Mr. Thomas Buschatzke, Assistant Director
Arizona Department of Water Resources
3550 North Central Avenue, Floor 2
Phoenix, Arizona 85012

Subject: Designation of Adequate Water Supply (File No. 40-700705, Pueblo del Sol Water Company) and Water Report (File No. 53-700704, The Oaks)

Dear Mr. Buschatzke:

The Bureau of Land Management (BLM) in accordance with A.R.S. § 45-101 et seq. and A.A.C. R12-15-701 et seq. objects to the issuance of a Designation of Adequate Water Supply (File No. 40-700705) and Water Report (File No. 53-700704) on the basis that a sufficient water supply is not legally available and, therefore; may also not be physically nor continuously available for the 100-year period.

The water supply is not legally available for the 100-year period for the following reasons:

1. San Pedro Riparian National Conservation Area, Pub. L. 100-696 (1988) - This area was created by Congress along with an expressed reserved water right for the purposes of the reservation. The expressed Federal reserved water right created by Congress is senior to all junior water users who initiate uses after the date of the establishment of the reservation.

2. Federal water rights are entitled to a form of protection that is broader than what may be provided to similarly-situated State law right holders, and that unique protection has a direct relation to the addition of new groundwater uses in this geographic area. Cappaert v. United States, 426 U.S. 128 (1976) sets forth the standards to be employed when there is a conflict between the pumping of groundwater and a Federal reserved water right. As provided in Cappaert, the senior Federal reserved water right holder would have an enforcement action against junior water right holders and/or pumpers whose uses adversely affect the senior entitlement.
3. Gila River Adjudication (In regard to the San Pedro Riparian National Conservation Area, Contested Case No. W1-11-232) - An ongoing judicial proceeding to determine the extent and priority of all water rights in an entire river system, meaning all water appropriable by law and all water subject to claims based upon Federal law. The Arizona Superior Court is yet to issue decrees determining the water rights in the San Pedro watershed. Both State law-based and Federal reserved water rights will be adjudicated. The adjudications are conducted pursuant to Arizona Revised Statutes Sections 45-251 to 45-264. The issuance of a Designation of Adequate Water Supply (File No. 40-700705) and Water Report (File No. 53-700704) should be withheld pending completion of the Gila River Adjudication (In regard to the San Pedro Riparian National Conservation Area, Contested Case No. W1-11-232).

4. The Defense Authorization Act of 2004, Public Law 108-136, Sect. 321 - Required an Annual Report on the water use management and conservation measures that have been implemented and are needed to restore and maintain the sustainable yield of the regional aquifer by and after September 30, 2011.

The 2007 report submitted to Congress indicated a 5,200 acre-feet annual reduction in stored aquifer water. The overall situation in the regional aquifer of the Sierra Vista Subwatershed today is not improving; rather, it continues to get worse at a rate slower than in 2002 (The beginning of Section 321 monitoring.). Although the annual overdraft of the aquifer has been greatly reduced from the 13,500 acre-feet originally anticipated for 2010 to 4,500 acre-feet today, this is still another 4,500 acre-feet of water that has been removed from storage in addition to the 60,600 acre-feet removed since 2002, and the hundreds of thousands of acre-feet that have been removed from storage since groundwater pumping commenced in earnest in the first half of the 20th century. Until the aquifer begins to accrete storage (the annual water budget bottom line becomes greater than zero) there will be no reduction in the cumulative deficit, and until additional management measures are undertaken, it is unlikely that there will be further progress made toward this goal.

5. Pumping in the Upper San Pedro Basin continues to have a significant indirect impact on San Pedro River flows. The number of unmetered, unregulated, private exempt wells within the Upper San Pedro Basin has more than doubled since 1980 further contributing to reduced surface flows and declining groundwater levels throughout most of the basin. As of 2009, there are 8,578 wells approved for the Upper San Pedro Basin. Of this total, 4,939 wells were approved before 1990 meaning that the remaining 3,639 wells were approved after 1990. This represents a 74 percent increase in the number of wells since 1990.

Should you have any questions or would like additional information, please contact Bill Wells, Hydrologist, at 602-417-9413 or email wewells@blm.gov.

Sincerely,

Julie A. Decker
Deputy State Director
Resources Division
PUBLIC RECORDS REQUEST FORM
Recharge & Recovery Program
602-771-8599 (phone)
602-771-8689 (fax)

Please type or print clearly.

Name of person requesting information: Patricia Gersodette

Company or group representing: ________________________________

Mailing address: 3327 Eagle Ridge Dr Sierra Vista AZ 85650
E-mail Address: triciag2@cox.net Phone: 520 318 4937 Fax: ____________

Record inspection __________ Paper copies electronic copy

For record inspections: The information requested may be original material. By signing below, I acknowledge my responsibility not to deface, alter or manipulate these public records in any way.

Reproduction charges: Photocopy, $0.25 per printed side; microfiche copy, $0.30 per page; certified copy $2.75 per page; CD, $5 plus any necessary scanning costs ($0.25 per scan); DVD, $10 plus any necessary scanning costs ($0.25 per scan). For maps, please see the prices on our website.

ADWR file number(s) or description of information you are requesting:
Pueblo del Sol #40-700 705, 0000
BLM comment letter

Check One:

X The requested public records will not be used for a commercial purpose, as defined in A.R.S. § 39-121.03(D). (See Page 2.)

I certify that the following statement setting forth the commercial purpose for which the above-requested public records will be used is true, correct and complete:

________________________________________________________________________________________________________________________________________________________

Signature: Patricia Gersodette Date: 4/5/2012

Revised: July 9, 2009
APPLICATION FOR A WATER REPORT

I DO HEREBY certify that the information contained in this application and all information accompanying it is true and correct to the best of my knowledge and belief. NOTE: All owners must sign (attach additional sheets, if necessary).

NOTE: You may use the Department's Letter of Authorization for Signature form to give another person the authority to sign this application and related documents on your behalf, or you may submit a letter signed by you and dated within 90 days of the date this application is submitted, authorizing your representative to submit applications for permits regarding the land to be included in this water report.

Rick Coffman, Vice President

Please print the name and title of the owner or the owner's authorized agent (if signator is someone other than the owner)

Signature of Owner or Owner's Authorized Agent

PART A - GENERAL INFORMATION

1. Please check the appropriate box:

☐ I am seeking a determination of adequate water supply.

NOTE: If an "Inadequate Determination Letter" has been issued for this subdivision or another phase of this subdivision, please provide a copy of the document (reference as an attachment):

Attachment A

☐ I am seeking a determination of inadequate water supply

NOTE: A "determination of water inadequacy" means that without further Department review the application fails all review criteria.

2. Subdivision Information:
   a. Name of Subdivision as it will appear on submittals to the platting entity and the Department of Real Estate:
      The Oaks

   b. Location of the subdivision: Township 23 South Range 21 East Section(s) 20 and 29

      If there is more than one township and range, please list them on a separate page and reference as an attachment.

      See attachment

      City: Sierra Vista County: Cochise

   c. Number of lots: 113

3. Subdivision method of water distribution: ☐ Central distribution system (water provider) or ☐ Dry lot (individual wells).

   If there will be a central distribution system, identify the water provider and the water provider's system name, if it operates more than one system, which will be serving the subdivision. The water provider must be the same entity that signs the Notice of Intent to Serve. If there will be more than one water provider for the subdivision, please identify both water providers.

   Primary Water Provider: Bella Vista Water Company/Liberty Water Company System Name: Bella Vista South System No. 91.000028.0000 (Contact the Office of Assured and Adequate Water Supply)

   Secondary Water Provider (if applicable):

   System Name:

4. Contact person for questions regarding this application:

   Name: Christa McJunkin

   Company: Fluid Solutions

   Address: 2727 North Third Street, Suite 300, Phoenix, AZ 85004

   E-Mail: cmcjunkin@flusol.com

   Phone: 602-707-7815 Fax: 602-707-7778
5. List the names of the entities or individuals who own the property on which the subdivision will be built. List each owner's name exactly as it appears on the title report or deed (attach additional sheets, if necessary). If the owner is a trust, please list the beneficiaries of the trust as well as the name of the trust itself. For assistance, contact the Office of Assured and Adequate Water Supply:

Owner: Castle and Cooke Arizona, Inc., an Arizona corporation  
Phone: 520-378-9344  
Fax: __________________________

Address: 4100 Canyon De Flores, Sierra Vista, Arizona 85650-5360  
E-mail: rcoffman@castlecooke.com

NOTE: Please attach proof of ownership in the form of a title report, condition of title report, limited search title report, or recorded deed, dated within 90 days of the date this application is submitted to the Department and reference as an attachment. Attachment(s): Attachment B

6. Please include a copy of the preliminary or final plat (reference as attachment): Attachment C

PART B - DEMAND ESTIMATE

Please use the Subdivision/Development demand calculator provided by the Department to estimate the subdivision's demand. See the Department's website at http://www.azwater.gov and click on Permits, Forms and Applications to download a copy of the demand calculator OR provide a detailed explanation of the assumptions used in estimating the subdivision's water demand and reference the demand calculator and/or the assumptions used as an attachment. Attachment: Attachment E

NOTE: Acreages used in the demand estimate should correspond to the plat map referenced in question A.6 above.

ESTIMATE OF ANNUAL WATER DEMAND: 55.99 acre-feet per year

PART C - CONTINUOUS AVAILABILITY AND LEGAL AVAILABILITY OF SOURCE WATER

☐ Subdivision is a dry-lot subdivision.

1. If the proposed subdivision is not a dry-lot subdivision, please attach a signed copy of the Notice of Intent to Serve Form included in this application. Please reference attachment: Attachment F

2. See A.A.C. R12-15-717 and R12-15-718 for documentation that should be submitted as evidence of continuous availability and legal availability (respectively) for each source of supply. Please reference attachment(s): __________________________

3. Indicate the proposed water sources:

   To complete the table below, multiply the Total Annual Demand computed in Part B by 100 to obtain the 100-year demand and enter at the bottom of the chart. Enter the appropriate 100-year demands for each type of water delivered to the subdivision for each category.

<table>
<thead>
<tr>
<th>Source of Supply</th>
<th>Primary Provider</th>
<th>Secondary Provider</th>
</tr>
</thead>
<tbody>
<tr>
<td>Groundwater</td>
<td>5,599</td>
<td></td>
</tr>
<tr>
<td>Colorado River Water:</td>
<td>Direct treatment and delivery</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Stored and Recovered water</td>
<td></td>
</tr>
<tr>
<td>Surface Water:</td>
<td>Direct treatment and delivery</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Stored and Recovered water</td>
<td></td>
</tr>
<tr>
<td>Effluent:</td>
<td>Direct treatment and delivery</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Stored and Recovered water</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total 100-yr Volume</td>
<td>5,599</td>
<td></td>
</tr>
</tbody>
</table>
PART D - PHYSICAL AVAILABILITY OF WATER

☐ Subdivision has 20 lots or less. If this applies, independent proof of physical availability may not be required. Contact the Department's Hydrology Division to find out what information, if any, is required.

1. If the development consists of more than 20 lots, a comprehensive hydrologic study must be submitted with this application, unless the Department has previously reviewed the hydrologic conditions for this area and has issued a valid Letter of Water Availability, Physical Availability Determination or Analysis of Assured Water Supply. The Department has adopted a substantive policy statement to provide guidelines for preparing a new hydrologic study. The policy statement is available on the Department's website at http://www.azwater.gov under the Permits, Forms and Applications page.

Please indicate the evidence of physical availability and reference as an attachment: ____________

☐ Water Availability Letter ☐ Physical Availability Determination
☒ New Hydrologic Study ☐ Other, please specify: ____________
☐ Analysis of Adequate Water Supply

Technical Registration Requirements

The Arizona Department of Water Resources requires hydrologic and engineering reports, studies, drawings and maps, specifications, analyses or related data submitted to support the evaluation of this application to be signed and sealed by a professional geologist or qualified professional engineer who is registered in the State of Arizona under the authority of A.R.S. Title 32, Chapter 1.

2. ☐ Requesting a depth-to-static water level requirement exemption, per R12-15-716(C). NOTE: See Part F for acceptable methods of proving financial capability to obtain groundwater at the lower depth.

3. If this application references a Physical Availability Determination (PAD) or Analysis of Assured Water Supply (AAWS) and groundwater will be withdrawn from well locations different from those reviewed for the PAD or AAWS application on which the physical availability for this application is based, please provide the legal description (township, range, section, 180, 40, 10 quarter sections) of each proposed well that will be used to meet the estimate of annual water demand for this application and include the actual or anticipated pump capacity of each well in gallons per minute.

4. If you had a pre-application meeting with the Department, please indicate the date of that meeting: ____________.

5. If you submitted a hydrologic study proposal to the Department's Hydrology Division for their review prior to submitting this application, please indicate the date of submittal of the hydrologic study proposal: ____________.

PART E - WATER QUALITY

1. Are the well or wells from which water will be withdrawn for the subdivision within one mile of a Water Quality Assurance Revolving Fund (WQARF) or Superfund site? ☐ Yes ☒ No.

If "Yes", please submit a contaminant migration and mitigation analysis demonstrating that the water supply will continue to meet the water quality requirements in A.A.C. Title 18, Chapter 4, and reference as attachment: ____________

2. ☒ Water provider(s) serving the subdivision will be regulated by the Arizona Department of Environmental Quality (ADEQ) or another governmental entity with equivalent jurisdiction. If this applies, independent proof of adequate water quality is not required, please skip to Part F. NOTE: If there is more than one water provider, and one or more of the providers are not regulated as indicated above, please answer question 4 for each of the unregulated providers.

3. If the subdivision will be a dry-lot subdivision, please provide current (within the last 60 days) analytical results on water samples taken from a well or wells constructed within the subdivision, or near where the wells will be drilled, demonstrating that the water meets water quality requirements in A.A.C. Title 18, Chapter 4, and reference as attachment: ____________
4. If the subdivision will be served by a central provider that serves 15 customers or less, provide current (within the last 60 days) analytical results on water samples taken from a well or wells constructed within the service area serving the subdivision, demonstrating that the water meets water quality requirements in A.A.C. Title 18, Chapter 4, and reference as attachment:

NOTE: Information on the required water quality analyses may be found at the ADEQ website http://www.adeq.gov.

PART F - FINANCIAL CAPABILITY

☐ Subdivision is a dry-lot subdivision. If this applies, proof of financial capability is not required, please skip to Part G.

Please check one of the following and include attachments as necessary: NOTE: If you are requesting a depth-to-static water level exemption, the financial capability to obtain water at the lower depth must be demonstrated by demonstrating that the wells have been drilled.

☐ The final plat will be submitted to a qualified platting authority. The Department maintains a list of qualified platting authorities. Contact the Office of Assured and Adequate Water Supply for assistance or visit the Department’s website at http://www.azwater.gov and go to the Permits, Forms and Applications page.

☐ A letter from the water provider referencing the subdivision name and indicating that adequate delivery, storage, and treatment works have been constructed, and water service is available to each lot (reference as attachment):

☐ A performance bond has been posted with the platting authority for the entire cost of adequate delivery, storage, and treatment works (reference as attachment):

PART G – FEES

The initial fee for an application for a Water Report is $1,000. Total fees for this application are based upon an hourly billable rate, which can be found on the ADWR web site @www.azwater.gov. If the costs of reviewing your application exceed $1,000, you will be invoiced for the difference, up to a maximum total fee of $10,000. Payment may be made by cash, check, or credit card (if you wish to pay by credit card, please contact the Office of Assured and Adequate Water Supply at 602-771-8599). Checks should be made payable to the Arizona Department of Water Resources. In addition to the hourly application fee, the applicant must pay any review-related costs associated with the application and the actual cost of mailing or publishing any legal notice of the application or any notice of a pre-decision administrative hearing on the application. Review-related costs are: (1) costs associated with a pre-decision hearing on the application, such as court reporter services and facility rentals for the hearing, and (2) mileage expenses for a site visit conducted before issuing a decision on the application. Failure to enclose the initial application fee will cause the application to be returned. Fees for a Water Report Application are authorized by A.R.S. § 45-113 and A.A.C. R12-15-103.

INITIAL FEE DUE: $1000.00

PUBLIC NOTICE PUBLICATIONS:

IF THE DEVELOPMENT IS LOCATED IN A JURISDICTION WHICH HAS ADOPTED AN ORDINANCE REQUIRING WATER ADEQUACY, THE APPLICANT WILL BE ASSESSED A PUBLIC NOTICE FEE. PUBLIC NOTICE FEES ARE DETERMINED BASED ON THE NUMBER OF LINES NEEDED IN THE NOTICE. THEREFORE, THE APPLICANT WILL BE NOTIFIED OF THE COST PRIOR TO PUBLICATION. A CHECK FOR THE PUBLIC NOTICE FEE PAYABLE TO THE DEPARTMENT OF WATER RESOURCES WILL BE REQUIRED BEFORE A WATER REPORT IS ISSUED.

DID YOU REMEMBER?
To completely fill-out the application form?
To include two copies of preliminary plat?
To include a signed Notice of Intent to Serve?
To include a Hydrologic study, if required?
To include all documents referenced in the application?
To include correctly calculated fees?
To submit an additional payment for the public notice fee when notified by the department.
To have application signed by each applicant or an authorized agent for each applicant and include proof of the authorization?
Attachment A
Previously Issued Water Report Letter
November 8, 2007

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

Water Report #53-700419.0000
Subdivision Name: The Oaks
Owner: Castle & Cooke Arizona, Inc.,
an Arizona corporation, fka Arizona Newsub, Inc.,
an Arizona corporation, owner,
Number of lots: 113
County: Cochise
Township 23 South, Range 21 East, Section 20,
Township 23 South, Range 21 East, Section 29
Lots 1 thru 113, inclusive

Water provided by: Bella Vista Water Company
Water Type: Groundwater
Current water depth: No Information Provided
Estimated 100-year depth: No Information Provided
Current decline rate: No Information Provided
Basin: Sierra Vista

Dear Mr. Tanney:

Pursuant to A.R.S. § 45-108, the Department of Water Resources has reviewed the available information pertaining to the water supply for the above-referenced subdivision. This letter constitutes the Department’s report on the subdivisions water supply as required by A.R.S. § 45-108(A).

Adequacy of the 100-year water supply was reviewed by the Department with regard to physical, legal and continuous availability, water quality, and financial capability. No information has been provided to the Department that indicates that the applicant has satisfied the adequate water supply requirements as set forth in A.A.C. R12-15-701 et seq. Therefore, the Department of Water Resources finds the water supply to be inadequate to meet the subdivision's projected needs.

Pursuant to A.R.S. §32-2181(F) a summary of the Department's report for those with an inadequate water supply be included in all promotional material and contracts for sale of lots in the subdivisions. We suggest the following synopsis:

“The Oaks subdivision is being served groundwater by Bella Vista Water Company. The developer has chosen not to demonstrate a 100-year adequate water supply. The applicant has not demonstrated that the criteria for physical, legal and continuous availability, water quality, and financial capability have been met. Therefore the Department must find the water supply to be inadequate. For additional information please contact Rosemary Lopez, of the Office of Assured and Adequate Water Supply at (602) 771-8585.”

The developer, pursuant to A.R.S. §32-2181(F), may suggest a different summary of this report, but it must contain the above elements and/or the Department’s findings.
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 subdivision's plat 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.

Sincerely,

[Signature]

Sandra Fabritz-Whitney
Assistant Director
Water Management Division

cc: Cochise County Planning and Zoning
    Cochise County Recorder
    Blaine Neptune, McIntoch & Associates
    Rosemary Lopez, Office of Assured and Adequate Water Supply
Attachment B
Title Report
Attachment C
Plat
Attachment D
Hydrologic Groundwater Model Report
Attachment E
Demand Spreadsheet
June 23, 2011

PROJECT DEMAND CALCULATOR

Name of Proposed Project: The Oaks

INSTRUCTIONS: This spreadsheet is designed to help you calculate the water demand for your proposed development for purposes of applying for a Certificate of Assured Water Supply. Water Adequacy Report or Analysis of Assured (or Adequate) Water Supply. Please enter information into the blue boxes as applicable. If you need help with this form, please contact the Office of Assured and Adequate Water Supply at (602) 771-8599.

NOTE: This sheet, when completed, does not constitute approval of the demand estimate for your proposed development. It is intended for general estimation purposes only. The final, official demand estimates will be determined by the Department upon review of your complete application.

Enter the AMA the subdivision is located in: * Enter PHX for Phoenix, TUC for Tucson, PIN for Pinel, PRE for Prescot or SCR for Santa Cruz. If you are not sure if your location is inside or outside of an AMA, contact the Office of Assured and Adequate Water Supply at (602) 771-8599.

Enter the COUNTY the subdivision is located in: COCHISE * Enter either APACHE, COCHISE, COCONINO, GILA, GRAHAM, GREENLEE, LA PAZ, MARICOPA, MOHAVE, NAVAJO, PINAL, SANTA CRUZ, YAVAPAI or YUMA

Residential Usage*

<table>
<thead>
<tr>
<th>Category</th>
<th>PPHU</th>
<th>GPCD or per house/day</th>
<th>Demand/HU/yr (afy)</th>
<th>No. HU (Lots)</th>
<th>Residential Demand/HU/yr (afy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family (viv)</td>
<td>2.70</td>
<td>57.00</td>
<td>0.17</td>
<td>113.00</td>
<td>19.48</td>
</tr>
<tr>
<td>Multi-Family (viv)</td>
<td>4.60</td>
<td>57.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Multi Family Landscape (ext)</td>
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<td>118.00</td>
<td>0.13</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Single Family Landscape (ext)</td>
<td>0.00</td>
<td>21.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Single Family Demand/HU/yr</td>
<td>0.58</td>
<td></td>
<td></td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>Multifamily Demand/HU/yr</td>
<td></td>
<td>0.00</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Square Feet | Acres | Demand Factor (afy) | No. HU (Lots) | Large Lot Adjustment Demand/HU/yr (afy)

Average Lot Size (sq. ft)**   20000.00  0.46
TPM Model Lot Size (sq. ft)   7,500 - 10,000  0.17 - 0.23
Large Lot Adjustment         10000.00  0.23
1/2 low water use             5000.00  0.11  1.50  113.00  19.46
1/2 turf                      1000.00  0.02  4.60  113.00  11.93

**NOTE: If the subdivision contains several groupings of lot sizes, the large lot adjustment needs to be calculated for each grouping of large lot sizes. If CC&R with landscaping restrictions for the residential lots will be adopted, a modified large lot adjustment can be calculated based on the specific landscaping restrictions. Contact the Office of Assured and Adequate Water Supply for assistance in calculating the lot adjustment for subdivisions with several groupings of large lot sizes or if CC&R limiting landscaping within the large residential lots will be adopted.

Total Residential Demand: 50.87

Non-Residential Usage**

For each category please enter either square feet or acres of land for that type of non-residential use within your subdivision.

<table>
<thead>
<tr>
<th>Category</th>
<th>Square Feet</th>
<th>Acres</th>
<th>Demand Factor (afy)</th>
<th>Non-Residential Use (afy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Common Area1</td>
<td>0.00</td>
<td>0.00</td>
<td>1.50 low water use</td>
<td>0.00</td>
</tr>
<tr>
<td>Common Area2</td>
<td>0.00</td>
<td>0.00</td>
<td>4.60 turf</td>
<td>0.00</td>
</tr>
<tr>
<td>Right of Way</td>
<td>0.00</td>
<td>0.00</td>
<td>1.50 low water use</td>
<td>0.00</td>
</tr>
<tr>
<td>Golf Course</td>
<td>0.00</td>
<td>0.00</td>
<td>4.60 turf</td>
<td>0.00</td>
</tr>
<tr>
<td>Commercial use</td>
<td>0.00</td>
<td>0.00</td>
<td>2.25 all acres</td>
<td>0.00</td>
</tr>
<tr>
<td>Public Pool (length x width = square feet)</td>
<td>0.00</td>
<td>0.00</td>
<td>Based on closest AMA pool</td>
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</tr>
<tr>
<td>Parks1</td>
<td>0.00</td>
<td>0.00</td>
<td>1.50 low water use</td>
<td>0.00</td>
</tr>
<tr>
<td>Parks2</td>
<td>0.00</td>
<td>0.00</td>
<td>4.60 turf</td>
<td>0.00</td>
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<td>Retention/Detention Basins</td>
<td>0.00</td>
<td>0.00</td>
<td>1.50 low water use</td>
<td>0.00</td>
</tr>
<tr>
<td>Retention/Detention Basins</td>
<td>0.00</td>
<td>0.00</td>
<td>4.60 turf</td>
<td>0.00</td>
</tr>
<tr>
<td>School Landscape1</td>
<td>0.00</td>
<td>0.00</td>
<td>1.50 low water use</td>
<td>0.00</td>
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<td>School Landscape2</td>
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<td>0.00</td>
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<td>GPCD interior demand</td>
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<tr>
<td>Middle/High school interior use</td>
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<td>43</td>
<td>GPCD interior demand</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**NOTE: If your application is for a change of ownership from a previously issued Certificate of Assured Water Supply, and is for only a portion of the original Certificate, contact the Office of Assured and Adequate Water Supply to pre-rate non-residential area acreage.

Total Non-Residential Demand: 0.00

Distribution Losses

<table>
<thead>
<tr>
<th></th>
<th>Residential</th>
<th>Non-Residential</th>
<th>Total</th>
<th>Loss Factor %</th>
<th>Distribution Losses (afy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demand afyr</td>
<td>50.87</td>
<td>0.00</td>
<td>50.87</td>
<td>10.00</td>
<td>5.09</td>
</tr>
</tbody>
</table>

Construction

<table>
<thead>
<tr>
<th>No. of Lots</th>
<th>Demand (gals/yr)</th>
<th>100 yr demand (af)</th>
<th>Construction Demand (afy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>113.00</td>
<td>10000.00</td>
<td>3.47</td>
<td>0.03</td>
</tr>
</tbody>
</table>

Total Demand Per Year

<table>
<thead>
<tr>
<th>Residential Usage afy</th>
<th>Non-Residential Usage</th>
<th>Lost &amp; Unaccounted for</th>
<th>Construction</th>
<th>Total Non-Res</th>
<th>Total Demand Per Year (afy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>50.87</td>
<td>0.00</td>
<td>5.09</td>
<td>0.03</td>
<td>5.12</td>
<td>55.99</td>
</tr>
</tbody>
</table>

Residential GPCD

149

Annual Build Out Demand

55.99
Attachment F
Notice of Intent to Serve
NOTICE OF INTENT TO SERVE

Subdivision/Development Name ("Subdivision"): The Oaks

Subdivision Owner ("Owner"): Castle and Cooke Arizona, Inc., an Arizona corporation

Municipal Provider: Bella Vista Water Company/Liberty Water Company

If the Municipal Provider has several divisions, please specify service area in which the Subdivision is located

ADEQ Public Water System Number: 02-007

Municipal Provider Type:

☐ City or Town;
☐ Irrigation District;
☐ Water Improvement District;
☐ Private Water Company Regulated by the Arizona Corporation Commission ("PWC");

Is the Subdivision within the PWC's existing Certificate of Convenience and Necessity ("CC&N")? ☒ Yes ☐ No

If "No", has an application for an extension of the CC&N been filed? ☒ Yes ☐ No

If "Yes" date of submittal:

Please include a copy of the application for extension and reference as an attachment.

If the Subdivision is not within the PWC's CC&N, a Certificate of Assured Water Supply will not be issued until the CC&N has been extended to include the Subdivision.

Homeowners' Association ("HOA")

If HOA, please provide the documents that establish the HOA and evidence that the Arizona Corporation Commission ("ACC") has adjudicated the HOA "not for public service," and therefore not subject to regulation by the ACC.

COMPLETE THIS SECTION IF SUBDIVISION IS LOCATED WITHIN AN ACTIVE MANAGEMENT AREA:

ADWR Service Area Right Number: 5

Number can be found on ADWR Annual Reports

Is the Subdivision located within the Municipal Provider's existing operating distribution system? ☒ Yes ☐ No

If no, will the Municipal Provider be establishing a new service area right to serve the Subdivision? ☒ Yes ☐ No

If yes, what type of right will be established to serve the area right?

If the Subdivision is not within the Municipal Provider's operating distribution system, the Municipal Provider must begin the process to establish a new or satellite service area right or enter into an agreement with the undersigned Owner to extend water lines to the subdivision before a Certificate of Assured Water Supply will be issued. Please contact your local AMA office for more information on establishing a new service area right.

The undersigned Owner and Municipal Provider certify that: (1) They have entered into an agreement whereby the Municipal Provider agrees to provide the Subdivision sufficient water to satisfy the ☒ potable ☐ non-potable (please check one) water demands of the Subdivision; (2) The aforementioned agreement is binding upon the present and future agents, servants, representatives, successors in interest and assigns of the Municipal Provider and the Owner; and (check which of the following applies):

☐ (a) the Subdivision is within 660' of the Municipal Provider's operating distribution system or,

☒ (b) the undersigned Owner and Municipal Provider have entered into an agreement binding upon the present and future agents, servants, representatives, successors in interest and assigns of the Municipal Provider and the Owner to extend water lines to the subdivision, or

☐ (c) a new service area right will be established to serve the Subdivision (if subdivision is located within an active management area). This Notice of Intent to Serve is conditioned upon the Municipal Provider's receipt of necessary approvals from the relevant regulatory agencies and the Municipal Provider's receipt of all necessary payments.

If the Municipal Provider is a PWC, then the Municipal Provider further certifies that the Subdivision is within the boundaries of its CC&N, or that a formal request has been filed with the ACC to extend the boundaries to include the Subdivision.

Print the name of the Authorized Agent of the Water Provider:

Signature of Authorized Agent of Water Provider

Title

Date

Rick Coffman

Print the name of the Owner or the Owner's Authorized Agent:

Signature of Owner or Owner's Authorized Agent

Title

Date

NOTE: If there are multiple owners, you may use the attached signature page.
June 23, 2011

HAND DELIVERED

Mr. Doug Dunham
Office of Assured and Adequate Water Supply
Arizona Department of Water Resources
3550 North Central Avenue
Phoenix, AZ 85012

Re: Application for a Water Adequacy Report for
The Oaks, Cochise County, Arizona

Dear Doug:

Please accept the attached application and supporting hydrologic study for a Letter of Water Adequacy for The Oaks. The Oaks is a residential subdivision located near Sierra Vista, Arizona in Cochise County. The owner, Castle and Cooke Arizona, Inc. has previously applied for and received a Water Report for this subdivision which indicated the water supply was inadequate. This finding by the Department was due to insufficient hydrologic information being available at the time. Subsequently, the owner has retained Fluid Solutions and Brown and Caldwell to complete a numerical groundwater model of the subject area in order to establish an adequate water supply. One complete paper copy and one complete electronic copy of that study is included with this application.

We are unable at this time to submit the fee check, title report and Notice of Intent to Serve. The fee check has been requested from Castle and Cooke’s offices in California and is expected to arrive within the next week. The title report has been requested from the Sierra Vista office, but the recent wildfires in the area have delayed this request. The NOI has been signed by the applicant and we are working with Liberty Water Company (formerly Bella Vista Water Company) to obtain their signature.

Please contact me if you have any questions. Thank you for your assistance.

Sincerely,

Christa M. McJunkin
Water Resource Analyst

Enclosures