

Authorization ID: COC0365  
Contact ID: FLAGSTAFF,CITY1  
Expiration Date: 06/30/2024  
Use Code: 951, 914, 915, 931, 753, 643, 924, 343

FS-2700-4 (05/03)  
OMB 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE**

**Forest Service  
SPECIAL USE PERMIT**

**AUTHORITY:**

**ORGANIC ADMINISTRATION ACT June 4, 1897, PERMITS FOR PUBLIC BLDG AND OTHER PUBLIC WORKS September 3, 1954, FEDERAL LAND POLICY AND MGMT ACT, AS AMENDED October 21, 1976**

CITY OF FLAGSTAFF, RON DOBA, UTILITIES DIRECTOR, 211 WEST ASPEN, FLAGSTAFF, AZ 86001 (hereinafter called the Holder) is hereby authorized to use or occupy National Forest System lands, to use subject to the conditions set out below, on the Coconino National Forest.

This permit covers 190.73 acres, --- feet and is described as shown on the attached Exhibits A.1 and A.2, and location maps (3 maps) attached to and made a part of this permit, and is 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 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).

The above described or defined area shall be referred to herein as the "permit area".

**TERMS AND CONDITIONS**

**I. AUTHORITY AND GENERAL TERMS OF THE PERMIT**

A. Authority. This permit is issued pursuant to the authorities enumerated at Title 36, Code of Federal Regulations, Section 251 Subpart B, as amended. This permit, and the activities or use authorized, shall be subject to the terms and conditions of the Secretary's regulations and any subsequent amendment to them.

B. Authorized Officer. The authorized officer is the Forest Supervisor or a delegated subordinate officer.

C. License. This permit is a license for the use of federally owned land and does not grant any permanent, possessory interest in real property, nor shall this permit constitute a contract for purposes of the Contract Disputes Act of 1978 (41 U.S.C. 611). Loss of the privileges granted by this permit by revocation, termination, or suspension is not compensable to the holder.

D. 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, conditions, and stipulations as may be required by law, regulation, land management plans, or other management decisions.

E. Existing Rights. This permit is subject to all valid rights and claims of third parties. The United States is not liable to the holder for the exercise of any such right or claim.

F. Nonexclusive Use and Public Access. Unless expressly provided for in additional terms, use of the permit area is not exclusive. The Forest Service reserves the right to use or allow others to use any part of the permit area, including roads, for any purpose, provided, such use does not materially interfere with the holder's authorized use. A final determination of conflicting uses is reserved to the Forest Service.

G. Forest Service Right of Entry and Inspection. The Forest Service has the right of unrestricted access of the permitted area or facility to ensure compliance with laws, regulations, and ordinances and the terms and conditions of this permit.

H. Assignability. This permit is not assignable or transferable. If the holder through death, voluntary sale or transfer, enforcement of contract, foreclosure, or other valid legal proceeding ceases to be the owner of the improvements, this permit shall terminate.

I. Permit Limitations. Nothing in this permit allows or implies permission to build or maintain any structure or facility, or to conduct any activity unless specifically provided for in this permit. Any use not specifically identified in this permit must be approved by the authorized officer in the form of a new permit or permit amendment.

## II. TENURE AND ISSUANCE OF A NEW PERMIT

A. Expiration at the End of the Authorized Period. This permit will expire at midnight on 06/30/2024. Expiration shall occur by operation of law and shall not require notice, any decision document, or any environmental analysis or other documentation.

B. Minimum Use or Occupancy of the Permit Area. Use or occupancy of the permit area shall be exercised at least 365 days each year, unless otherwise authorized in writing under additional terms of this permit.

C. Notification to Authorized Officer. If the holder desires issuance of a new permit after expiration, the holder shall notify the authorized officer in writing not less than six (6) months prior to the expiration date of this permit.

D. Conditions for Issuance of a New Permit. At the expiration or termination of an existing permit, a new permit may be issued to the holder of the previous permit or to a new holder subject to the following conditions:

1. The authorized use is compatible with the land use allocation in the Forest Land and Resource Management Plan.
2. The permit area is being used for the purposes previously authorized.
3. The permit area is being operated and maintained in accordance with the provisions of the permit.
4. The holder has shown previous good faith compliance with the terms and conditions of all prior or other existing permits, and has not engaged in any activity or transaction contrary to Federal contracts, permits laws, or regulations.

E. Discretion of Forest Service. Notwithstanding any provisions of any prior or other permit, the authorized officer may prescribe new terms, conditions, and stipulations when a new permit is issued. The decision whether to issue a new permit to a holder or successor in interest is at the absolute discretion of the Forest Service.

F. Construction. Any construction authorized by this permit may commence by --- and shall be completed by ---. If construction is not completed within the prescribed time, this permit may be revoked or suspended.

## III. RESPONSIBILITIES OF THE HOLDER

A. Compliance with Laws, Regulations, and other Legal Requirements. The holder shall comply with all applicable Federal, State, and local laws, regulations, and standards, including but not limited to, the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq., the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq., the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S. C. 9601 et seq., and other relevant environmental laws, as well as public health and safety laws and other laws relating to the siting, construction, operation, and maintenance of any facility, improvement, or equipment on the property.

B. Plans. Plans for development, layout, construction, reconstruction, or alteration of improvements on the permit area, as well as revisions of such plans, must be prepared by a qualified individual acceptable to the

authorized officer and shall be approved in writing prior to commencement of work. The holder may be required to furnish as-built plans, maps, or surveys, or other similar information, upon completion of construction.

C. Maintenance. The holder shall maintain the 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 authorization. If requested, the holder shall comply with inspection requirements deemed appropriate by the authorized officer.

D. Hazard Analysis. The holder has a continuing responsibility to identify all hazardous conditions on the permit area which would affect the improvements, resources, or pose a risk of injury to individuals. Any non-emergency actions to abate such hazards shall be performed after consultation with the authorized officer. In emergency situations, the holder shall notify the authorized officer of its actions as soon as possible, but not more than 48 hours, after such actions have been taken.

E. Change of Address. The holder shall immediately notify the authorized officer of a change in address.

F. Change in Ownership. This permit is not assignable and terminates upon change of ownership of the improvements or control of the business entity. The holder shall immediately notify the authorized officer when a change in ownership or control of business entity is pending. Notification by the present holder and potential owner shall be executed using Form SF-299 Application for Transportation and Utility Systems and Facilities of Federal Lands, or Form FS-2700-3a, Holder Initiated Revocation of Existing Authorization, Request for a Special Use Permit. Upon receipt of the proper documentation, the authorized officer may issue a permit to the party who acquires ownership of, or a controlling interest in, the improvements or business entity.

#### IV. LIABILITY

For purposes of this section, "holder" includes the holder's heirs, assigns, agents, employees, and contractors.

A. The holder assumes all risk of loss to the authorized improvements.

B. The holder shall indemnify, defend, and hold the United States harmless for any violations incurred under any such laws and regulations or for judgments, claims, or demands assessed against the United States in connection with the holder's use or occupancy of the property. The holder's indemnification of the United States shall include any loss by personal injury, loss of life or damage to property in connection with the occupancy or use of the property during the term of this permit. Indemnification shall include, but is not 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; third party claims and judgments; and all administrative, interest, and other legal costs. This paragraph shall survive the termination or revocation of this authorization, regardless of cause.

C. The holder has an affirmative duty to protect from damage the land, property, and interests of the United States.

D. In the event of any breach of the conditions of this authorization by the holder, the authorized officer may, on reasonable notice, cure the breach for the account at the expense of the holder. If the Forest Service at any time pays any sum of money or does any act which will require payment of money, or incurs any expense, including reasonable attorney's fees, in instituting, prosecuting, and/or defending any action or proceeding to enforce the United States rights hereunder, the sum or sums so paid by the United States, with all interests, costs and damages shall, at the election of the Forest Service, be deemed to be additional fees hereunder and shall be due from the holder to the Forest Service on the first day of the month following such election.

E. With respect to roads, the holder shall be proportionally liable for damages to all roads and trails of the United States open to public use caused by the holder's use to the same extent as provided above, except that liability shall not include reasonable and ordinary wear and tear.

F. The Forest Service has no duty to inspect the permit area or to warn of hazards and, if the Forest Service does inspect the permit area, it shall incur no additional duty nor liability for identified or non-identified hazards. This covenant may be enforced by the United States in a court of competent jurisdiction.

## V. TERMINATION, REVOCATION, AND SUSPENSION

A. General. For purposes of this permit, "termination", "revocation", and "suspension" refer to the cessation of uses and privileges under the permit.

"Termination" refers to the cessation of the permit under its own terms without the necessity for any decision or action by the authorized officer. Termination occurs automatically when, by the terms of the permit, a fixed or agreed upon condition, event, or time occurs. For example, the permit terminates at expiration. Terminations are not appealable.

"Revocation" refers to an action by the authorized officer to end the permit because of noncompliance with any of the prescribed terms, or for reasons in the public interest. Revocations are appealable.

"Suspension" refers to a revocation which is temporary and the privileges may be restored upon the occurrence of prescribed actions or conditions. Suspensions are appealable.

B. Revocation or Suspension. The Forest Service may suspend or revoke this permit in whole or part for:

1. Noncompliance with Federal, State, or local laws and regulations.
2. Noncompliance with the terms and conditions of this permit.
3. Reasons in the public interest.
4. Abandonment or other failure of the holder to otherwise exercise the privileges granted.

C. Opportunity to Take Corrective Action. Prior to revocation or suspension for cause pursuant to Section V (B), the authorized officer shall give the holder written notice of the grounds for each action and a reasonable time, not to exceed 90 days, to complete the corrective action prescribed by the authorized officer.

D. Removal of Improvements. Prior to abandonment of the improvements or within a reasonable time following revocation or termination of this authorization, the holder shall prepare, for approval by the authorized officer, an abandonment plan for the permit area. The abandonment plan shall address removal of improvements and restoration of the permit area and prescribed time frames for these actions. If the holder fails to remove the improvements or restore the site within the prescribed time period, they 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 cost associated with their removal, including costs of sale and impoundment, cleanup, and restoration of the site.

## VI. FEES

A. Termination for Nonpayment. This permit shall automatically terminate without the necessity of prior notice when land use rental fees are 90 calendar days from the due date in arrears.

B. The holder shall pay an annual fee of Thirty-five thousand seventy-eight Dollars and Fifty-two cents \$35,078.52 for the period from August 1, 2004 to July 31, 2005 and thereafter annually on August 1, Thirty-five thousand seventy-eight Dollars and Fifty-two cents Dollars \$35,078.52: Provided, charges for this use shall be made or readjusted whenever necessary to place the charges on a basis commensurate with the fair market value of the authorized use.

C. Payment Due Date. The payment due date shall be the close of business on August 1st of each calendar year payment is due. Payments due the United States for this use shall be deposited at USDA - FS, File 71652, P.O. Box 60000, San Francisco, CA 94160-1652, in the form of a check, draft, or money order payable to "Forest Service, USDA." Payments shall be credited on the date received by the designated Forest Service collection officer or deposit location. If the due date for the fee or fee calculation statement falls on a non-workday, the charges shall not apply until the close of business on the next workday.

D. Late Payment Interest, Administrative Costs and Penalties Pursuant to 31 U.S.C. 3717, et seq., interest shall be charged on any fee amount not paid within 30 days from the date the fee or fee calculation financial statement specified in this authorization becomes due. The rate of interest assessed shall be the higher of the rate of the current value of funds to the U.S. Treasury (i.e., Treasury tax and loan account rate), as prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins annually or quarterly or at the Prompt Payment Act rate. Interest on the principal shall accrue from the date the fee or fee calculation financial statement is due.

In the event the account becomes delinquent, administrative costs to cover processing and handling of the delinquency will be assessed.

A penalty of 6 percent per annum shall be assessed on the total amount delinquent in excess of 90 days and shall accrue from the same date on which interest charges begin to accrue.

Payments will be credited on the date received by the designated collection officer or deposit location. If the due date for the fee or fee calculation statement falls on a non-workday, the charges shall not apply until the close of business on the next workday.

Disputed fees are due and payable by the due date. No appeal of fees will be considered by the Forest Service without full payment of the disputed amount. Adjustments, if necessary, will be made in accordance with settlement terms or the appeal decision.

If the fees become delinquent, the Forest Service will:

Liquidate any security or collateral provided by the authorization.

If no security or collateral is provided, the authorization will terminate and the holder will be responsible for delinquent fees as well as any other costs of restoring the site to its original condition including hazardous waste cleanup.

Upon termination or revocation of the authorization, delinquent fees and other charges associated with the authorization will be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 *et seq.* Delinquencies may be subject to any or all of the following conditions:

Administrative offset of payments due the holder from the Forest Service.

Delinquencies in excess of 60 days shall be referred to United States Department of Treasury for appropriate collection action as provided by 31 U.S.C. 3711 (g), (1).

The Secretary of the Treasury may offset an amount due the debtor for any delinquency as provided by 31 U.S.C. 3720, *et seq.*)

## VII. OTHER 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 when the authorized use provides a general benefit to a corporation.

B. Appeals and Remedies. Any discretionary decisions or determinations by the authorized officer are subject to the appeal regulations at 36 CFR 251, Subpart C, or revisions thereto.

C. Superior Clauses. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provision thereof, the preceding printed clauses shall control.

D. Nondiscrimination in Employment and Services (B1). During the performance of this authorization, the holder agrees:

1. In connection with the performance of work under this authorization, including construction, maintenance, and operation of the facility, the holder shall not discriminate against any employee or applicant for

employment because of race, color, religion, sex, national origin, age, or disability. (Ref. Title VII of the Civil Rights Act of 1964, as amended).

2. The holder and employees shall not discriminate by segregation or otherwise against any person on the basis of race, color, religion, sex national origin, age, or disability, by curtailing or refusing to furnish accommodations, facilities, services, or use privileges offered to the public generally. (Ref. Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; Title IX of the Education Amendments, and the Age Discrimination Act of 1975).

3. The holder shall include and require compliance with the above nondiscrimination provisions in any subcontract made with respect to the operations under this authorization.

4. When furnished by the Forest Service, signs setting forth this policy of nondiscrimination will be conspicuously displayed at the public entrance to the premises, and at other exterior or interior locations as directed by the Forest Service.

5. 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 of the State in which the breach or violation occurs.

E. Removal and Planting of Vegetation and Other Resources (D5). The holder shall obtain prior written approval from the authorized officer before removing or altering vegetation or other resources. The holder shall obtain prior written approval from the authorized officer before planting trees, shrubs, or other vegetation within the authorized area.

F. Right-of-Way Clearing, Powerline (F15). The holder shall clear designated parts of the powerline right-of-way and keep them clear as required by the Forest Service; shall trim all branches of trees in contact with or near the line; shall remove all dead snags and all trees which are leaning toward the line on or adjacent to the right-of-way; and shall observe such other fire precautions as may be required; but all waste material shall be burned or otherwise disposed of to the satisfaction of the Forest Service. The clearing width shall be restricted to that necessary for safe transmission, unless the specific permission of the Forest Service for a greater clearing width is obtained.

G. Secondary Use (G1).

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 occupy and use the right-of-way. It also may issue other uses including rights-of-way, on and through the authorized area, provided that the occupancy and use does not unreasonably interfere with the rights granted herein.

H. Cooperative Work (X15). All or parts of the work described in clauses VIIE (D5), VIIF (F15), VII G (G1), VIIM (X33) and on Exhibit B (Procedure) and Exhibit C (Route Planning Form) for which the holder is responsible may, upon written request by the holder and approval by the authorized officer, be performed by the Forest Service on a basis of cooperation under authority of section 5, Act of April 24, 1950, 64 Stat. 83, 16 U.S.C. 572. The holder agrees to make advance deposits into a cooperative work fund at such times and in such amounts as requested by the Forest Service, the total deposits to be sufficient to cover the cost of the work including necessary overhead charges. Any excess of deposits over the cost of work will be refunded.

I. Archaeological-Paleontological Discoveries (X17). The holder shall immediately notify the authorized officer of any and all antiquities or other objects of historic or scientific interest. These include, but are not limited to, historic or prehistoric ruins, fossils, or artifacts discovered as the result of operations under this authorization, and shall leave such discoveries intact until authorized to proceed by the authorized officer. Protective and mitigative measures specified by the authorized officer shall be the responsibility of the holder.

J. Superseded Authorization (X18). This authorization supersedes a special-use authorization designated: MOR103501, special use permit dated June 30, 1987.

K. 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.

L. Signs (X29). 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.

M. Improvement Relocation (X33). 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.

N. Water Rights (X74). This authorization does not convey any legal interest in water rights as defined by applicable State law.

O. 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.

P. 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.

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 Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term 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.

This permit is accepted subject to the conditions set out above.

HOLDER NAME: CITY OF FLAGSTAFF  
Forest Service

U.S. DEPARTMENT OF AGRICULTURE

By:   
(Holder Signature)

By:   
(Authorized Officer Signature)

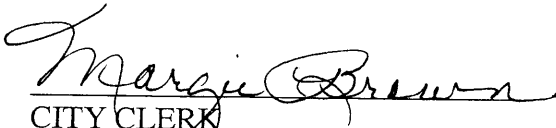
Title: Dave Wilcox, City Manager

Title: NORA B. RASURE, Forest Supervisor

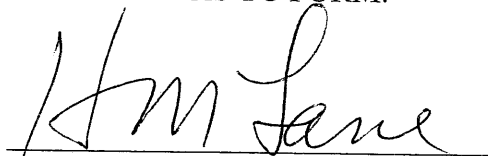
Date: 10-6-04

Date: 10-19-04

ATTEST:

  
CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY

# FEE STRUCTURE

## 2004 Fees - City of Flagstaff Master Permit

120.09 + 4.59 = 124.68 AC (Water, Sewer, and Other Lines)  
10.66 + 6.2 = 16.86 AC (Roads and Power lines)  
124.68 AC x \$26.64 = \$3321.48  
16.86 AC x \$30.47 = \$513.72  
\$3321.48 + 513.72 = **\$3835.20** (Linear portion of fee)

Plus land value for non-linear area, 49.19 Acres

**\$31,243.32 + \$3,835.20 = \$35,078.52**

Per Tate Curtis' (Forest Service Senior Review Appraiser) recommendations, the non-linear fee of \$28,300 (appraisal date August 25, 1999 and approved June 2, 2000) should be indexed upward by the IPD-GNP Index in a similar fashion as the linear right-of-way fees are indexed upward in order to show something for appreciation.

\$28,300 x 1.013 = \$28,667.90  
\$28,667.90 x 1.020 = \$29,241.258  
\$29,241.258 x 1.024 = \$29,943.048  
\$29,943.048 x 1.011 = \$30,272.421  
\$30,272.421 x 1.015 = \$30,726.507

My record search for re-issuance of the permit indicates **19 well sites**, 3 within City limits and 16 outside City limits. Jack Rathjen, City of Flagstaff Water Works Supervisor, confirmed that the City now has 19 well sites (discussion on August 20, 2004). Per discussion with Tate, the above figure of \$28,300 needs to be adjusted upward to account for the additional well site. Well sites outside of City limits were valued at \$14,000. \$858,000 + \$14,000 (for an additional well site outside of City limits) = \$872,000. \$872,000 x 66% (-34% Bulk Discount) = \$575,520. \$575,520 x 5% = \$28,776. Tate recommends this indexing occur annually.

\$28,776 x 1.013 = \$29,150.088  
\$29,150.088 x 1.020 = \$29,733.089  
\$29,733.089 x 1.024 = \$30,446.683  
\$30,446.683 x 1.011 = \$30,781.596  
\$30,781.596 x 1.015 = **\$31,243.319**

Tate and I also discussed my revised figure for the non-linear acres, 49.19 acres. The non-linear acres appraised, 43 acres, constituted an average, therefore, deviation in total acres for the non-linear component of the fee is okay, and does not affect the fee recommended as computed above.

Tate also recommends completing another appraisal within 7 to 10 years.

August 30, 2004  
Linda Powell

Well Sites  
Within City Limits: LM Well 3, Pulliam Well, Skunk Canyon Well (3 Total)

Well Sites  
Outside City Limits:  
LM Wells: 1, 2, 4, 5, 7, 8, 9  
WM Wells: 1, 2, 4, 7, 9, 11  
IB Wells: 9, 11, 14  
(16 Total)

Observation Wells, Old LM Well 9, LMO-1, LMO-2, LMO-3

**FSH 2709.11 - SPECIAL USES HANDBOOK  
CHAPTER 30 - FEE DETERMINATION**

**36.41 - Exhibit 01**

**Cumulative Implicit Price Deflator-Gross Domestic Product (IPD - GDP)  
for the  
Linear Right-of-Way Fee Schedule**

Note: Refer to the parent text of this Handbook, sections 36.4 through 36.45, for direction on use of the fee schedule in special use authorizations for linear rights-of-way.

<u>Year</u>	<u>Percent Change</u>	<u>Adjustment Factor</u>
1994	+1.452	1.015
1995	+1.749	1.018
1996 (1997 fees)	+2.050	1.021
1997 (1998 fees)	+2.393	1.024
1998 (1999 fees)	+0.390	1.004
1999 (2000 fees)	+1.253	1.013
2000 (2001 fees)	+2.000	1.020
2001 (2002 fees)	+2.351	1.024
2002 (2003 fees)	+1.098	1.011
2003 (2004 fees)	+1.500	1.015

**Exhibit A.1  
City of Flagstaff  
Master Permit**

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 3859' (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	0.76 AC 1650' (20')		0.23 AC Est. 500' (20')	
Skunk Canyon Well	1.0				
OBS Wells LMO-1 LMO-2 LMO-3	0.01				
WM Well 1	0.918				
WM Well 2	0.918				

Description	Non-Linear Area (Acres)	Water Pipeline	Other	Road	Power
8" Waterline WM Well 1 to WM Well 3		0.27 AC 600' (20')			
WM Well 4	0.918				
10" Water line, WM Well 5 to WM Well 4		0.07 AC 106.42' (30')			
Access Road, WM Well 4 to WM Well 5				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				
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')			

Description	Non-Linear Area (Acres)	Water Pipeline	Other	Road	Power
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')			
LM 36" Water line and 4" spur air line [Corridor also includes 24" Water line]		9.55 AC 20,803' (20')	0.12 AC 260' (20') [Air line]		
Shadow Mtn Village [Monte Vista Dr] Water line, and Sewer Line	Est. 1.0				
4" Water line, Pine Del		0.65 AC 1425' (20')			
WM 16" Water line		4.85 AC 10,560' (20')			
WM 30" Water line [Note: Majority of area is contained within the 16" Water Line Corridor]		0.14 AC 300' (20')			
WM Collection Line Expansion		Area contained within WM 16" Water line corridor			
Water line, Hwy 89N		Est. 0.55 1200' (20')			
Peaks RS Water line [and sewer]		0.63 AC Appx 1372' (20')			

Description	Non-Linear Area (Acres)	Water Pipeline	Other	Road	Power
Mormon Lake RS Water line		0.11 AC Est. 250' (20')			
Water line to Airport		1.57 AC 3421' (20')			
Inner Basin and Schultz Pass Water lines (and springs) including Abineau Canyon area		56.56 AC 123.182' (20')			
Water Treatment Plant	22.0				
Pumping Plant at Lake Mary Dam	Est. 0.25				
Air Bubbling Sys, Upper LM	0.06		0.04 600' (3')		
Sedimentation Tank, WM	1.0				
Access Road, WM Sedimentation Tank				0.90 AC 1953.6' (20')	
Sludge Line, WM Sedimentation Tank			0.09 AC 200' (20')		
WM Booster Pump Station [Included in area for Sedimentation Tank]					
WM Power line 1 [Previous Permit dated 1/28/58]					1.79 AC 2,255.95' (30') and 1076' (10')

Description	Non-Linear Area (Acres)	Water Pipeline	Other	Road	Power
WM Power line 2 [Previous Permit dated 8/18/59]					2.65 AC 5790' (20')
Paradise Reservoir	0.6	2.25 AC 4,914' (20')		2.52 AC 5,500' (20')	
Christmas Tree Reservoir	1.0		0.25 AC 550' (20') (Overflow Line)	1.55 AC 3,380' (20) (Road and Water line)	
Canal Type Drainage			0.69 AC 1000' (30') (Sewage Plant)		
Sewer Line to Airport			1.26 AC 2757' (20')		
Sewer Line along portion of Lake Mary Road (near Mormon Lake RS)			0.23 AC Est. 500' (20')		
Bow and Arrow Sewer Line [Zuni Dr]			0.19 AC 419.22' (20')		
J W Powell Blvd Sewer Line			1.72 AC 3,746' (20')		
Bow and Arrow Water Line [Zuni Drive]		Est. 150' [Area included in sewer line utility corridor]			
<b>Totals</b>	<b>49.19 AC</b>	<b>120.09 AC</b>	<b>4.59 AC</b>	<b>10.66 AC</b>	<b>6.2 AC</b>

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  
NE1/4 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 SW1/4 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 - superceded)

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  
W1/2SW1/4 Section 35, T. 21 N., R. 6 E  
200'x 200'.

**Woody Mountain 2** **[0.918 Acre]**  
Permit dated 2/27/56  
W1/2SW1/4 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  
W1/2SW1/4 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, NW1/4 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 SW1/4 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 hydropneumatic tank previously under permit have been removed.]

**4" Pine Del Waterline**

**[0.65 Acre]**

Permit dated August 3, 1962

N1/2NE1/4 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

W1/2SW1/4 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]**

SW1/4 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  
NW1/4 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  
SW1/4 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

SW1/4 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 NW1/4 of Section 35, T. 21 N., R. 6 E. for power to Well 3. NW1/4 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 N1/2SW1/4 and the S1/2NE1/4 Section 35, and the S1/2NW1/4 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.

**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  
Use Code: 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)

NORA B. RASURE, FOREST SUPERVISOR  
(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 Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term 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.