder fails to remove all structures and improvements within the prescribed period, they shall become the property of the United States and may be sold, destroyed, or otherwise disposed of without any liability to the United States. However, the holder shall remain liable for all costs associated with their removal, including costs of sale and impoundment, cleanup, and restoration of the site.

F. CONTINUATION OF OBLIGATIONS AND LIABILITIES BEYOND TERMINATION OR REVOCATION. Notwithstanding the termination or revocation of this permit, its terms shall remain in effect and shall be binding on the holder and the holder's personal representative,

successors, and assignees until all the holder's obligations and liabilities accruing before or as a result of termination or revocation of this permit have been satisfied.

VIII. MISCELLANEOUS PROVISIONS

A. MEMBERS OF CONGRESS. No member of or delegate to Congress or resident commissioner shall benefit from this permit either directly or indirectly, except to the extent the authorized use provides a general benefit to a corporation.

B. CURRENT ADDRESSES. The holder and the Forest Service shall keep each other informed of current mailing addresses, including those necessary for billing and payment of land use fees.

C. SUPERSEDED AUTHORIZATION. This permit supersedes a special use authorization designated FLAGSTAFF, CITY OF, COC0365, dated 10/19/2004.

D. SUPERIOR CLAUSES. If there is a conflict between any of the preceding printed clauses and any of the following clauses, the preceding printed clauses shall control.

E. Cultural Resources Protection (D001RO). The holder, contractor, or lessee shall be responsible for the protection from damage of all identified cultural resources within the area which may be affected by their actions. In addition, the holder, contractor, or lessee shall be liable for all damage or injury to the identified cultural resources caused by their actions. The holder, contractor, or lessee shall immediately notify the agency Project Administrator if any damage occurs to any cultural resource and immediately halt work in the area in which damage has occurred until approval to proceed has been granted by the Project Administrator after consultation with the Forest Archeologist. All provisions of the Region 3 Cultural Resources Damage Assessment Handbook are incorporated by reference herein.

F. Native American Grave Protection and Repatriation Act (X003RO). Pursuant to the Native American Grave Protection and Repatriation Act (NAGPRA) 25 USC 3002(d); 43 CFR Part 10.4, if any human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during the course of ground disturbing activity, the holder will immediately cease activity in the area of the discovery and will make a reasonable effort to protect the remains and objects. The holder will provide immediate telephone notification of the discovery to the Forest Service, and will follow up with written confirmation to the authorized officer. The holder will not resume the activity that resulted in the discovery until the authorized officer gives written approval. Approval to resume the activity, if otherwise lawful, will be given thirty (30) days after certification by the authorized officer of the holder's written confirmation of the discovery, or at any time that a written binding agreement is executed between the Forest Service and the affiliated tribes adopting a recovery plan for the remains and objects.

G. Nondiscrimination (B-1).

1. The holder and its employees shall not discriminate against any person on the basis of race, color, sex (in educational activities), national origin, age, or disability or by curtailing or refusing to furnish accommodations, facilities, services, or use privileges offered to the public generally. In addition, the holder and its employees shall comply with the provisions of Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and the Age Discrimination Act of 1975, as amended.

2. The holder shall include and require compliance with the above nondiscrimination provisions in any third-party agreement made with respect to the operations authorized under this permit.
3. The Forest Service shall furnish signs setting forth this policy of nondiscrimination. These signs shall be conspicuously displayed at the public entrance to the premises and at other exterior or interior locations, as directed by the Forest Service.
4. The Forest Service shall have the right to enforce the foregoing nondiscrimination provisions by suit for specific performance or by any other available remedy under the laws of the United States or the State in which the violation occurs.

H. Water Facilities and Water Rights (D-25).

1. This permit does not confer any water rights on the holder. Any necessary water rights must be acquired by the holder in accordance with State law. Any expenses for acquiring water rights shall be the responsibility of the holder. The United States reserves the right to place any conditions on installation, operation, maintenance, and removal of facilities to pump, divert, store, or convey water on National Forest System lands covered by this permit that are necessary to protect public property, public safety, and natural resources on National Forest System lands in compliance with applicable law. The holder waives any claims against the United States for compensation in connection with imposition of any conditions on installation, operation, maintenance, and removal of water facilities under this permit.

I. REMOVAL AND PLANTING OF VEGETATION

1. Removal of Non-Hazardous Vegetation and Planting of Vegetation. Except as provided in emergencies pursuant to paragraph 2, trees, shrubs, grasses, and other plants may be removed, destroyed, or trimmed only in accordance with the vegetation management plan in Appendix N/A and only after the Authorized Officer's designated representative has marked or otherwise identified what may be removed, destroyed, or trimmed. Timber cut or destroyed shall be paid for at current stumpage rates for similar timber in the Coconino National Forest. The Forest Service reserves the right to dispose of the merchantable timber to those other than the holder at no stumpage cost to the holder. Unmerchantable material shall be disposed of as directed by the Authorized Officer. Planting of trees, shrubs, and other plants in the permit area must have prior written approval from the Authorized Officer.

2. Removal of Hazardous Vegetation. The holder may remove, destroy, or trim hazardous vegetation in accordance with the vegetation management plan in Appendix N/A without the hazardous vegetation being marked or otherwise identified by the Authorized Officer or the Authorized Officer's designated representative. The holder shall notify the Authorized Officer as soon as possible of any removal of hazardous vegetation under this clause. For purposes of this clause, "hazardous vegetation" is defined as "a live or dead standing tree or other vegetation having a defect, singly or combined, in the roots, butt, bole, or limbs or with unreasonable arcing potential and so situated that the tree or other vegetation poses the risk of imminent mechanical failure to all or part of a power line, pole, or tower," "defect" is defined as "an injury or disease that seriously weakens

the stems, roots, or branches of a tree or vegetation, predisposing all or part of it to fall;" "arcing" is defined as "the flow of electricity across a gap through the air from one conductor to another or to a grounded object;" and "imminent mechanical failure" is defined as "damage to a power line, pole, or tower from hazardous vegetation that could occur at any time."

J. Secondary Use Roads. (G-1).

1. All construction or reconstruction of the road shall be in accordance with plans, specifications, and written stipulations previously approved by the Authorized Officer.
2. Only the Authorized Officer may extend rights and privileges for use of the road constructed on the premises to other non-Federal users on the condition that such users shall pay a fair share of the current replacement cost less depreciation of the road and any reconstruction costs necessary to accommodate its use.
3. The Forest Service retains the right to use and occupy the right-of-way and to allow others to use the right-of-way in any way that is not inconsistent with the holder's existing rights and privileges after consultation with all parties involved.

K. Archaeological-Paleontological Discoveries(X-17).

The holder shall immediately notify the Authorized Officer of all antiquities or other objects of historic or scientific interest, including but not limited to historic or prehistoric ruins, fossils, or artifacts discovered in connection with the use and occupancy authorized by this permit. The holder shall leave these discoveries intact and in place until directed otherwise by the Authorized Officer. Protective and mitigative measures specified by the Authorized Officer shall be the responsibility of the holder.

L. Reservoir Storage Increase (X20). The Forest Service reserves the right to issue additional authorizations to other applicants to increase the storage capacity of this site if such action proves feasible. No authorization will be granted for additional facilities that will jeopardize the privileges granted by this authorization. Any additional authorizations permitting larger facilities will provide for payment of costs, including the cost of construction of the original project works, on a cost-benefit ratio mutually agreeable to the holder and the new applicant. If the holder and applicant cannot agree on division of costs, the Forest Service shall decide on an equitable division between the old and new works.

M. Signs (X-29).

Signs or advertising devices erected on National Forest System lands shall have prior approval by the Forest Service as to location, design, size, color, and message. Erected signs shall be maintained or renewed as necessary to neat and presentable standards, as determined by the Forest Service.

N. Improvement Relocation (X-33).

This authorization is granted with the express understanding that should future location of United States Government-owned improvements or road rights-of-way require the relocation of the holder's improvements, such relocation will be done by, and at the expense of, the holder within a reasonable time as specified by the Authorized Officer.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Sheet1

Description	Non-Linear Area (Acres)	Water Pipeline	Other	Road	Power
LM WELL 1	2.07				
LM WELL 1 ACCESS ROAD				0.58 AC 1279.3' (20')	
LM WELL 2	2.07	0.50 AC 1090.46 (20')		0.37 AC 540.5' (30')	
LM WELL 3	2.07	0.04 AC 165' (10')		1.0 AC 1463.84' (30')	
LM WELL 4	2.06	0.2 AC 460' (20')		0.7 AC 1061.35' (30')	
LM WELL 5	1.43	0.9 AC 1990' (20')			
LM WELL 7	1.43			2.13 AC 3200' (29')	
LM WELL 8	0.52	1.77 AC 6247' (20')		0.55 AC 2000' (12')	

LM WELL 9 [Water line is from LM Well 8 to LM Well 9]	Est. 1.0	2.87 AC 6247' (20')				
OLD LM WELL 9	0.01					
PULLIAM WELL	1	0.76 AC 1650' (20')	0.23 AC EST. 500' (20')			
SKUNK CANYON WELL	1					
Description	Non-Linear Area (Acres)	Water Pipeline	Other	Road	Power	
OBS WELLS LMO- 1 LMO-2 LMO-3	0.01					
WM WELL 1	0.918					
WM WELL 2	0.918					
8' WATERLINE WM WELL 1 TO WM WELL 3		0.27 AC 600' (20')				
WM WELL 4	0.918					

Sheet1

Description	Non-Linear Area (Acres)	Water Pipeline	Other	Road	Power
10" WATER LINE, WM WELL 5 TO WM WELL 4	0.07 AC 106.42 (30')				
ACCESS ROAD, WM 5 WELL TO WM WELL 4				0.13 AC 186.22' (30')	
WM WELL 7	0.918				
WM WELL 9	0.918				
UTILITY CORRIDOR, WM WELL 9 TO WM WELL 7 [WATER/ POWER]					1.46 AC 3183' (20')
WM WELL 11	Est. 1.0				
UTILITY CORRIDOR TO WM WELL 11 [WATER/ POWER]					0.30 AC 887' (15')
INNER BASIN WELLS, #9, #11, AND #14	Est. 3.0				

Sheet1

EXPLORATION BOREHOLES, 8 SITES	0.02					
LM 30" WATER LINE		11 AC 23,984' (20')				
LM 27" WATER LINE		11.08 AC 24,130' (20')				
LM 12" WATER LINE		12 AC 26,148' (20')				
8" WATER LINE Tract B HES 619, FRONTIER AVE.		0.93 AC 2029' (20')				
8" WATER LINE FROM HES 619 TO WATER TREATMENT PLANT		0.84 AC 1848' (20')				

Sheet1

Description	Non-Linear Area (Acres) Est. 1.0	Water Pipeline	Other	Road	Power
LM 36" WATER LINE AND 4" SPUR AIR LINE [CORRIDOR ALSO INCLUDES 24" WATER LINE]		9.55AC 20,803' (20')	0.12 AC 260' (20') [AIR LINE]		
SHADOW MTN VILLAGE [MONTE VISTA DR] WATER LINE, AND SEWER LINE					
4" WATER LINE, PINE DEL		0.65AC 1425' (20')			
WM 16" WATER LINE		4.85AC 10,560' (20')			
WM 30" WATER LINE [NOTE: MAJORITY OF AREA IS CONTAINED WITHIN THE 16" WATER LINE CORRIDOR]		0.14AC 300' (20')			

Sheet1

WM COLLECTION LINE EXPANSION			AREA CONTAINED WITHIN WM 16" WATER LINE CORRIDOR				
WATER LINE HWY 89N			Est. 0.55 AC, 1200' (20')				
PEAKS RS WATER LINE [AND SEWER]			0.63AC Appx 1372' (20')				
MORMON LAKE RS WATER LINE			0.11AC Est 250' (20')				
WATER LINE TO AIRPORT			1.57AC 3421' (20')				
INNER BASIN AND SCHULTZ PASS WATER LINES (AND SPRINGS) INCLUDING ABINEAU CANYON AREA			56.56 AC 123,182' (20')				

Sheet1

WATER TREATMENT PLANT	22					
PUMPING PLANT AT LAKE MARY DAM	Est 0.25					
AIR BUBBLING SYS. UPPER LM	0.06		0.04 600' (3')			
SEDIMENTATION TANK, WM	1					
ACCESS ROAD, WM SEDIMENTATION TANK					0.9 AC 1953.6" (20')	
SLUDGE LINE, WM SEDIMENTATION TANK			0.09 AC 200' (20')			
WM BOOSTER PUMP STATION [INCLUDED IN AREA FOR SEDIMENTATION]						

Sheet1

WM POWER LINE 1 [PREVIOUS PERMIT DATED 1/28/58]					1.79AC 2,255.95' (30') AND 1076' (10')
WM POWER LINE 2 [PREVIOUS PERMIT DATED 8/18/59]					2.65AC 5790' (20')
PARADISE RESERVOIR	0.6	2.25AC 4,914' (20')		2.52AC 5,500' (20')	
CHRISTMAS TREE RESERVOIR	1		0.25AC 550' (20') (OVERFLOW LINE)	1.55AC 3,380' (20') (ROAD AND WATER LINE)	
CANAL TYPE DRAINAGE			0.69AC 1000' (30') (SEWAGE PLANT)		
SEWER LINE TO AIRPORT			1.26 AC 2757' (20')		

Sheet1

SEWER LINE ALONG PORTION OF LAKE MARY ROAD (NEAR MORMON LAKE RS)			0.23AC Est. 500' (20')			
BOW AND ARROW SEWER LINE [ZUNI Dr]			0.19AC 419.22' (20')			
JW POWELL BLVD SEWER LINE			1.72AC 3,746' (20')			
BOW AND ARROW WATER LINE [ZUNI Dr]		Est. 150' [AREA INCLUDED IN SEWER LINE UTILITY CORRIDOR]				
TOTALS	49.19 AC	120.09 AC	4.59 AC	10.66 AC	6.2 AC	
IB INNER BASIN						
LM LAKE MARY						
RS RANGER STATION						
WM WOODY MOUNTAIN						

Exhibit A.2

City of Flagstaff Master Special Use Permit
August 2004

Well Sites

Lake Mary Well 1 **[2.07 Acres]**
Permit dated 5/13/64
NE 1/4 Lot 1, Section 18, T. 20 N., R. 8 E.
300' x 300' area for well site

Lake Mary Well 1 Access Road **[0.58 Acre]**
Permit dated 6/28/61
Across portions of sections 12, and 13, T. 20 N., R. 7 E., and section 18,
T. 20 N., R. 8 E., 1279.3 feet (0.24 miles) in length, 20 feet right-of-way width

Lake Mary Well 2 **[2.07 + 0.37 + 0.50 = 2.94 Acres]**
Permit dated 10/1/64
Portions of Lot 2, Section 18, T. 20 N., R. 8 E.
300' x 300' area for well site **[2.07 Acres]**
Includes access road, pump house and connecting pipelines (to existing 27" and 12" water lines); Access road (Permit dated 10/1/64), 540.5 feet in length, 30 feet right-of-way width **[0.37 Acre]**;
Amendment 2, Permit dated 10/1/64, connecting pipeline to existing 12" water line 1090.46 feet (.206 miles) in length, 20 feet right-of-way width **[0.50 Acre]**
[October 5, 1994 Request for buried pipeline (291 lineal feet) to replace above ground line]

Lake Mary Well 3 [Within City Limits] **[2.07 + 1.0 + 0.04 = 3.11 Acres]**
Permit dated 2/1/65
SE1/4 Section 12, T. 20 N., R. 7 E., 300' x 300'
300'x 300' **[2.066 Acres]**
Including Access Road (Permit dated 2/2/65), 1463.84 feet (.28 miles) in length 30 feet right-of-way width **[1.0 Acres]** and water pipelines (8" CIP water lines from Well No. 3 to the 27" Lake Mary Water Line (within road) and from Well No. 3 to the 12" Lake Mary Water Line, 165 feet in length, 10 feet right-of-way width **(0.04 Acres)** across a portion of the SW 1/4 Section 12, T. 21 N., R. 7 E.

Lake Mary Well 4 **[2.06 + 0.7 + 0.2 = 2.33 Acres]**
Permit dated 1/19/66
NW1/4NE1/4 Section 19, T. 20 N., R. 8 E.
300' x 300' **[2.06 Acres]**
Including Access Road across a portion of SE1/4 Section 18, T. 20 N., R. 8 E., 1061.35 feet in length, and 30 feet right-of-way width **[0.7 Acre]**

Water pipeline from Well 4 to 27" Lake Mary Waterline, 460 feet in length, 20 feet right-of-way width **[0.2 acres]**, across portions of SW1/4SE1/4 of Section 18, and NW1/4NE1/4 of section 19, T. 20 N., R. 8 E.

Lake Mary Well 5 **[1.43 + 0.9 = 2.33 Acres]**
Permit dated 12/17/74
Section 20, T. 20 N., R. 8 E
250' x 250' **[1.43 Acres]**
Including 10" water line to Well 5
Approximately 1990' feet in length, 20 feet right-of-way width **[0.9 Acre]**

Lake Mary Well 6 (Not Used, Abandoned)
Permit dated 12/17/74 [Not included as part of the Master Permit]

Lake Mary Well 7 **[1.43 + 2.13 = 3.56 Acres]**
Permit dated 12/17/74
NE1/4SW1/4 Section 27, T. 20 N., R. 8 E
250' x 250' **(1.43 Acres)**
Amendment 4, Permit dated 12/17/74
Including Access Road, 2738 feet, 50 feet right-of-way width (3.1 acres - superseded)
Access Road modification per report submitted by Northland Research, Inc. titled "Cultural Resources Survey and Biological Evaluation for a proposed access road to Lake Mary Well No. 7," Revised May 11, 2001, 3200 feet in length, 29 feet right-of-way width **(2.13 acres)**

Lake Mary Well 8 **[0.55 + 1.77 + 0.52 = 2.84 Acres]**
Permit dated 12/17/74
SE1/4SW1/4SW1/4 Section 20, T. 20 N., R. 8 E
Including pump house, access road, water pipeline and underground power line
Access Road, 2000 feet in length, 12 feet right-of-way width **(.55 acre)**; and water pipeline, 3000 feet in length, 20 feet right-of-way width (1.37 acres); **drill site is .52 acre** for a total of 2.45 acres
Revised June 2004 - City data indicates 3859 GIS feet to Well 8 for waterline
Water pipeline (12 inch and 16 inch), 3859 feet in length, 20 feet right-of-way width **(1.77 acres)**.

Lake Mary Well 9 **[1.0 + 2.87 = 3.87 Acres]**
Section 30, T. 20 N., R. 8 E.
Estimated **1.0 acre** for well site
Water line to Lake Mary Well 9
Permit dated 7/14/92
Across sections 20, 29, and 30, T. 20 N., **R. 8 E.**
1.75 Miles (9240 feet) in length, 20 feet right-of-way width **[4.24 Acres]** [Note: Length of water line includes line to Well 8]

Revised - June 2004 - Water line (12 inch and 16 inch) City data indicates 6247 feet in length (from Lake Mary Well 8 to Lake Mary Well 9), 20 feet right-of-way width [2.87 Acres]

Old Lake Mary Well 9 [Test Well] [0.01 Acre]
Section 28, T. 20 N., R. 8 E.

Pulliam Well [Within City Limits] (1.0 + 0.23 + 0.76 = 1.99 Acres)
SE1/4 Section 4, T.20 N., R. 7 E.
Access road to well site (Pulliam Well) across a portion of sec. 4, T. 20 N., R. 7 E., Estimate 500' in length, 20' right-of-way width, [0.23 Acre];
[1 acre for well site; 1650 feet in length for pipeline right-of-way, 20 feet in width (0.76 acre)] [Note: The pipeline right-of-way has not been constructed, but an environmental analysis has been completed.]

Skunk Canyon Well [Within City Limits] [1 Acre]
SW1/4NE1/4 Section 3, T. 20 N, R. 7 E.
[Does not include pipeline right-of-way]

Observation Wells [Each Area Appx. 10' x 10'] [0.01 Acre]
Amendment 7, Permit dated 12/17/74 (Three 6" Observation wells)
LMO-1, Section 20, T. 20 N., R. 8 E.
LMO-2, Section 29, T. 20 N., R. 8 E.
LMO-3, Section 20, T. 20 N., R. 8 E.

Woody Mountain 1 [0.918 Acre]
Permit dated 2/27/56
NW 1/2 SW1/4 Section 35, T. 21 N., R. 6
E
200'x 200'.

[0.918 Acre]

Woody Mountain 2
Permit dated 2/27/56
NW 1/2 SW1/4 Section 35, T. 21 N., R. 6
E.
200'x 200'

8" Water line from Woody Mountain Well 1 to Woody Mountain Well 3 (0.27 Acre)
Across a portion of section 35, T. 21 N., R. 6 E.
Approximately 600 feet in length (map measurement), 20 feet in width
City of Flagstaff data indicates 845 feet in length, however, measurement includes non-federal land

Woody Mountain 4 [0.918 Acre]
Permit dated 2/27/56
NW 1/2 SW1/4 Section 35, T. 21 N., R.
6 E.
200'x 200'

**10" Water line to connect Woody Mountain Well 5 to Woody Well #4 Line
[0.07 Acre]**

Amendment 1, Permit dated 10/14/55
Across portion of section 35, T. 21 N., R. 6 E.
106.42 feet in length, 30 feet right-of-way width

Access Road from Woody Well #4 to Woody Well #5 [0.13 Acre]

Permit dated 1/5/62
186.22 feet in length, 30 feet right-of-way width

Woody Mountain Well 7 [0.918 Acre]

Permit dated 10/23/81
NE1/4NW1/4 Section 11, T. 20 N., R. 6 E.
200' x 200'

[Proposed location only] Woody Mountain Well 8
Permit dated 10/23/81
SE1/4SE1/4NW1/4 Section 11, T. 20 N., R. 6 E. [Not included in Master Permit]

Woody Mountain Well 9 [0.918 Acre]

Amendment 1, Permit dated 10/23/81
NE1/4SW1/4 Section 11, T. 20 N., R. 6 E.
200' x 200'

Utility Corridor from Well 9 to Well 7 [1.46 Acre]

Permit dated 10/23/81
2200 feet plus 612.62 feet= 2812.62 feet in length, 20 feet right-of-way width [1.29 Acres] [2200 feet from application for Well 8, plus 612.62 feet from Record of Survey dated 6/20/84 for measurement from Well 8 to Well 9]
Revised - June 2004 - City of Flagstaff data indicates 10" and 12" water lines and underground power for 2431' + 752' = 3183 feet in length, 20 feet right-of-way width
[1.46 Acres]

Woody Mountain Well 11 [Estimated 1.0 Acre]

NE1/4NE1/4NW1/4 Section 11, T. 20 N., R. 6 E.

Utility Corridor to WM Well 11 [0.30 Acres]

Includes 8 inch water line and underground power
City of Flagstaff data indicates 887 feet in length, 15 feet right-of-way width
Decision Memo dated July 2, 1999

Inner Basin Wells, #9, #11, and #14 [3.0 Acres]

Estimate 1 Acre for each well site, 3.0 Acres

Exploration Borehole Locations [0.02 Acre for 8 sites, each site being 10' x 10']

Permit dated 11/8/90

Oil and Gas Well, SW1/4SE1/4SE1/4 Section 1, T. 19 N., R. 7 E.

South Elk Park Meadows, SE1/4SE1/4SE1/4 Section 5, T. 19 N., R. 8 E.

Newman Canyon, SE1/4SE1/4NE1/4 section 10, T. 19 N., R. 8 E.

Wahler Ranch Area, SW1/4SE1/4SE1/4 Section 23, T. 20 N., R. 7 E.

Howard Draw, NE1/4SW1/4SE1/4 Section 25, T. 20 N., R. 7 E.

Priest Draw, NW 1/4 Sec. 35, T. 20 N., R. 7 E.

Clark Well, NW1/4NE1/4SW1/4 Section 32, T. 20 N., R. 8 E.

North Elk Park Meadows, SE1/4NE1/4SW1/4 Section 33, T. 20 N., R. 8 E.

During construction the site areas were 100' x 100.' After project was completed, the borehole areas were reduced to an area of 10' x 10' for each site, 8 sites= 0.02 Acres]

Water Transmission Lines

Lake Mary

30" Waterline

[11.0 Acres]

From Lake Mary to private property in section 33, T. 21 N., R. 7 E.

[Passes through Water Treatment Plant]

Permit dated 5/12/87 [12.62 Acres]

Portions of section 33, T. 21 N., R. 7 E., sections 3, 4, 10, 11, 12, and 13, T. 20 N., R. 7 E., and section 18, T. 20 N., R. 8 E., 20 feet right-of-way width

[Note: Permit dated 5/12/87 did not include the waterline for section 33, T. 21 N., R. 7 E. Summary of Analysis dated September 1989 prepared by SWCA Inc. indicates the length on National Forest is approximately 2,500 feet for the proposed construction of a 30 inch water transmission line from the Lake Mary Water Treatment Plant to US 89A. The City GIS data shows a measurement of 2864 for this segment of line.)

Map measurement for the 30" waterline is approximately 4 miles (excluding section 33, T. 21 N., R. 7 E.) The total acres is computed as follows:

21,120 feet+ 2864 = 23,984 feet in length, 20 feet right-of-way width, 11.0 Acres

27" Waterline from Lake Mary to Water Treatment Plant, and from Water Treatment Plant to private property in section 34, T. 21 N., R. 7 E. [11.08 Acres]

Permit Dated 8/13/64

Portions of sections 33, T. 21 N., R. 7 E., sections 3, 4, 11, 12, 13, T. 20 N., R. 7 E., and section 18, T. 20 N., R. 8 E.,

[Map measurement indicates approximately 11.08 acres, okay to use prior permit measurement]

24,130 feet in length, 20 feet right-of-way width, 11.08 acres

12" Water Main, Lake Mary Dam to City of Flagstaff [12 Acres]

Permit dated 10/30/40 [14.83 Acres]

Portions of section 33, T. 21 N., R. 7 E., sections 3, 4, 10, 22, 12, and 13, T. 20 N., R. 7 E., and section 18, T. 20 N., R. 8 E.

[Shown on Drawings dated June 1941, Sections 1 and Section 2, Sheet 1 of 2, and Sheet 2 of 2, prepared by Taylor & Taylor Engineers]

37,913.96 Linear Feet, 7.18 miles, 1941 measurements

Map Measurement, approximately 4.95 miles (26,148 feet) in length, 20 feet right-of-way width, [12 Acres]

8" Water line [0.93 AC]

Permit dated 8/5/65

Adjacent to the southerly line of Tract B of HES 619 (Frontier Avenue), and in Lake Mary Road and in J. Diamond Road in Sections 3 and 4, T. 20 N., R. 7 E.

0.38 miles (2029 feet) in length, 20 feet right-of-way width

8" Water line from HES 619 to Water Treatment Plant [0.84 AC]

Permit dated 8/11/65

Portions of sections 3 and 4, T. 20 N., R. 7 E.

0.35 Miles (1848') in length, 20 feet right-of-way width

36" Water transmission line [9.55 + 0.12 = 9.67 Acres]

Permit dated 7/17/64

and 10" and 16" pipeline tie ins to the existing 12" pipeline for delivery of water from Lake Mary to Flagstaff

Portions of sections 18, 19, 20, 21, 27, and 28, T. 20 N., R. 8 E.

3.94 miles (20,803 feet) in length, 20 feet right-of-way width [9.55 Acres]

Amendment 2, Permit dated 7/17/64

Including 4" spur Air line within SW 1/4 Section 27, T. 20 N., R. 8 E.

260 feet in length x 20 feet right-of-way width [0.12 Acre]

Amendment 1, Permit dated 7/17/64

24" Water line within the existing corridor for the 36" water transmission line

Portions of sections 18, 19, 20, 21, 27, and 28, T. 20 N., R. 8 E.

18" and 15" Water line from Upper Lake Mary to Lower Lake Mary

Permit dated 10/1/47

Located within Forest Highway 3 corridor

No Longer in Use [Not included in the Master Permit]

Water Line and Sewer Line [Estimated 1.0 Acre]

Shadow Mountain Village [Monte Vista Drive]

Permit dated 4/22/68

Portion of Section 11, T. 21 N., R. 7 E.

[Note: The area encumbered by the water line and the sewer line lies within Parcel 2 of the Special Use Permit dated April 22, 1968. Parcel 2 is defined by a metes and bounds description. Per discussions with Jack Rathjen, City of Flagstaff Water Works Supervisor, on August 20, 2004 the Pump building and underground hydropneumatics tank previously under permit have been removed.]

4" Pine Del Waterline

[0.65 Acre]

Permit dated August 3, 1962

NW 1/2 NE 1/4 Section 7, T. 20 N., R. 7 E.

Estimated 1425 feet in length, 20 feet right-of-way width

[Note: Estimates taken from map associated with permit that was drawn May 10, 1962 and approved by City Engineer, R. G. Barney.]

Woody Mountain

16" Water line from Woody Mountain City Wells to City of Flagstaff [4.85 Acres]

Permit dated 10/14/55

Across portions of sections 35 and 36, T. 21 N., R. 6 E.

2.0 miles (10,560 feet) in length, 20 feet right-of-way width [Map measurement]

[Section 31, T. 21 N., R. 7 E. now non-federal land]

30" Water Transmission Pipeline - Woody Mountain Area [0.14 Acre]

[Note: 30" Water line is in same corridor as the 16" water line. The area computed for 0.14 is only for a small segment not already accounted for.]

Amendment 1, Permit dated 10/23/81

Parallel to the existing pipeline from Well 7 in section 11, T. 20 N., R. 6 E., to the sedimentation tank in Section 36, T. 21 N., R. 6 E. as shown on the enlarged USGS map (1:12,000) City of Flagstaff designation W-169, Pocket 10, Folder 38. This portion of the permit covers 1.7 miles [Contained within utility corridor for 16" Water line across portions of section 35 and 36, T. 21 N., R. 6 E., and contained within utility corridor between Well 9 and Well 7. Included small segment from Well 7 to north section line boundary, approximately 300 feet (map measurement). 300 feet in length, 20 feet right-of-way width [0.14 Acre]

Collection Line Expansion, WM [Area contained within existing WM 16" Water Line Corridor]

Permit dated 1/28/58

NW 1/2 SW1/4 Section 35, T. 21 N., R. 6 E.

Water pipeline parallel to an existing water pipe and access road

800 feet in length, 20 feet in width [0.37 Acres]

Other Water Lines

Highway 89 North Waterline

[Estimated 0.55 Acre]

Permit dated 6/30/61

SE1/4 Section 6, T. 21 N., R. 8 E.

[Note: 1978 Patent - Wilson Land Exchange - Waterline was not shown as a reservation; however, a portion of the water line now crosses non-federal land. Amendment 1, Permit dated 6/30/61 shows 0.455 miles (2,402.4 feet) plus 200 feet Railhead Drive Amendment 4), 20 feet right-of-way width [1.19 Acres].

Estimated 1,000 feet in length along Highway 89 North plus 200 feet for Railhead Drive equals approximately 1,200 feet in length, 20 feet right-of-way width [0.55 Acres]

Peaks Ranger Station Waterline (0.63 Acre]

Permit dated 3/25/87

SE1/4 Section 6, T. 21 N., R. 8 E.

Approximately 1372 feet in length, 20 feet right-of-way width, 0.63 acres (from calculations)

Mormon Lake Ranger Station Waterline [0.11 Acre]

SW 1/4 Section 33, T. 21 N., R. 7 E.

Approximately 250' in length (map measurement), 20 feet right-of-way width

Water Transmission to Airport [1.57 Acres]

Permit dated 5/1/50

Water transmission lines, 20 feet wide, 10 feet each side of centerline, over and across portions of sections 4 and 5, T. 20 N., R. 7 E., and a portion of sec. 33, T. 21 N., R. 7 E. 3421 feet in length, 20 feet right-of-way width

Bow and Arrow Water Line [Zuni Drive] [Area included as part of the sewer line utility corridor] Estimated 150 feet in length

Water line shown on City of Flagstaff Water Map No. 23-18

Section 33, T. 21 N., R. 7 E.

Inner Basin Water Transmission, Wells, and Associated Facilities [56.56 Acres] including Abineau Canyon area [Area includes springs]

Portions of sections 1, 2, 12, 13, 14, 15, 21, 22, 28 and 33, T. 22 N., R. 7 E.; and portions of sections 15, 16, 17, 20, 21, 22, 26, 27, 28, 29, 32, 33, 35 and 36, T. 23 N., R. 7 E.

23.4 miles, Permit dated 6/2/66

23.97 miles, Amendment 1, Permit dated 6/2/66

23.99 miles, Amendment 3, Permit dated 6/2/66

[Map measurement indicates approximately 59 Acres, okay to use prior permit measurement]

Linear measurement calculated as follows:

23.33 miles or 123,182' (20' right-of-way width)

$(123.182 \times 20) / 43560 = 56.56$ acres

Miscellaneous

Water Treatment Plant, sedimentation tanks and associated facilities **[22 Acres]**
located within a portion of sec. 4, T. 20 N., R. 7 E., and a portion of sec. 33,
T. 21 N., R. 7 E.

Pumping Plant at Lake Mary Dam **[Estimated 0.25 Acre]**
Section 18, T. 20 N., R. 8 E.
Per Discussion with Jack Rathjen, City of Flagstaff Water Works Supervisor on August
20, 2004, the Buildings for the Pumping Station are still in place and in use. Retain on
Master Permit.

Air Bubbling System for Upper Lake Mary **(0.1 Acre)**
Compressor House, Lake Mary
Permit dated 5/3/71
NE1/4NE1/4 Section 34, T. 20 N., R. 8 E.
50' x 50' [0.06 Acres] plus underwater pipe
Installing, operating, and maintaining air compressor equipment and perforated pipelines
to aerate municipal water supplies; three (3) 10 horsepower electrically powered air
compressors housed in a 10' by 14' stone masonry building; 100' of 2" galvanized pipe;
500' of 1-1/2" polyvinyl chloride pipe; 150' of which is perforated and submerged; and
an access road to the facility
Calculations as follows:
 $(600' \times 3') / 43,560 = 0.04$
 $0.06 + 0.04 = 0.1$

Sedimentation Tank **[1.0 Acre]**
for the purpose of removing sand from the City Water System
SE1/4SW1/4NW1/4 Section 36, T. 21 N., R. 6 E.
Permit dated 8/17/59
[Note: Permit dated 8/17/59 provided for 10 acres; however, Exhibit 2 for Master Permit
dated 6/30/87 shows 1.0 acres]

Access Road to Sedimentation Tank **(.90 Acre)**
Permit dated 9/28/1959
S1/2NW1/4 Section 36, T. 21 N., R. 6 E.
0.37 miles (1953.6') in length 20 feet right-of-way width

Sludge Line for Sedimentation Tank **[0.09 Acre]**
Permit dated 10/1/59
Section 36, T. 21 N., R. 6 E.
8" water/sludge line
200 feet in length, 20 feet right-of-way width

Woody Mountain Booster Pump Station [adjacent to existing Sedimentation Tank]
Amendment 1, Permit dated 8/17/59
NW 1/4 Section 35, T. 21 N., R. 6 E.
[Included in area for Sedimentation Tank]

Canal Type Drainage [0.69 Acre]
SE1/4 Section 27, T. 22 N., R. 8 E.
Permit dated 8/8/69
Canal to carry water waste from the City of Flagstaff Sewage Plant
Approximately 1000 feet (map measurement), 30 feet right-of-way width

Sewer Line to Airport [1.26 Acres]
Section 4, T. 20 N., R. 7 E., and Section 33, T. 21 N., R. 7 E., 2757 feet in length, 20 feet
right-of-way width [Measurement from City of Flagstaff data]

Sewer Line along a portion of Lake Mary Road [0.23 Acre]
[Near Mormon Lake RS]
Shown on City of Flagstaff Sewer Map No. 24-17
SW 1/4 Section 33, T. 21 N., R. 7 E.
Estimate 500' in length, 20' right-of-way width

Bow and Arrow Sewer Line [Zuni Drive] [0.19 Acre]
Amendment 3, Permit dated 6/12/59
Section 33, T. 21 N., R. 7 E.
419.92 feet in length, 20 feet right-of-way width

J W Powell Blvd Sewer Line [1.72 Acres]
Section 33, T. 21 N., R. 7 E.
3,746 feet in length, 20 feet right-of-way width

Reservoirs

Paradise Reservoir [0.6 + 2.52 + 2.25 = 5.37 Acres]
Section 2, T. 21 N., R. 7 E. [0.6 Acres]
Permit dated 6/30/87
Reservoir - Preferred Alternative - Site P-2A and 18" Transmission Main
Adjacent to El Paso Natural Gas Line and the Mount Elden Subdivision
Access Road across a portion of section 2, T. 21 N., R. 7 E.
Road Access - Alternative C - A Southern route via 4th Street, through the Methodist
Church parking lot, and along the gas line to the reservoir site
Road Approximately 5,500 feet in length (map measurement), 20 feet right-of-way width
[2.52 Acres] Water Transmission Approximately 4,200 feet (map measurement)
June 2004 - City of Flagstaff data indicates 4914 feet in length for waterline, 20 feet
right-of-way width [2.25 Acres]

Christmas Tree Reservoir

[1.0 + 1.8 = 2.8 Acres]

Section 31, T. 22 N., R. 8 E. **[1.0 Acres]**

Permit dated 6/30/87

Alternative C-2 preferred

About 1,000 feet north of Christmas Tree Subdivision and 800 feet west

Access Road and 24" Transmission Main across portions of sections 31 and 32, T. 22 N., R. 8 E., Approximately 3,000 feet (map measurement)

June 2004 - City of Flagstaff data indicates 3,380 for water line and 550 feet for overflow line, 3930 feet in length, 20 feet right-of-way width **[1.8 Acres]**

Power Lines

Power lines associated with Lake Mary Wells 1, 2, 4, 5, 8, and 9 are covered by the APS Master Special Use Permit (APS Coconino 163 Map) [Note: Lake Mary Well #1 placed under APS permit and shown as C-2-98]

Woody Mountain Power line

[1.45 + .24 = .10 = 1.79 Acres]

Permit dated 1/28/58

SW 1/4 Section 35, T. 21 N., R. 6 E.

Initial permit was for 2350 linear feet (0.44 miles) in length, 30 feet right-of-way width, and 1.62 acres [for power from Well No. 1 to Well No. 2, and from Well No. 1 to Well No. 3] and included NW 1/4 of Section 35, T. 21 N., R. 6 E. for power to Well 3. NW 1/4 of Section 35 is non-federal land (Land Exchange, 10/2/1980, Status Map Reference X138); therefore, 2350 feet minus 235 feet = 2115 feet, **1.45 Acres** for 30 feet right-of-way width.

Amendment 1 - provide power from Well 2 to Well 4

1,076 feet (0.203 miles) in length, 10 feet right-of-way width, **0.24 acre**

Amendment 2 - provide power from Well 4 to Well 5

140.95 feet (0.267 miles) in length, 30 feet right-of-way width, **0.10 Acre**

[2115 + 140.95 = 2,255.95 for 30' width; and 1076' for 10' width]

Woody Mountain Power line

[2.65 Acres]

Permit dated 8/18/59

12 KV Electric Power line to serve sedimentation and clarifier plant site

Across portions of Sections 35 and 36, T. 21 N., R. 6 E.

Beginning at a point on the present power line in the NW1/4SW1/4 Section 35, T. 21 N., R. 6 E., and extending in a northeasterly direction, through the N 1/2SW1/4 and the S 1/2NE1/4 Section 35, and the S 1/2NW1/4 Section 36, T. 21 N., R. 6 E., it being approximately 5790 feet (1.097 miles) in length. [1.097 miles in length, 20 feet right-of-way width, 2.65 acres]

Inner Basin Area Springs

IB-1 Hoffman Canyon - NE1/4SW1/4 Sec. 27, T. 23 N., R. 7 E., and 80 feet tunnel, 4' wide and 5' high dug at this location prior to 1927

IB-2 Jack Smith Diversion #1 - NW1/4SW1/4 Sec. 27, T. 23 N., R. 7 E., a 100 feet tunnel, 4' wide and 5' high dug at this location prior to 1927

IB-3 Jack Smith Diversion #2 - NW1/4SW1/4 Sec. 27, T. 23 N., R. 7 E. A tunnel 765 feet long, 4' wide and 5' high dug at this location prior to 1927

IB-4 Jack Smith Diversion #3 - SE1/4SE1/4 Sec. 29, T. 23 N., R. 7 E. Redeveloped in 1931 using 200 feet of 10" pipe

IB-5 Little Bear Paw Canyon - SE1/4SW1/4 Sec. 28, T. 23 N., R. 7 E. In use prior to 1912, redeveloped in 1958 using 902 feet of 8," 10" and 12" pipe

IB-6 Flagstaff Canyon Diversion #1 - SE1/4SE1/4 Sec. 29, T. 23 N., R. 7 E. In use prior to 1928, redeveloped in 1958 using 1,389 feet of 8" pipe

IB-7 Flagstaff Canyon Diversion #2 - SE1/4SE1/4 Sec. 29, T. 23 N., R. 7 E. In use prior to 1928, redeveloped in 1959 using 1,156 feet of 8" pipe

IB-8 Snow Slide Canyon Diversion #1 - SE1/4NE1/4 Sec. 32, T. 23 N., R. 7 E. In use prior to 1935, redeveloped in 1960 using 1,425 feet of 8" pipe

IB-9 Snow Slide Canyon Diversion #2 - SE1/4NE1/4 Sec. 32, T. 23 N., R. 7 E. In use prior to 1912, redeveloped in 1960 using 3,892 feet of 8" pipe

IB-10 Raspberry Canyon Diversion #1 - SW1/4SW1/4 Sec. 27, T. 23 N., R. 7 E. In use prior to 1931, damaged by road repair in 1963, line repaired in 1965 using 860 feet of 4" pipe

IB-11 Raspberry Canyon Diversion #2 - SE1/4SE1/4 Sec. 28, T. 23 N., R. 7 E. In use prior to 1931, damaged by road repair, line replaced in 1965 using 860 feet of 4" pipe

IB-12 Raspberry Canyon Diversion #3 - SE1/4SE1/4 Sec. 28, T. 23 N., R. 7 E. Redeveloped in 1928

IB-13 Raspberry Canyon Diversion #4 - SE1/4SE1/4 Sec. 28, T. 23 N., R. 7 E., redeveloped in 1928

IB-14 Doyle Canyon Diversion #1 - NE1/4SW1/4 Sec. 33, T. 23 N., R. 7 E. Developed in 1931

IB-15 Doyle Canyon Diversion #2 - NE1/4SW1/4 Sec. 33, T. 23 N., R. 7 E. Developed in 1931

IB-16 Doyle Canyon Diversion #3 - SW1/4 Sec. 32, SE1/4 Sec. 33, T. 23 N., R. 7 E. Redeveloped in 1961 using 3,086 feet of 8" pipe

IB-17 Beard Canyon - SW1/4NW1/4 Sec. 28, T. 23 N., R. 7 E. Development completed in 1960 using 2,707 feet of 8" pipe

IB-18 Dunnam Canyon - SE1/4SE1/4 Sec. 29, T. 23 N., R. 7 E. Development completed in 1961 using 1,623 feet of 8" pipe (1966 replaced water flow line washed out in 1964)

IB-19 NE1/4NE1/4 Sec. 33, T. 23 N., R. 7 E.
Amendment 2 (August 1, 1966), Permit dated 6/2/66

Schultz Canyon Area Springs

S-1 Arnold Canyon - NE1/4NW1/4 Sec. 28, T. 22 N., R. 7 E. Arnold Canyon is a tributary of Rio de Flag and is diverted in to Shultz Canyon by means of a 10" pipe 1200 feet in length. First developed prior to 1927, redeveloped in 1931, again redeveloped in 1963 using 1,392 feet of 10" pipe

S-2 Shultz Fork #1 - SE1/4SW1/4 Sec. 21, T. 22 N., R. 7 E. Developed prior to 1927, redeveloped in 1963 using 150 feet of 10" pipe

S-3 Mexican Mine Canyon (Schultz Fork #2) - SW1/4SE1/4 Sec. 21, T. 22 N., R. 7 E. Developed prior to 1927, redeveloped in 1964 using 180 feet of 10" pipe

S-4 Big O'Brien Canyon - NW1/4SW1/4 Sec. 22, T. 22 N., R. 7 E. Developed prior to 1927, redeveloped in 1964 using 350 feet of 10" pipe

S-5 Little O'Brien Canyon - NW1/4SW1/4 Sec. 22, T. 22 N., R. 7 E. Developed prior to 1927 using 60 feet of pipe

S-6 Spruce Canyon - NE1/4NW1/4 Sec. 22, T. 22 N., R. 7 E. Developed prior to 1927, consisting of a diversion dam in Shultz Canyon with 15 feet of pipe connecting it to the flow line

S-7 Brookbank Canyon - NW1/4NE1/4 Sec. 22, T. 22 N., R. 7 E. Developed in 1964 using 650 feet of 10" pipe

S-8 Orion Spring - SW1/4NE1/4 Sec. 15, T. 22 N., R. 7 E. Developed in 1930, redeveloped in 1965 using 2,740 feet of 10" pipe

S-9 NW1/4 Sec. 14, T. 22 N., R. 7 E.

Amendment 6 (7/2/68), Permit dated 6/2/66, Weatherford Canyon Development

Aubineau Canyon Area Springs

A-1 Bear Jaw Canyon - Pickup sump built in 1934 for future development located in the SW1/4NE1/4 Sec. 21, T. 23 N., R. 7 E.

A-2 Rees Canyon - Pickup sump built in 1934, located in the SW1/4NW1/4 Sec. 21, T. 23 N., R. 7 E.

A-3 Aubineau Diversion #1 - NW1/4NE1/4 Sec. 29, T. 23 N., R. 7 E.

A-4 Aubineau Diversion #2 - NW1/4NE1/4 Sec. 29, T. 23 N., R. 7 E.

A-5 Aubineau Diversion #3 - NW1/4NE1/4 Sec. 29, T. 23 N., R. 7 E.

A-6 Aubineau Diversion #4 - SW1/4NE1/4 Sec. 29, T. 23 N., R. 7 E.

A-7 Aubineau Diversion #5 - SW1/4SE1/4 Sec. 20, T. 23 N., R. 7 E.

A-8 Aubineau Tunnel Site - S1/2 Sec. 20, T. 23 N., R. 7 E.

All diversions were completed in 1934, 3200 feet of 8" pipe were used. Aubineau Tunnel started in 1963, not completed.

AZ Game & Fish Wildlife Drinkers Owned by AZ Game & Fish authorized under COC0620

SUMMARY

In 1993, The Arizona Game and Fish Department (Department) in cooperation with the City of Flagstaff (City) and the Coconino National Forest, proposed six locations for wildlife waters along the City's Inner Basin Water Line (IB Waterline). Three of these locations were developed in 1993 (Figure 1). The water supply for these wildlife waters is the IB Waterline that originates from springs in the Inner Basin within the San Francisco Peaks. In 2022, the Pipeline Fire and associated floods damaged the IB Waterline and the three existing wildlife drinkers. The City has been performing repairs on the IB Waterline for the last year and a half to repair this damage. In cooperation with the City and the Coconino National Forest, the Department is requesting to repair the three existing wildlife waters, as well as develop two new wildlife waters on the IB Waterline in concordance with the 1993 Decision Memo. Additionally, the Department is requesting to add one 2500-gallon polyethylene storage tank at each wildlife water location (five total) to prolong the duration of water availability during the summer months. The purpose of this project is to give wildlife access to a small portion of the natural spring water that emerges in the Inner Basin and is captured and piped by the City of Flagstaff to its residents. Without these natural springs, there are nearly no other natural water sources for wildlife on the east side or inner basin of the San Francisco Peaks.

BACKGROUND

In 1993, six locations were chosen for wildlife drinkers along the City pipeline. Three of these were constructed in 1993 (Existing waters 1-3 in Figure 1). The waters are adjacent to the IB Waterline road and receive water from the IB Waterline via a small one-inch pipe that runs about 200 feet from the IB Waterline to each drinker. The current wildlife waters consist of a fiberglass drinker that holds approximately 5 gallons, with a flotation device to control flow. A small enclosure fence was built around each drinker for the purpose of excluding cattle. However these enclosures are largely in disrepair and do not need to be rebuilt due to a lack of livestock grazing on the allotment at this time. The current water troughs will only receive water if the flow of water in the IB Waterline is above half-pipe. The three existing wildlife waters were utilized by elk, deer, bear, turkey and many small game and nongame species until they were damaged in the 2022 Pipeline Fire.

PROJECT DESCRIPTION

The City is currently in the process of repairing the IB Waterline after damage from the 2022 Pipeline Fire. The city is using Hunter Contracting Company to perform the needed repairs. Due to the availability of heavy machinery and expertise of Hunter Construction Company, the Arizona Game and Fish Department would like to proceed with the maintenance and improvements of the current wildlife waters, and also proceed with the installation of two additional wildlife waters. Total installation time is anticipated to take two weeks in the summer or fall of 2024. Total ground disturbance of all activities is estimated to be 21,181 square feet or 0.48 acres.

Ground Disturbance Calculation:

Pipeline installation: $(200 \text{ ft} \times 20 \text{ ft} \times 5 = 20,000 \text{ ft}^2)$

Storage tanks $(18 \text{ ft} \times 18 \text{ ft} \times 5 = 1,620 \text{ ft}^2)$

Drinkers $(4.5 \text{ ft} \times 2.5 \text{ ft} \times 5 = 56 \text{ ft}^2)$

Repairs and improvements to the three damaged wildlife waters:

1. Find, excavate, and test the function of the three existing valves on the IB Waterline. Then install new valves and valve boxes on the IB Waterline, as needed, to serve the three wildlife waters. This activity will occur where disturbance has been ongoing as part of the IB Waterline.
2. Excavation and placement of three, 2500-gallon polyethylene storage tanks (14 ft long x 8 ft wide x 5 ft tall) (Figure 2). Heavy equipment will be used to dig and excavate a hole to place the storage tanks underground. The tank excavation will disturb a maximum of 15'x15'x7'. Material spoils will extend another 3 ft around this excavation and will be flattened to the extent possible upon completion.
3. Remove the original, 200-ft sections of damaged pipe that extend between the valves and wildlife drinkers where they are exposed and easily locatable. (This is optional and the old piping could remain in place to minimize disturbance, if desired.)
4. Install approximately 200 feet of new, one-inch pipe from each valve to the buried storage tank (see 2. above) and then to the nearby drinker (three total). The new pipe will be installed approximately 3 feet below the ground surface, attempting to follow the path of the existing pipe once it is removed. The width of the excavation will be 1 foot. The maximum disturbance would be 10-ft on either side of the piping, creating a maximum 20-ft wide disturbance area from the mainline to the storage tank and drinker.

5. Remove old fiberglass water trough from the ground and install a new Rainmaker 110 wildlife drinker in the existing hole. The dimensions of the new Rainmaker 110 is 54 inches x 30 inches x 20 inches (Figure 3). The ground disturbance will consist of the use of hand tools to widen the existing hole for the placement of the Rainmaker 110.
6. The heavy equipment that will likely be used for all the installations/removals are a Cat 308 Excavator, Cat 950 Loader, D6 Dozer (clearing access if needed), 5 Yard dump truck, and one or more ¾-ton pickup trucks.

Installation of two additional wildlife waters:

7. Install new saddle taps, valves and valve boxes on the IB Waterline at two new locations (see “new valve” locations in Figure 1). This activity will occur where disturbance has been ongoing as part of the IB Waterline.
8. Excavation and placement of two, 2500-gallon polyethylene storage tanks (14 ft long x 8 ft wide x 5 ft tall) (Figure 2). Heavy equipment will be used to dig and excavate a hole to place the storage tanks underground. The tank excavation will disturb a maximum of 15’x15’x 7’ tall. Material spoils will extend another 3 ft around this excavation and will be flattened to the extent possible upon completion.
9. Install approximately 200 feet of new, one-inch pipe from each valve to the buried storage tank and then to the nearby drinker (two total). The new pipe will be installed approximately 3 feet below the ground surface. The width of the excavation will be 1 foot. The maximum disturbance would be 10-ft on either side of the piping, creating a maximum 20-ft wide disturbance area from the mainline to the storage tank and drinker.
10. Install new Rainmaker 110 wildlife drinkers at the two new locations. The dimensions of the Rainmaker 110 is 54 inches x 30 inches x 20 inches (see Figure 3). The ground disturbance will consist of the use of heavy machinery to excavate a hole for the placement of the new Rainmaker 110s. The new drinkers will be placed into the ground so that the entrance to the drinker is flush with the ground surface.
11. The heavy equipment that will likely be used for all the installations/removals are a Cat 308 Excavator, Cat 950 Loader, D6 Dozer (clearing access if needed), 5 Yard dump truck, and one or more ¾-ton pickup trucks.

Table 1. Locations of existing and proposed valves and wildlife drinkers (reflected in Figure 1)

Site Name	GPS Coordinates	
Existing Drinker #1	35.323645	-111.623295
Existing Drinker #2	35.347934	-111.640298
Existing Drinker #3	35.34784846	-111.6238922
Existing Valve #1	35.32366227	-111.6235735
Existing Valve #2	35.34701043	-111.6403698
Existing Valve #3	35.34769448	-111.6243394
New Drinker #1	35.302087	-111.610436
New Drinker #2	35.340398	-111.650284
New Valve #1	35.30207521	-111.6104488
New Valve #2	35.34060488	-111.6505556

Figure 1. Map of proposed AZ Game and Fish Dept Wildlife Water Improvements

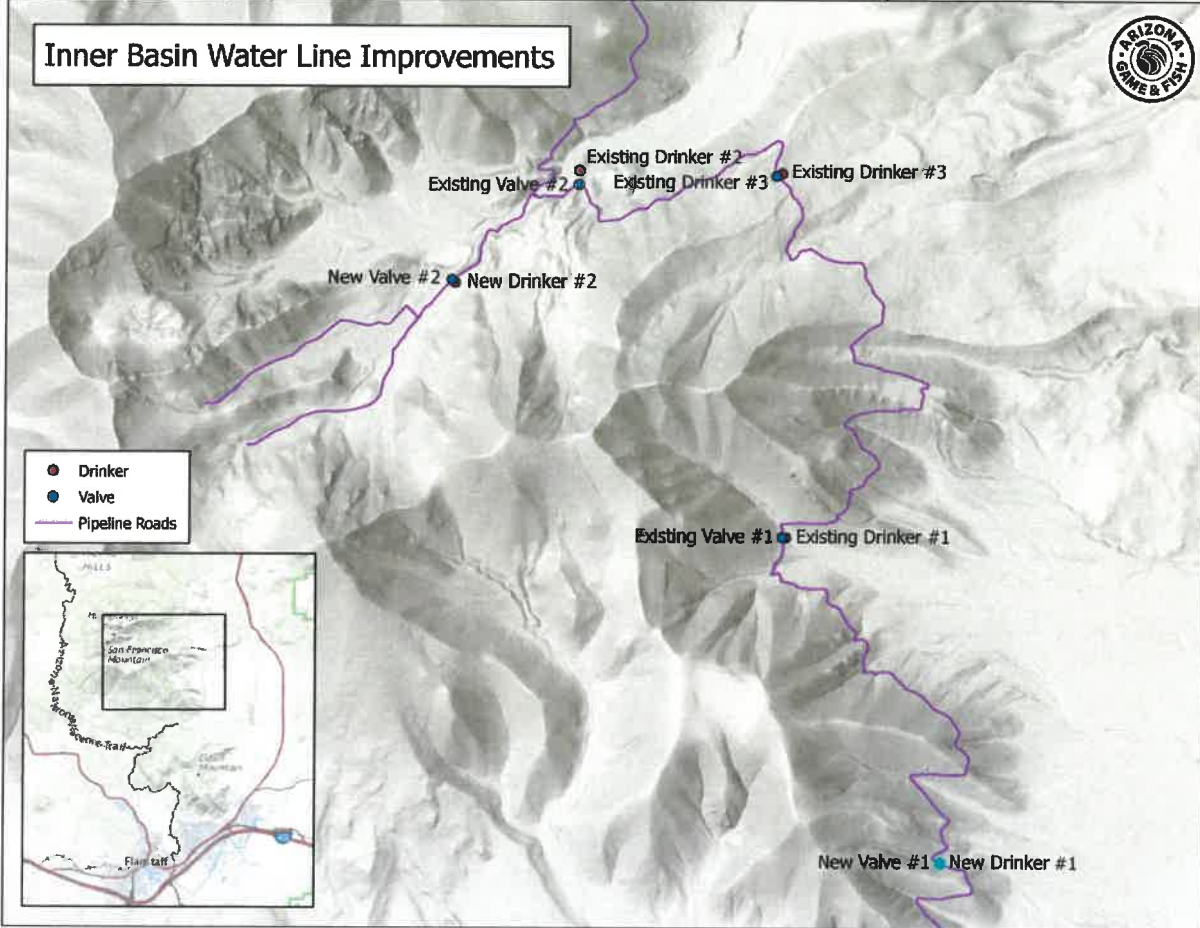


Figure 2. Example 2500-gallon polyethylene storage tank (14 ft long x 8 ft wide x 5 ft tall)



Figure 3. Wildlife drinker; Rainmaker 110 (54 in long x 30 in wide x 20 in tall)



EXHIBIT B
PROCEDURE
FOR THE CITY OF FLAGSTAFF
MASTER SPECIAL USE PERMIT
FOR WATER AND SANITARY SEWER
FACILITIES AND IMPROVEMENTS
ON THE COCONINO NATIONAL FOREST

This procedure will be used in handling applications for water transmission lines, wells, water storage structures, sanitary sewer transmission lines, powerlines of less than 33 KV, and associated roads and improvements.

1. Upon receipt of a request for an electric powerline extension, water storage structure, sanitary sewer transmission line, or water transmission line which will cross Forest Service administered lands, or well site, the City of Flagstaff will prepare a Route Planning and Construction Approval form (Exhibit C) with an exhibit map showing the tentative route on a USGS quad, 1:24,000 scale map.
2. The City of Flagstaff will contact the appropriate District Ranger for approval of Part I of the Route Planning and Construction Approval form, and arrange for a field inspection, permission to survey, and a meeting or conference concerning the proposed extension or site. It will be mutually agreed between the City of Flagstaff and the Forest Service what environmental studies will be done and who is responsible for completing the studies.
3. Upon agreement to the items contained in the Route Planning and Construction Approval Form, Part II of the form shall be signed by the City of Flagstaff representative, and by the District Ranger upon completion of the environmental analysis. If stipulations in addition to those found in the Master Permit are required by the specific route or site installation, they shall be noted on the form. The City of Flagstaff may then release the job for construction providing any delinquent fees have been paid.
4. If the District Ranger determines that alternate routes or sites must be evaluated, she/he will approve Part I of the Route Planning and Construction Approval form as to route or site planning only. Following the evaluation of alternate routes and the environmental analysis, a second field review may be performed by the City of Flagstaff representative and the District Ranger representative. If an alternate route has been agreed upon, Part II of the Route Planning and Construction Approval form shall be approved as to construction and the job may then be released for that purpose.
5. Survey activities shall be approved either during route planning or site planning or following actual construction. If approved subsequent to construction, the survey shall reflect the line or site location as built.
6. After construction has been completed, the City of Flagstaff shall request that the Forest Service Ranger District representative make a final inspection and acceptance of the line or site. Acceptance shall be indicated in Part III of the Route Planning and Construction Approval form.
7. The City of Flagstaff shall prepare and submit to the Coconino National Forest Supervisor's Office a copy of an amendment (Exhibit D) to the Master Permit after completion of each project. Amendments shall be submitted at the end of each project but no later than November 1 of each year. The amendment will show the additions and deletions to the Master Permit, and will also indicate the new total net acreage and mileage of route lines and sites covered by the Master Permit. If no amendments are to be filed, then the City of Flagstaff will submit a letter to the Coconino National Forest Supervisor's Office by November 1 of each year stating that the previous year's total net acreage and mileage are still in effect.
8. Master Permit maps (USGS quad maps, scale of 1:24000) will be updated annually to reflect changes to the Master Permit and submitted to the Coconino National Forest Supervisor's Office no later than November 1 of each year.

EXHIBIT C
ROUTE PLANNING AND CONSTRUCTION APPROVAL

PART I

Permission is hereby granted the City of Flagstaff to search for and locate a route or site for proposed facilities within the following described area and as shown on the attached map:

Section, Township & Range: _____

USGS Quad: _____

Date: _____

District Ranger: _____

NEPA DOCUMENTATION

Heritage Resources Report
Biological Evaluation
Miscellaneous Reports

The City of Flagstaff

USDA, FS

PART II

The route or site selected and the construction methods to be used for the facilities shown on the attached map have been discussed at the actual ground location, and it is agreed that the construction will be on the approximate route or location and in accordance with the stipulations in the Master Special Use Permit issued to the City of Flagstaff dated _____ by the Coconino National Forest.

It is further agreed that the following additional stipulations will apply to this facility:

Approximate Start Date of Project _____

Approximate Completion Date of Project _____

Above conditions are accepted by:

Approved for construction subject to the above by:

THE CITY OF FLAGSTAFF

FOREST SERVICE, USDA Forest Service

By: _____

By: _____

Date: _____

Date: _____

Part III

ACCEPTANCE

The above project has been completed according to plans and stipulations and is hereby accepted.

Date: _____

District Ranger: _____

Authorization ID: COC0365

Contact ID: FLAGSTAFF, CITY1

UseCode: 951, 914, 915, 931, 753, 643, 924, 343

FS-2700-23 (4/97)

OMB 0596-0082

EXHIBIT D
U.S. DEPARTMENT OF AGRICULTURE
Forest Service
AMENDMENT
FOR
SPECIAL USE AUTHORIZATION
AMENDMENT NUMBER: #

This amendment is attached to and made a part of the special use authorization (identified above) issued to the City of Flagstaff on ** DATE** which is hereby amended as follows:

The Master Special Use Permit is hereby amended to ADD the new right-of-way or site: _____

_____ extending from _____

to _____ known as the _____

a total distance of _____ (miles) (feet) and a width of _____ feet, amounting

to _____ acres,

It is agreed this amendment will become a part of the Master Special Use Permit and is subject to the same terms and conditions.

The Master Special Use Permit is hereby amended to DELETE the following: _____

_____ comprising a total distance of _____ (miles) (feet) and _____ acres.

The details of the amendment are shown on the attached map.

Facilities are located in T. ___ R. ___ , Sec. _____

Aggregate Now Under this Permit:

Non-Linear Area (Acres) _____ Road (Acres), _____

Water Pipeline (Acres) _____ Power Lines (Acres), _____

Other (Including Sewer Lines and Miscellaneous) (Acres) _____

This Amendment is accepted subject to the conditions set forth herein, and to conditions _____ to _____ attached hereto and made a part of this Amendment.

(Holder Signature)

(Authorized Officer Signature)

(Name and Title)

(Name and Title)

Date: _____

Date: _____

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082.

This information is needed by the Forest Service to evaluate requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the Secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Tenn Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Tenn Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archaeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service Public reporting burden for collection of information. if requested, is estimated to average 1 hour per response for annual financial information; average 1 hour per response to prepare or update operation and/or maintenance plan; average 1 hour per response for inspection reports; and an average of 1 hour for each request that may include such things as reports, logs, facility and user information, sublease information, and other similar miscellaneous information requests. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.