November 3, 1993

Mr. Roy Tanney  
Chief of Real Estate Subdivisions  
Department of Real Estate  
2910 North 44th Street  
Phoenix, Arizona 85018

RE: Ranchos Carmella Phases III & IV, Cochise County

Dear Mr. Tanney:

Pursuant to A.R.S. §45-108, Bella Vista Ranches has provided the Department of Water Resources with information on the water supply for Ranchos Carmella Phases III and IV in Section 25, T21S, R20E, G&SR B&M.

Water for domestic use will be provided to each of the 68 lots in the subdivision by the Bella Vista Water Company, Inc., from existing wells.

Adequacy of the water supply was reviewed by the Department with regard to quantity, quality, and dependability. The subdivision is located in the San Pedro Valley on the eastern edge of the City of Sierra Vista. The property overlies a large alluvial aquifer. Information available to the Department indicates that the depth to water in the water company’s wells ranges from 295 to 547 feet below land surface. Current information indicates that the water supply will be capable of meeting the projected demands of the subdivision for a sufficiently long period of time.

The Department of Water Resources, therefore, finds the water supply to be adequate to meet the subdivision’s projected needs. Any change to the subdivision or its water supply plans may invalidate this decision.

This letter, which constitutes the Department’s report on the subdivision water supply, supersedes the inadequacy letter of June 30, 1992. This letter is being forwarded to your office as required by A.R.S. §45-108. This law requires the developer to hold the recordation of the above
subdivision's plats until the receipt of the Department's report on the subdivisions's water supply. By copy of this report, the Cochise County Recorder is being officially notified of the developer's compliance with the law.

Sincerely,

Greg Wallace
Chief Hydrologist

GW/CH/eac

cc: Bella Vista Ranches Limited Partnership
    Bella Vista Water Company, Inc.
    Christine Rhodes, Cochise County Recorder
    Jody Klein, Cochise County Planning and Zoning
    Duane Turner, Department of Real Estate, Tucson
    ADEQ, Plan Review and Permit Section
June 30, 1992

Mr. Roy Tanney
Director of Real Estate Subdivisions
Department of Real Estate
202 East Earll Drive, Suite 400
Phoenix, Arizona 85012

Re: Ranchos Carmella Phases III and IV, Cochise County

Dear Mr. Tanney:

Pursuant to A.R.S. §45-108, Bella Vista Ranches has provided the Department of Water Resources with information on the water supply for Ranchos Carmella Phases III and IV in Section 25, T21S, R20E, G&S R B&M.

Water for domestic use will be provided to each of the 68 lots in the subdivision by Bella Vista Water Company, Inc. from existing wells.

Adequacy of the water supply was reviewed by the Department with regard to quantity, quality, dependability and legal availability. The subdivision is located in San Pedro Valley on the east edge of the City of Sierra Vista. The property overlies a large alluvial aquifer. Information available to the Department indicates that the depth to water in the water company's wells ranges from 420 to 480 feet below land surface.

Existing hydrological studies and data suggest that there is a hydraulic connection between the San Pedro River and the underlying aquifer and that past pumpage of groundwater in the Ft. Huachuca-Sierra Vista area has resulted in a reduction of flow in the river. In addition, certain unresolved questions currently exist as to whether such pumpage of groundwater has violated or will violate the legal rights of other persons to the surface waters of the San Pedro River, and whether persons pumping water from wells in the area are required by law to establish or acquire surface water rights. The resolution of these questions will require judicial action, which may not become final for many years. Hence, while hydrological studies suggest that an adequate water supply is physically available to this subdivision, the possibility exists that it may not be legally available. Therefore, the Department must find the water supply to be inadequate.

In view of these circumstances, the Department is not in a position at this time to conclude that an adequate water supply is legally available to provide the present and future requirements of this subdivision. We suggest the following language be included in the public report for the subdivision:

"Ranchos Carmella Phases III and IV is a subdivision to be sold with water supply to be furnished by Bella Vista Water Company. Depth to water in the water company's wells ranges from about 420 -480 feet below land surface. It appears than an adequate water supply is physically available to the subdivision. However, studies suggest that there is a hydraulic connection.
between wells in the Ft. Huachuca-Sierra Vista area and the San Pedro River. Pending resolution of the question whether such groundwater pumpage impacts the legal rights of other persons to the waters of the San Pedro River, which will involve litigation and court decisions, the Department of Water Resources is not in a position to conclusively determine whether an adequate water supply is legally available to satisfy the requirements of this subdivision and must find the water supply to be inadequate."

A.R.S. §32-2181.F. requires a summary of the Department's report for dry lot subdivisions or those with an inadequate water supply be included in all promotional material and contracts for sale of lots in the subdivision. Since the Department is not in a position at this time to conclude whether an adequate supply is legally available to this subdivision, the developer must comply with this provision. The developer should include in all promotional material and contracts the above quoted language or a summary of this language approved by the Commissioner. We suggest that any summary include the following statement:

"It appears that an adequate water supply is physically available to the subdivision. However, the Department of Water Resources is not in a position to conclusively determine whether an adequate water supply is legally available to satisfy the requirements of the subdivision due to certain questions yet to be resolved in pending judicial proceedings."

This letter constitutes the Department of Water Resources' report on the subdivision water supply and is being forwarded to your office as required by A.R.S. §45-108. This law requires the developer to hold the recordation of the above subdivision's plats until receipt of the Department's report on the subdivision's water supply. By copy of this report, the Cochise County Recorder is being officially notified of the developer's compliance with the law. Any changes to the above subdivision or water supply plans may invalidate this report.

Sincerely,

Greg Wallace
Chief Hydrologist

GW/KM:cl

cc: Bella Vista Water Company, Inc.
Bella Vista Ranches Limited Partnership
Christine Rhodes, Cochise County Recorder
Jody Klein, Cochise County Planning and Zoning
Duane Turner, Department of Real Estate, Tucson
Jeff Beimer, Arizona Department of Environmental Quality
APPLICATION FOR A SUBDIVISION WATER ADEQUACY STATEMENT

Part A
WATER SUPPLY INFORMATION

1. Name of Development  
   Ranchos Carmella Phases III & IV

2. Location  
   21S  20E  25  Cochise
   Township  Range  Section(s)  County

3. Number of Lots  68/250  Apt Units  Size of Lots 1.25ac (Ave.)  Total Acreage 152

4. Proposed Use of Development:  
   Residential  X  Recreation  Industrial  Minifarm  Other (specify):

5. Development (Parcel) Water Demand:  
   Projected Water Demand per Lot  375/lot & 250/apt Gallons Per Day  
   Total Projected for Development  355 Acre-Feet/Year

6. Additional Use of Water:  
   Golf Courses  na  Lakes  na  Parks  na  Other:  na
   Projected Demand for Additional Use  none  Gallons Per Day
   Acre-Feet/Year

7. Method of Providing Water:  
   Water Company  X  Municipal System  Individual Well  Other:

8. Water Source:  
   Groundwater  X  Surface Water  CAP Water

9. Water Source Location:  
   Supply Well(s) (Reference Part C)  Wells #1,2,3,7,8,18
   Surface Water Diversion Point(s)

10. Address Information:  
    Municipality or Water Company:  
       Bella Vista Water Co., Inc.  4055 Campus Drive, Sierra Vista, AZ 85635  (602)458-5470
    Developer:  
       Bella Vista Ranches Limited Partnership  4055 Campus Dr., Sierra Vista, AZ 85635
       (602)458-5470
    Technical Consultant:  
       Buck Lewis Engineering  2102 N. Forbes, #102, Tucson, AZ 85745  (602)624-4402

11. Attach subdivision plat.
12. Attach a copy of the service agreement or similar document if water is to be provided by a company or municipality and fill out Part B.
13. Provide evidence of contracts for delivery or rights to water as required.
14. If groundwater is the proposed source of supply, provide a copy of a hydrological study on the groundwater resources which demonstrates an adequate water supply.