

STATE LAND DEPARTMENT  
STATE OF ARIZONA

AMENDMENT TO RIGHT OF WAY

NO. 14-112157-00

The Right of Way between the State of Arizona, Grantor, and \_\_\_\_\_

<sup>T.B.C. 6/13/19</sup>  
~~ROSEMONT~~ COPPER COMPANY

Grantee, by mutual consent, has been amended as follows:

Additional Conditions 8.2 and 8.3 are to be replaced with the following:

8.2 The use of the area identified under the T.C.E. (See EXHIBIT B) shall be allowed for a total onsite period of 24 months from the commencement of construction. The T.C.E. shall expire upon the earlier of a.) the finalization of construction for this Right of Way, or b.) 24 months from the commencement of construction.

Grantee shall notify Grantor in writing prior to commencement of construction.

8.3 Reserved.

This Right of Way Amendment, when executed by the State Land Commissioner (Grantor) and the above mentioned Grantee and is affixed to the original Right of Way, shall be in full force and effect. All other terms and conditions of the Right of Way apply and shall remain in full force and effect.

IN WITNESS HEREOF, the parties hereto have signed this Right of Way effective the day and year set forth previously herein.

STATE OF ARIZONA, GRANTOR  
Arizona State Land Commissioner

ROSEMONT COPPER COMPANY  
GRANTEE

Bradley Lee Vasseur 6/13/19  
By: \_\_\_\_\_ Date

Matt Bingham 5-15-19  
✓ Authorized Signature ✓ Date

Matt Bingham Secretary  
✓ Printed Name ✓ Title

5255 E. Williams Circle, Ste. 1065  
✓ Address

TULSON AZ 85711  
✓ City ✓ State ✓ Zip



APPENDIX A

STATE OF ARIZONA LAND DEPARTMENT  
 1616 W. ADAMS  
 PHOENIX, AZ 85007

RUN DATE: 8 May 2019  
 RUN TIME: 9:13 AM  
 PAGE: 1

KE-LEASE# 014-112157-00-100 APPTYPE: AMENDMENT  
 AMENDMENT#: 0

LAND#	LEGAL DESCRIPTION	AUS	ACREAGE
17.0-S-14.0-E-19-10-053-9001	M&B THRU N2SENE	0.00	0.320
17.0-S-14.0-E-20-10-053-9011	M&B THRU E2 SWNW NESW	0.00	8.180
17.0-S-14.0-E-21-10-053-9005	M&B THRU N2N2S2	0.00	3.140
17.0-S-14.0-E-29-10-049-9005	M&B THRU E2 S2S2SW	0.00	8.080
17.0-S-14.0-E-30-10-049-9002	M&B THRU S2S2SE	0.00	1.720
17.0-S-14.0-E-31-10-049-9010	M&B THRU NWNWNE	0.00	0.140
17.0-S-14.0-E-32-10-030-9008	M&B THRU NENENE	0.00	0.080
17.0-S-14.0-E-33-10-021-9003	M&B THRU N2N2N2	0.00	3.650
17.0-S-14.0-E-34-10-021-9002	M&B THRU N2	0.00	4.230
17.0-S-14.0-E-35-10-012-9002	M&B THRU SW SWSE	0.00	2.970
18.0-S-14.0-E-01-10-021-9004	M&B THRU SWNW SW	0.00	3.130
18.0-S-14.0-E-02-10-043-9004	M&B THRU LOTS 1 2 SENE	0.00	1.760
18.0-S-14.0-E-12-10-043-9002	M&B THRU NE NENW	0.00	2.390
18.0-S-15.0-E-07-10-021-9003	M&B THRU LOT 4 SWSESW	0.00	1.430
18.0-S-15.0-E-17-10-043-9003	M&B THRU SW SWSWSE	0.00	2.570
18.0-S-15.0-E-18-10-021-9004	M&B THRU NE NENW NESE (3.00 AC) WATERPIPELINE M&B THRU SWNWNE (0.50 AC) BOOSTER STATION #2	0.00	3.500
18.0-S-15.0-E-20-10-049-9003	M&B THRU N2NE	0.00	1.890
18.0-S-15.0-E-21-10-021-9005	M&B THRU NW NESW SE	0.00	4.640
	TOTALS	0.00	53.820

10 MAY 31 AM 0000 REC'D ASD

**STATE LAND DEPARTMENT  
STATE OF ARIZONA**

**Right of Way**

R/W No. 14-112157-00

THIS RIGHT OF WAY (“Right of Way”) is entered into by and between the State of Arizona (as “Grantor”) by and through the Arizona State Land Department and

**ROSEMONT COPPER COMPANY**

(“Grantee”). In consideration of payment and performance by the parties of each of the provisions set forth herein, the parties agree as follows:

**EXTENT OF DOCUMENT**

“Additional Conditions”, “Exhibits”, and “Appendixes” are an integral part of this document. In case of a conflict between the printed boiler document and the additional conditions, exhibits, or appendixes, the applicable additional condition, exhibit, or appendix shall be considered the governing document and supersede the printed boiler, but only to the extent necessary to implement the additional condition, exhibit, or appendix, and only if the additional condition, exhibit, or appendix does not conflict with governing state or federal law.

**ARTICLE 1  
SUBJECT LAND**

1.1 Grantor grants to Grantee a Right of Way on, over, through, and across the State lands described in Appendix A attached hereto (“Subject Land”).

1.2 Grantee makes use of the Subject Land “as is”, and Grantor makes no express or implied warranties as to the physical condition of the Subject Land.

**ARTICLE 2  
TERM**

2.1 The term of this Right of Way commences on March 7, 2017 (“Commencement Date”), and expires on March 6, 2067 (“Expiration Date”), unless sooner canceled or terminated as provided herein or as provided by law.

**ARTICLE 3**  
**RENT**

3.1 Base Rent shall be payable in advance every 10 years for the above-mentioned term in such amount as determined to be due on the basis of appraisals made by the Commissioner.

3.2 If the Grantee should fail to pay rental when due, or fail to keep the covenants and agreements herein set forth, the Commissioner, at his option, may cancel said Right of Way or declare the same forfeited in the manner provided by law.

3.3 There shall be added to the delinquent rental or other monies due, a penalty and delinquent interest. The delinquent interest rate shall be set by the State Treasurer according to law. The penalty shall be the greater of a minimum processing cost as determined by the Commissioner or five (5%) percent. The delinquent rent, penalty and interest shall be a lien on the improvements and property on the land.

**ARTICLE 4**  
**PURPOSE AND USE OF SUBJECT LAND**

4.1 The purpose of this Right of Way is the location, construction, operation, and maintenance of:

Underground 20" or less water pipeline and booster station.

4.2 No material may be removed by Grantee or its contractors without the written approval of the Grantor.

4.3 Grantee shall not exclude from use the State of Arizona, its lessees, or grantees, or the general public the right of ingress and egress over this Right of Way.

4.4 Grantee shall acquire required permits prior to construction, and adhere to all applicable rules, regulations, ordinances, and building codes as promulgated by the local jurisdiction and any applicable State or Federal agencies.

4.5 All use of State land outside the Right of Way must be applied for and authorized in accordance with applicable law.

4.6 Grantee shall not sublet or assign this Right of Way or any portion thereof without the written consent of the Grantor.

4.7 The Grantor retains ownership of the Subject Land. The use of this Right of Way is to be non-exclusive. This Right of Way is sold subject to existing reservations, easements, or rights of way heretofore legally obtained and now in full force and effect.

4.8 When necessary for Grantee's reasonable use of this Right of Way for the purposes for which the grant is made, it shall be deemed to include the rights in, upon,

over, and across the described Subject Land to erect, construct, reconstruct, replace, repair, and maintain the facilities authorized by this Right of Way.

4.9 Grantee shall have the right to erect, maintain, and use gates in all fences under the control of the Grantor which now cross or shall hereafter cross said Right of Way, and to trim, cut, and clear away trees or brush whenever in its judgment the same shall be necessary for the convenient and safe exercise of the right herein provided.

4.10 Grantee shall not fence any portion of this Right of Way unless specifically authorized in the attached additional conditions without prior written consent of Grantor, nor shall Grantee exclude from the use of the surface thereof the State of Arizona or its lessees or grantees as reserved in Paragraph 10.1.

#### **ARTICLE 5** **CONFORMITY TO LAW**

5.1 This Right of Way is subject to applicable laws and covenants relating to State lands.

#### **ARTICLE 6** **CANCELLATION, TERMINATION AND ABANDONMENT**

6.1 This Right of Way is subject to cancellation pursuant to A.R.S. § 38-511.

6.2 If at any time the Right of Way ceases to be used for the purpose for which it was granted, it shall become void, and the right to use the Subject Land and all the rights of Grantee hereunder shall revert to the Grantor.

6.3 Upon revocation or termination of the Right of Way, the Grantee shall remove all equipment or facilities, and so far as is reasonably possible, restore and/or rehabilitate the Subject Land to its original condition, and to the satisfaction of the Grantor.

#### **ARTICLE 7** **ENVIRONMENTAL INDEMNITY**

7.1 Grantee shall protect, defend, indemnify, and hold harmless the Grantor from and against all liabilities, costs, charges, and expenses, including attorneys' fees and court costs arising out of (or related to) the presence of (or existence of) any substance regulated under any applicable federal, state, or local environmental laws, regulations, ordinances, or amendments thereto because of: (a) any substance that came to be located on the Right of Way due to Grantee's use or occupancy of the lands by the Grantee before or after the issuance of the Right of Way; or (b) any release, threatened release, or escape of any substance in, on, under, or from the Right of Way that is caused, in whole or in part, by any conduct, actions, or negligence of the Grantee, regardless of when such substance came to be located on the Right of Way.

7.2 For the purposes of this Right of Way the term "regulated substances" shall include substances defined as "regulated substances", "hazardous waste", "hazardous substances", "hazardous materials", "toxic substances", or "pesticides" in the Resource Conservation and Recovery Act, as amended by the Hazardous and Solid Waste Amendments of 1984; the Comprehensive Environmental Response, Compensation, and Liability Act; the Hazardous Materials Transportation Act; the Toxic Substance Control Act; the Federal Insecticide, Fungicide, and Rodenticide Act; the relevant local and state environmental laws, and the regulations, rules and ordinances adopted, and publications promulgated pursuant to the local, state, and federal laws. This indemnification shall include, without limitation, claims, or damages arising out of any violations of applicable environmental laws, regulations, ordinances, or subdivisions thereof, regardless of any real or alleged strict liability on the part of Grantor. This environmental indemnity shall survive the expiration or termination of this Right of Way and/or any transfer of all or any portion of the Subject Land and shall be governed by the laws of the State of Arizona.

7.3 In the event any such action or claim is brought or asserted against the Grantor, the Grantee shall have the right, subject to the right of the Grantor, to make all final decisions with respect to Grantor's liability for claims or damages, (i) to participate with Grantor in the conduct of any further required cleanup, removal, or remedial actions and/or negotiation and defense of any claim indemnifiable under this environmental indemnity provision, having reasonable regard to the continuing conduct of the operation/business located on the Subject Land and (ii) to participate with the Grantor in negotiating and finalizing any agreement or settlement with respect to any such claim or cleanup.

## **ARTICLE 8**

### **INSURANCE REQUIREMENTS**

8.1 Grantee shall maintain in full force a commercial general liability insurance policy during the Right of Way term affording protection to the limit of not less than one million dollars. This policy shall contain a provision that Grantor, named as an additional insured, shall be entitled to recovery for any loss occasioned to it, its agents, and employees. Further, the policy shall provide that Grantee's coverage is primary over any other insurance coverage available to the Grantor, its agents, and employees. Grantee shall send Grantor an advance 30 day written notice of any cancellation or reduction in insurance coverage. Such notice shall be sent directly to the Arizona State Land Department, 1616 W. Adams, Phoenix 85007, and shall be sent by certified mail, return receipt requested.

## **ARTICLE 9**

### **ENVIRONMENTAL MATTERS**

9.1 Grantee shall strictly comply with Environmental Laws relating but not limited to hazardous and toxic materials, wastes, and pollutants. Compliance means the Grantee shall act in accordance with the necessary reporting obligations, obtain and maintain all permits required, and provide copies of all documents as required by

Environmental Laws. For purposes of this Right of Way the term "Environmental Law" shall include but not be limited to any relevant federal, state, or local laws, and applicable regulations, rules and ordinances, and publications promulgated pursuant thereto, including any future modifications or amendments relating to environmental matters.

**ARTICLE 10**  
**RESERVATIONS; RELINQUISHMENTS**

10.1 Grantor reserves the right to grant other rights in, upon, over, and across the described Subject Land for any purpose whatsoever not inconsistent or incompatible with the use allowed by this indenture, and the Grantee agrees not to exclude the Grantor or its lessees or grantees from the use of the Subject Land herein described.

10.2 Grantor reserves all natural resources, timber, and minerals (including oil or gas) in or upon the described Subject Land, and the right to grant leases, permits, easements, and/or rights of way to extract such resources as provided by law and in a manner not inconsistent or incompatible with Grantee rights hereunder. Where inconsistent or incompatible uses exist, the Grantor will require the applicant therefor to indemnify Grantee for loss it might suffer by reason of such use.

10.3 Grantor reserves the right to relinquish to the United States pursuant to the U.S. Act of August 30, 1890, land needed for irrigation works in connection with a government reclamation project.

**ARTICLE 11**  
**LOCATION, CONSTRUCTION AND MAINTENANCE**

11.1 Grantee shall ensure full compliance with the terms and conditions of this Right of Way by its agents, employees, and contractors (including sub-contractors of any tier), and the employees of each of them and shall include the terms and conditions in all contracts and sub-contracts which are entered into by any of them.

11.2 Failure or refusal of Grantee's agents, employees, contractors, sub-contractors, or their employees to comply with these terms and conditions shall be deemed to be the failure or refusal of Grantee.

**ARTICLE 12**  
**NATIVE PLANTS AND CULTURAL RESOURCES**

12.1 (a) Pursuant to A.R.S. §§ 41-841 and 41-842, Grantee, Grantee's employees, and Grantee's guests shall not excavate or collect any prehistoric or historic archaeological specimens on the Subject Land without a permit from the Director of the Arizona State Museum and written approval of Grantor pursuant to the terms of this Right of Way. Grantee shall immediately report any unpermitted excavation or collection of archaeological specimens on the Subject Land to the Arizona State Museum and Grantor.



(b) Pursuant to A.R.S. § 41-844, Grantee shall report to the Director of the Arizona State Museum and Grantor any prehistoric or historic archaeological site, or paleontological site, that is discovered on the Subject Land by Grantee, Grantee's employees, or Grantee's guests, and shall, in consultation with the Director of the Arizona State Museum and Grantor, immediately take all reasonable steps to secure the preservation of the discovery.

12.2 (a) Grantee shall not move, use, destroy, cut or remove or permit to be moved, used, destroyed, cut or removed any timber, cactus, native plants, standing trees or products of the land except that which is necessary for the use of the Subject Land, and then only with the prior written approval of Grantor. For undeveloped land, the Grantee must submit a plant survey prior to the removal of any native plant. If the removal or destruction of plants protected under the Arizona Native Plant Law (A.R.S. § 3-901 *et seq.*, or any successor statutes) is necessary to the use of the Subject Land, Grantee shall also obtain the prior written approval of the Arizona Department of Agriculture. In the event the Grantee removes the native plants, the Grantee must pay a vegetation fee to the Grantor and this fee is not a reimbursable improvement.

(b) Grantee is responsible for treatment of all regulated and restricted noxious weeds listed by the Arizona Department of Agriculture.

#### ARTICLE 13

#### GRANTEE SHALL PROTECT AND RESTORE THE SUBJECT LAND

13.1 Grantee shall be required, upon completion of Right of Way construction, to make such rehabilitation measures on the State lands, including but not limited to restoration of the surface, revegetation, and fencing as determined necessary by the Grantor.

13.2 Grantee shall conduct all construction and maintenance activities in a manner that will minimize disturbance to all land values including but not limited to vegetation, drainage channels, and streambanks. Construction methods shall be designed to prevent degradation of soil conditions in areas where such degradation would result in detrimental erosion or subsidence. Grantee shall take such other soil and resource conservation and protection measures on the Subject Land under grant as determined necessary by the Grantor.

13.3 Costs incurred by the Grantee in complying with restoration and rehabilitation requirements, as determined by the Department, on State lands shall be borne by the Grantee.

13.4 Grantee shall conduct its operations on the Subject Land in such a manner as is consistent with good environmental practices. Grantee shall exert reasonable efforts to avoid damage of protected flora, and restore the surface to its condition prior to the occupancy thereof by Grantee.

**ARTICLE 14**  
**MISCELLANEOUS**

14.1 The described Subject Land shall be used only for the purpose stated in Paragraph 4.1, and as may be further detailed elsewhere.

14.2 This Document is submitted for examination and shall have no binding effect on the parties unless and until executed by the Grantor (after execution by the Grantee), and until a fully executed copy is delivered to the Grantee.

14.3 In the event of a dispute between the parties to this Right of Way, it is agreed to use arbitration to resolve the dispute, but only to the extent required by A.R.S. § 12-1518. In no event shall arbitration be employed to resolve a dispute which is otherwise subject to administrative review by the Department.

14.4 The Grantor does not represent or warrant that access exists over other State lands which intervene respectively between the above Right of Way and the nearest public roadway.

14.5 Grantee agrees to indemnify, hold, and save Grantor harmless against all loss, damage, liability, expense, costs, and charges incident to or resulting in any way from any injuries to person or damage to property caused by or resulting from the use, condition, or occupation of the Subject Land.

14.6 If for any reason the State of Arizona does not have title to any of the Subject Land described herein, this Right of Way shall be null and void insofar as it relates to the land to which the State has failed to receive title.

14.7 Every obligation of the State under this Right of Way is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this Right of Way, this Right of Way may be terminated by the State at the end of the period for which funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments or any damages as a result of termination under this paragraph.

14.8 The parties agree to be bound by applicable State and Federal rules governing Equal Employment Opportunity, Non-discrimination and Disabilities, including Executive Order No. 2009-09.

14.9 Within 30 days of project completion, Grantee shall submit a completed certificate of construction (copy attached).

## **ADDITIONAL CONDITIONS**

14-112157-00-000

Page 1 of 100

These Additional Conditions are attached to and made a part of the Right of Way boiler plate form (the "Boiler Plate"). The term "Section" when used in these Additional Conditions shall be deemed to refer to the Section numbers of the text in the Boiler Plate. The term "Paragraph" when used in these Additional Conditions shall be deemed to refer to the Paragraph numbers of the text in these Additional Conditions. The term "Right of Way" shall mean the Boiler Plate as supplemented by these Additional Conditions.

### **1. LEGAL DESCRIPTION, RENT AND PURPOSE**

1.1 A legal description and/or a visual depiction of this Right of Way is/are detailed in EXHIBIT A attached hereto. Subject to Grantor's rules and policies then in place, and as a result of construction-related restrictions, Grantor and Grantee may agree to modify the legal description by the Grantee submitting "as built" or "proposed realignment" legal descriptions, depending on the situation, to Grantor for Grantor's review. If approved by Grantor, and additional acreage is impacted, Grantee agrees to pay an appraised or pro-rated charge as Grantor determines is appropriate. No refund will be made for a reduction in acreage.

1.2 Grantor reserves the right to grant additional access rights, or any other rights not in conflict with the rights granted herein, to other parties at the Grantor's sole discretion.

1.3 A fee shall be payable in advance every 10 years in such amount as is determined to be due on the basis of appraisal(s) made from time to time by the State Land Commissioner.

### **2. WATER AND MONITOR/PIEZOMETER WELLS**

2.1 No wells for the withdrawal of groundwater or for the recovery of stored water are permitted under this Right of Way.

2.2 Monitor Wells are permitted consistent with the following conditions.

2.2.1 Grantee shall be responsible for complying with all Arizona Department of Water Resources (ADWR) rules and regulations pertaining to the construction, use, maintenance, and proper closure (abandonment) of the wells after monitoring is no longer required.

2.2.2 Grantee must comply with Arizona Department of Environmental Quality (ADEQ) guidelines for appropriate monitor well design/construction/site location to

## **ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 2 of 100**

**insure an accurate reflection of the chemical composition of the water, and that data collected is representative of the physical characteristics of the aquifer.**

**2.2.3 Grantee shall submit two (2) copies of a report detailing the hydrologic findings resulting from the drilling of the monitor wells. In addition to these results, the report shall include lithologic descriptions of all drill holes, in 10-foot intervals, and shall be completed by an Arizona registered geologist.**

**2.2.4 Grantee is required to submit to Grantor copies of: Notice of Intent to Drill a Well (after ADWR has assigned a well registration number); Well drillers Report (log of well filed by driller); Completion Report (if applicable); and Well Abandonment Report, upon finalization of monitoring.**

**2.2.5 Grantee shall provide all information regarding the monitoring of the wells, including, but not limited to, analytical reports and regulatory correspondences upon Grantor's request. Should analytical testing reveal concentrations of regulated substances above the Maximum Contaminant Level (MCL) in groundwater, the Grantee shall immediately notify Grantor and provide copies of all analytical reports.**

**2.3 Piezometer Wells are permitted consistent with the following conditions.**

**2.3.1 Grantee shall be responsible for complying with all Arizona Department of Water Resources (ADWR) rules and regulations pertaining to the construction, use, and proper closure (abandonment) of the piezometer well(s).**

**2.3.2 Grantee shall submit, to Grantor, a copy of the report describing the hydrologic findings from the drilling of the piezometer well(s). At a minimum, the report shall include lithologic descriptions of all drill holes, and shall be completed by an Arizona registered geologist.**

**2.3.3 Grantee is required to submit to Grantor's Water Rights Section copies of "Notice of Intent to Drill, Deepen, or Modify a Monitor / Piezometer / Environmental Well" (Form 55-44A), following receipt of a well registration number; and "Well Driller Report and Well Log" (Form 55-55) upon completion of the piezometer well(s). In the event a permanent pump is installed in the piezometer well(s) a "Pump Installation Completion Report" (Form 55-56) shall be also submitted to Grantor. Unless otherwise approved by Grantor, prior to the expiration of this Permit, Grantee shall abandon the piezometer well(s) in compliance with ADWR requirements including submittal of "Notice of Intent to Abandon a Well (Form 55-38) and "55-58 Well Abandonment Completion Report (Form 55-58) to ADWR, with copies to Grantor.**

## **ADDITIONAL CONDITIONS**

14-112157-00-000

Page 3 of 100

**2.3.4** Grantee shall provide Grantor with copies of all pertinent information regarding the ongoing monitoring of the piezometer well(s), including, water level measurements, and in the event groundwater samples are collected, copies of analytical reports. Should analytical testing reveal concentrations of regulated substances above the Maximum Contaminant Level (MCL) in groundwater, the Grantee shall immediately notify Grantor.

### **3. WATER WELL(S)**

**3.1** Prior to drilling a well on the granted premises, Grantee shall obtain permission from the Grantor to do so, and comply with the following conditions:

**3.1.1** Grantee is required to follow all applicable Arizona Department of Water Resources (“ADWR”) rules and regulations related to well drilling, capping or abandonment.

**3.1.2** Grantee must file a Notice of Intention to Drill, Deepen, Replace or Modify a Well Notice of Intent (NOI), ADWR Form 55-40, with the ADWR before commencing drilling.

**3.1.3** Grantee shall identify the Arizona State Land Department (“ASLD”) as the owner of the land and well on all ADWR forms related to well site.

**3.1.4** Grantee is required to submit the following forms, as applicable, to the Grantor’s Water Rights Section, which will review and file appropriate documents with the ADWR:

**3.1.4.1** Pump Installation Completion Report (ADWR Form 55-56)

**3.1.4.2** Notice of Well Capping (ADWR Form 55-39)

**3.1.4.3** Notice of Intent to Abandon a Well (ADWR Form 55-38)

**3.2** Grantee agrees to meter the well on the granted premises, to record water use on a monthly basis to the Grantor’s Water Rights Section, and to report annually to the Grantor the amount of water pumped, unless otherwise directed by the Grantor.

## **ADDITIONAL CONDITIONS**

14-112157-00-000

Page 4 of 100

**3.3** Grantee shall pay an assessment to the Grantor each year for the amount of groundwater pumped to conduct the Grantee's onsite business. This assessment is based on reported annual water use multiplied by the appraised value of the water per acre foot. This assessment is subject to annual reappraisals. Additionally, and when applicable, Grantee agrees to pay an annual fee for the use of any State-owned Type II water rights.

**3.4** ADWR requires an annual report of groundwater pumped from non-exempt wells within both the Active Management Areas and the Irrigation Non-expansion Areas. If applicable, Grantee shall submit to the ADWR the Annual Water Withdrawal and Use Report, together with the associated fees, within the time period specified by the ADWR.

**3.5** Grantee must comply with the Arizona Department of Environmental Quality's ("ADEQ") and/or the Maricopa County Health Department's rules and regulations related to public drinking water systems.

**3.6** Groundwater pumped from the well on the granted premises may only be used on State Trust land for domestic and wash water use by the Grantee at its compressor station site(s). With written approval from the Grantor this groundwater may also be used by the Grantee elsewhere on the subject Right of Way for domestic and wash water use. If groundwater is pumped off of State Trust land or is used for any purpose other than is stated herein, unless otherwise approved in writing by the Grantor, Grantee must file an application with the ASLD for a Public Auction Water Sale.

**3.7** Grantor, in issuing this Right of Way, makes no guarantee with respect to groundwater availability or quality.

**3.8** Prior to vacating the granted premises, Grantee agrees to contact the Grantor to confirm whether the well will be abandoned or capped. If requested by the Grantor, Grantee may be required to conduct a groundwater quality analysis.

**3.9** Grantee shall provide the Grantor's personnel with reasonable access to the well on the granted premises.

### **4. CONSTRUCTION, MAINTENANCE AND OPERATION**

**4.1** Grantee is responsible for complying with all federal, state and local guidelines in regards to the construction, maintenance and operation of this Right of Way grant and its associated appurtenances.

## ADDITIONAL CONDITIONS

14-112157-00-000

Page 5 of 100

4.2 Prior to construction, and at the request of the Grantor, Grantee shall provide construction plans (no larger than 11" x 17" format) and applicable drainage report(s), engineering infrastructure report(s) or studies, and any Clean Water Act (CWA) Section 401 or 404 documents to the Grantor for the Grantor's review.

4.3 Grantee shall conduct all construction and maintenance activities in a manner that will minimize disturbance to surface features affecting adjacent land values, including, but not limited to, vegetation, drainage channels and stream banks.

4.4 Grantee shall be responsible for controlling noxious weeds as listed by the Arizona Department of Agriculture for the term of this Right of Way. Grantor recommends Grantee review Arizona Department of Agriculture website for prohibited and restricted noxious weed rules and regulations.

4.5 Grantee agrees that any rubbish or debris from construction and maintenance work shall be removed and properly disposed of at its expense. Disposal of construction-related and maintenance-related materials on State Trust land is strictly prohibited.

4.6 If there are specific sites where construction and maintenance equipment and vehicles shall not be allowed as specifically identified by Grantor, such sites shall be clearly marked onsite by the Grantee prior to the beginning of any construction, maintenance or other ground disturbing activities. Grantee shall take any and all steps necessary to ensure that these sites are not disturbed.

4.7 All construction equipment shall be removed from the site within seven (7) days of project completion.

4.8 Grantee shall be responsible for weed control on disturbed areas within the limits of this Right of Way, and shall be responsible for consultation with the Grantor and/or local authorities for acceptable weed control methods.

4.9 For construction after Commencement Date of this Right of Way: Prior to commencement of construction Grantee shall submit and receive Grantor approval for a plan to restore and rehabilitate disturbed areas remaining once construction has been completed. The plan shall include, but not be limited to, reseedling, reforestation, erosion control, and watershed protection measures.

4.10 For ground disturbance after Commencement Date of this Right of Way: All rock brought to the surface along with topsoil and overburden from the affected State Trust

## **ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 6 of 100**

lands shall be salvaged and stockpiled separately in a manner that replacement shall endeavor to utilize one hundred (100%) percent of the materials upon completion of construction. Excess rock unsuitable for scattering shall be disposed of in a manner and location that is authorized by the Grantor.

4.11 Grantee shall maintain the Right of Way grant area in the manner described above during the term of this easement. Grantee agrees to complete any necessary restoration and rehabilitation to the satisfaction of the Grantor within ninety (90) days of written notification of non-compliance, or such longer period of time as mutually determined to be necessary to restore and/or rehabilitate subject land.

### **5. ENVIRONMENTAL MATTERS AND INDEMNITY**

The following conditions shall supplement the terms and provisions governing environmental matters as set forth in the Right of Way boiler to which these Conditions are stated below.

5.1 For purposes of this Right of Way, the term "Environmental Laws" shall include but not be limited to any relevant federal, state or local environmental laws, and the regulations, rules and ordinances, relating to environmental matters, and publications promulgated pursuant to the local, state, and federal laws and any rules or regulations relating to environmental matters. For the purpose of this Right of Way, the term "Regulated Substances" shall include but not be limited to substances defined as "regulated substance", "solid waste", "hazardous waste", "hazardous materials", "hazardous substances", "toxic materials", "toxic substances", "inert materials", "pollutants", "toxic pollutants", "herbicides", "fungicides", "rodenticides", "insecticides", "contaminants", "pesticides", "asbestos", "environmental nuisance", "criminal littering", or "petroleum products" as defined in Environmental Laws.

5.2 Grantee shall strictly comply with all Environmental Laws, including, without limitation, water quality, air quality; and handling, transportation, storage, treatment, or disposal of any Regulated Substance on, under, or from the Subject Land. Without limiting the foregoing, compliance includes that Grantee shall: (1) comply with all reporting obligations imposed under Environmental Laws; (2) obtain and maintain all permits required by Environmental Laws and provide Grantor copies of all permits existing as of the Effective Date; (3) promptly provide Grantor a copy of any permit received after the Effective Date; (4) during the term of Right of Way, provide copies of all information it receives or obtains regarding any and all environmental matters relating to the Subject Land, including but not limited to environmental audits relating to the Subject Land regardless of the reason for which the information was obtained or whether or not the



## **ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 7 of 100**

information was required by Environmental Laws; (5) prevent treatment, permanent storage and disposal of any Regulated Substances within the Subject Land without prior written authorization from Grantor.

**5.3** Grantee at all times shall employ or designate an existing employee (the "Designated Compliance Officer") who is responsible for knowing all Environmental Laws affecting Grantee and Grantee's business and monitoring Grantee's continued compliance with applicable Environmental Laws. Upon request by Grantor, Grantee shall make the Designated Compliance Officer available to discuss Grantee's compliance, answer any questions, and provide such reports and confirming information as Grantor may reasonably request.

**5.4** At any time, Grantor may request Grantee to provide an environmental audit of the Subject Land performed by an Arizona registered professional engineer or an Arizona registered geologist. Grantee shall pay the entire cost of the audit.

**5.5** Hazardous material generated (motor oil, paint, etc.) shall be disposed of properly or used in a way which will minimize impact on vegetation.

**5.6** At any time, during the term of the Right of Way, Grantor may require Grantee to obtain one Phase I environmental assessment of the Subject Land performed by an Arizona registered professional engineer or an Arizona registered geologist. If based upon the Phase I environmental assessment or its own independent investigation, Grantor identifies any possible violation of Environmental Laws or the terms of this Right of Way, Grantor may require Grantee to conduct additional environmental assessments as Grantor deems appropriate for the purpose of ensuring that the Subject Land are in compliance with Environmental Laws. The Phase I assessment, or any other assessment required by Grantor, shall be obtained for the benefit of both Grantee and Grantor. A copy of the Phase I report shall be provided both to Grantee and Grantor. Grantor, in its sole discretion, shall have the right to require Grantee to perform additional assessments of any damage to the Subject Land arising out of any violations of Environmental Laws. If Grantee fails to obtain any assessments required by Grantor, Grantee shall pay the entire costs of any and all assessments required by Grantor, notwithstanding the expiration or termination of the Right of Way.

**5.7** Prior to the termination of the Right of Way, Grantee shall restore the Subject Land by removing any and all Regulated Substances. In addition, the restoration shall include, but not be limited to, removal of all waste and debris deposited by Grantee. If the Subject Land or any portions thereof are damaged or destroyed from the existence or

## **ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 8 of 100**

presence of any Regulated Substance or if the Subject Land or any portions thereof are damaged or destroyed in any way relating to or arising out of the removal, treatment, storage, disposition, mitigation, cleanup or remedying of any Regulated Substance, Grantee shall arrange, at its expense, for the repair, removal, remediation, restoration, and reconstruction to the Subject Land to the original condition existing on the date that Grantee first occupied the Subject Land, to the satisfaction of Grantor. In any event, any damage, destruction, or restoration by Grantee shall not relieve Grantee from its obligations and liabilities under this Right of Way. Grantee's restoration obligations under this Section shall survive the expiration or the termination of the Right of Way.

**5.8** Grantee shall defend, indemnify and hold Grantor harmless from and against any and all liability, obligations, losses, damages, penalties, claims, environmental response and cleanup costs and fines, and actions, suits, costs, taxes, charges, expenses and disbursements, including legal fees and expenses of whatever kind or nature (collectively, "claims" or "damages") imposed on, incurred by, or reserved against Grantor in any way relating to or arising out of Grantee's occupancy and use of the Subject Land and (a) any non-compliance with any Environmental Laws, the existence or presence of any Regulated Substance, on, under, or from the Subject Land; or (b) any claims or damages in any way relating to or arising out of the removal, treatment, storage, disposition, mitigation, cleanup or remedying of any Regulated Substance on, under, or from the Subject Land by Grantee, its agents, contractors, or subcontractors.

**5.9** This indemnity shall include, without limitation, claims or damages arising out of any and all violations of Environmental Laws regardless of any real or alleged fault, negligence, gross negligence, breach of warranty, or strict liability on the part of any of the indemnitees. This indemnity shall survive the expiration or termination of this Right of Way and/or transfer of all or any portion of the Subject Land and shall be governed by the laws of the State of Arizona.

**5.10** In the event any action or claim is brought or asserted against Grantor which is or may be covered by this indemnity, Grantee shall fully participate, at Grantee's expense, in the defense of the action or claim including but not limited to the following: (1) the conduct of any required cleanup, removal or remedial actions and/or negotiations, (2) the conduct of any proceedings, hearings, and/or litigation, and (3) the negotiation and finalization of any agreement or settlement. Grantor shall retain the right to make all final decisions concerning the defense. Grantee's obligations to participate in the defense under this Section shall survive the expiration or termination of the Right of Way.

## ADDITIONAL CONDITIONS

14-112157-00-000

Page 9 of 100

### 6. CULTURAL RESOURCES AND NATIVE PLANTS

6.1 If any ground disturbing activities associated with this Right of Way are to occur on Arizona State Trust land in areas not previously subjected to cultural resources survey and subsequently addressed in the Historic Properties Treatment Plan for Rosemont Copper Utilities, Pima County (EPG, Nov. 2015) (the "HPTP"), additional cultural resources inventory will be required PRIOR TO any such disturbance. Ground disturbing activities include, but are not limited to; blading, grading, or widening roads, pole replacement, pull-sites, temporary construction easements, or any other activity that will disturb the topsoil.

6.2 Should previously undocumented cultural resources be identified during any project-related construction or maintenance activities, the protocol set forth in HPTP shall be followed. Should human remains or funerary objects be identified, the Repatriation Coordinator of the Arizona State Museum shall be notified immediately; the Manager of the Cultural Resources Management Program at ASLD shall also be notified and the protocol set forth in the HPTP shall be followed.

6.3 In the event consultation with the State Historic Preservation Office is required, Grantee shall supply Grantor with any documentation required to consult with the State Historic Preservation Office, as required pursuant to the State Historic Preservation Act (A.R.S. § 41-861 et seq).

6.4 Prior to any ground disturbance, and at the request of Grantor, Grantee agrees to conduct and submit a plant inventory/plant salvage plan to the Grantor. Payment will be required prior to any ground disturbance for any flora cut, removed and/or destroyed.

6.5 If vegetation is authorized by Grantor to be removed and/or destroyed, and prior to any ground disturbance, Grantee agrees to file the appropriate Notice of Intent to Clear Land in accordance with A.R.S. § 3-905 Destruction of Native Plants by State.

6.6 Grantee shall use best efforts to preserve or relocate all protected plants, if viable and feasible, on or adjacent to the work site that will not interfere with the work required.

6.7 Grantee shall only remove protected plants when specifically authorized to do so, and avoid damaging vegetation that will remain in place. If the Grantee or its contractors are authorized to remove any protected plants from State Trust land for replanting off of State Trust land, a permit from the Department of Agriculture is required.

## **ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 10 of 100**

**6.8 Grantee shall contact the Arizona Department of Agriculture for further information or permit requirements related to native protected plants.**

**6.8.1 A survey may be required to determine if protected plants are present and if plants must be salvaged. Grantee shall contact the Arizona Department of Agriculture at least sixty (60) days before commencement of any salvage work.**

**6.9 Grantee shall minimize the removal of existing vegetation within the project area to the greatest extent possible.**

**6.10 Grantee shall salvage or replant cactus and other protected plants.**

**6.11 Grantee is prohibited to blade, scrape or remove any existing vegetation without authorization from Grantor.**

### **7. SERVICE / ACCESS ROADS**

**7.1 Grantee shall acquire any permits necessary prior to the construction and maintenance of its service roads. Grantee shall construct new service roads with widths as narrow as possible.**

**7.2 Material for service road construction and maintenance (i.e. fill dirt, sand and gravel, etc.) may not be acquired from State Trust lands without the proper permits and authorization.**

**7.3 Service roads shall be maintained in substantially the same condition as they exist at the time the Right of Way is issued except, if not drivable, they may be made drivable.**

**7.4 Grantee shall not fence nor gate the service roads without the prior written permission of the Grantor.**

**7.5 The service roads shall only be used by the Grantee in conjunction with said Right of Way grant and associated appurtenances.**

**7.6 Grantee shall avoid using service roads during wet weather or when too soft to travel over whenever practicable. The soil shall be deemed too wet to adequately support equipment if such equipment creates ruts in excess of six (6) inches deep.**

## **ADDITIONAL CONDITIONS**

14-112157-00-000

Page 11 of 100

7.7 Maintenance of the service roads may include dust control measures for the term of this Right of Way.

### **8. TEMPORARY CONSTRUCTION EASEMENTS**

8.1 Issuance of this water line Right of Way includes a temporary construction easement ("T.C.E.") associated with the purpose of this Right of Way.

8.2 The use of the T.C.E. (See EXHIBIT B) shall be allowed for a total onsite period of 24 months from Commencement Date.

8.3 The T.C.E. shall expire upon the earlier of a.) the finalization of construction for this Right of Way, or b.) the term use of the site described in Paragraph 8.2 above.

8.4 No equipment will be parked overnight nor any material stored on the T.C.E. without the prior written approval of the Grantor.

8.5 Fencing of the T.C.E. is not allowed without the prior written approval of the Grantor.

8.6 All activity on the T.C.E. will be subject to the provisions of this Right of Way including, but not limited to, restoration of the land impacted by the T.C.E. upon its expiration as detailed in Section 6.3 of the Boiler Plate.

8.7 Grantee must contact the Grantor in writing if the Grantee requires an extension of this T.C.E. Any extension of the T.C.E. may require an additional payment.

### **9. EXISTING LESSEES**

9.1 Grantee shall keep all gates closed and ensure its contractors do the same. Grantor reserves the right to require cattle guards if Grantor determines gates are being left open or fencing has been removed or damaged by the Grantee, its employees or contractors.

9.2 Any grazing-related improvements removed or damaged due to construction, operation and maintenance of this Right of Way shall be replaced and/or reconstructed immediately. Cost of replacement and reconstruction shall be the responsibility of the Grantee.

## **ADDITIONAL CONDITIONS**

14-112157-00-000

Page 12 of 100

9.3 Grantee shall be responsible for all costs associated with making alterations to existing third party grantee or lessee improvements and the scope and extent of the alternations shall be mutually agreed upon prior to modification. Grantee shall provide Grantor with written documentation of all mutually agreed upon modifications prior to making any alterations to such improvements.

9.4 If construction or maintenance occurs during periods of livestock grazing, Grantee will take necessary measures to insure livestock protection and containment.

9.4.1 Grantee agrees to notify Grazing Lessee(s) 30 days prior to beginning construction or maintenance, and inquire as to the presence/absence of livestock.

### **10. ADDITIONAL SPECIFIC COMPLIANCE REQUIREMENTS**

10.1 Current records show that the species listed under Threatened/Endangered Species within EXHIBIT C of these Additional Conditions have been documented as occurring in the project vicinity.

### **11. MISCELLANEOUS**

11.1 Grantee shall relocate that portion(s) of the underground water line and booster station and any associated appurtenances or portion(s) thereof constructed pursuant to this Right of Way (the "Affected Facilities"), if Grantor determines, in its reasonable discretion, that the relocation of the Affected Facilities during the Term of this Right of Way is in the best interests of the Trust and facilitates the use and/or development of the balance of the surrounding State Trust Lands.

11.1.1 Prior to relocation of the Affected Facilities, Grantor, Grantee, and any third party applicant, lessee, grantee, or permittee whose use of the surrounding State Trust Lands shall be facilitated by the relocation, shall agree to the new alignment of this Right of Way and location of the Affected Facilities. The realignment and relocation shall not, without the approval of Grantee, change the locations at which the Affected Facilities currently enter and exit State Trust lands. Realignment of the Right of Way may require an amendment to the Subject Land and may require additional rent to Grantor, but in no case a diminution in rent, if necessary to compensate for any greater value of the amended Subject Land.

11.1.2 The proposed relocation shall not cause an interruption in Grantee's conveyance of the water.

## **ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 13 of 100**

**11.1.3 The proposed relocation may only proceed if Grantee can obtain all clearances, permits, approvals, and acceptable title insurance necessary to operate and relocate the Affected Facilities within the new right of way alignment.**

**11.1.4 The third party applicant, lessee, grantee, or permittee seeking the relocation of the Affected Facilities or this Right of Way to facilitate its use and development of the surrounding State Trust Land shall reimburse Grantee, in a manner to be agreed prior to relocation, for (a) Grantee's costs to apply for, process, and obtain all clearances, permits, and approvals necessary to relocate the Affected Facilities or this Right of Way to the new right of way alignment, (b) Grantee's cost to relocate and reconstruct the Affected Facilities in the new right of way alignment, (c) Grantee's cost to remove the Affected Facilities from this Right of Way, and (d) any increase in the Base Rent charged by Grantor for any amendment to the acreage and location of the Subject Land.**

**11.2 Grantee shall not alter nor cause ponding, nor any damage up or down stream of any water crossing.**

**11.3 No altering of existing drainages or drainage structures is authorized under this instrument except as otherwise authorized by appropriate state and federal permits.**

**11.4 If any provision or agreement of this Right of Way is found invalid by any tribunal, such invalidity shall not affect the validity of the remaining provisions hereof.**

**11.5 The following provision shall be deemed added at the end of Section 6.2 of Article 6 of the Right of Way to which these Additional Conditions are attached as if set forth therein verbatim:**

**“Any violation by Grantee of any of the terms of this Right of Way constitutes a breach. Upon a breach by Grantee which is not in the process of being cured within sixty (60) days after the date a notice of breach is sent by certified mail to Grantee to the most recent address for Grantee as shown in the files of Grantor, this Right of Way shall become void and the right to use the Subject Land and all of the rights of Grantee hereunder shall revert to Grantor at the expiration of the aforesaid sixty (60) day period.”**

**11.6 Attached hereto as EXHIBIT D is an insurance rider which shall supplement the terms and provisions governing insurance as set forth in the Right of Way form to which these Additional Conditions are attached. Grantor reserves the right to amend EXHIBIT D**

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 14 of 100

as and when the Arizona Department of Administration requires revisions to the insurance requirements applicable to Arizona State Trust Land.

**12 EXHIBITS**

12.1 The following exhibits are attached to these Additional Conditions and made a part hereof:

- EXHIBIT A** Legal Description and/or Visual Depiction of Right of Way
- EXHIBIT B** Legal Description and/or Visual Depiction of Temporary Construction Easement
- EXHIBIT C** Additional Specific Compliance Requirements
- EXHIBIT D** Insurance Rider

**BY SIGNATURE BELOW, ALL TERMS ARE**

**AGREED TO AND ACCEPTED BY GRANTEE**

By: Mark Beiglan

Title: Director and Secretary

Date: Nov. 21, 2017

*[Remainder of this page left blank intentionally]*



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 15 of 100

### EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

#### EXHIBIT A

# 14-112157

(30-Foot Water Pipeline)

Page 1 of 41

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 19  
Page 1 of 2

#### LEGAL DESCRIPTION

Description of a strip of land being thirty (30) feet in width across the Northeast Quarter of Section 19, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Commencing at a point on the East line of said Section 19, from which a GLO brass cap marking the Northeast corner of said section bears North  $00^{\circ}48'31''$  West, a distance of 1323.32 feet. Said point of commencement lies on the common boundary between Arizona State Land Department and the Town of Sahuarita town limits;

Thence along said common boundary, North  $89^{\circ}42'48''$  West, a distance of 324.31 feet, to the Point of Beginning on a line lying 15 feet East of the East right-of-way of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it is currently evident, although the legality of said right-of-way through said section is in question;

Thence South  $22^{\circ}17'09''$  East, a distance of 149.27 feet to a point lying 15 West of the West right-of-way of Santa Rita Road;

Thence along a line 15 feet West of and parallel to said West right-of-way, South  $59^{\circ}52'13''$  East, a distance of 314.32 feet to a point on the East line of said section, from which a GLO brass cap marking the East Quarter corner bears South  $00^{\circ}48'31''$  East, a distance of 1029.02 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 0.32 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 16 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 2 of 41



Arizona State  
Land Department

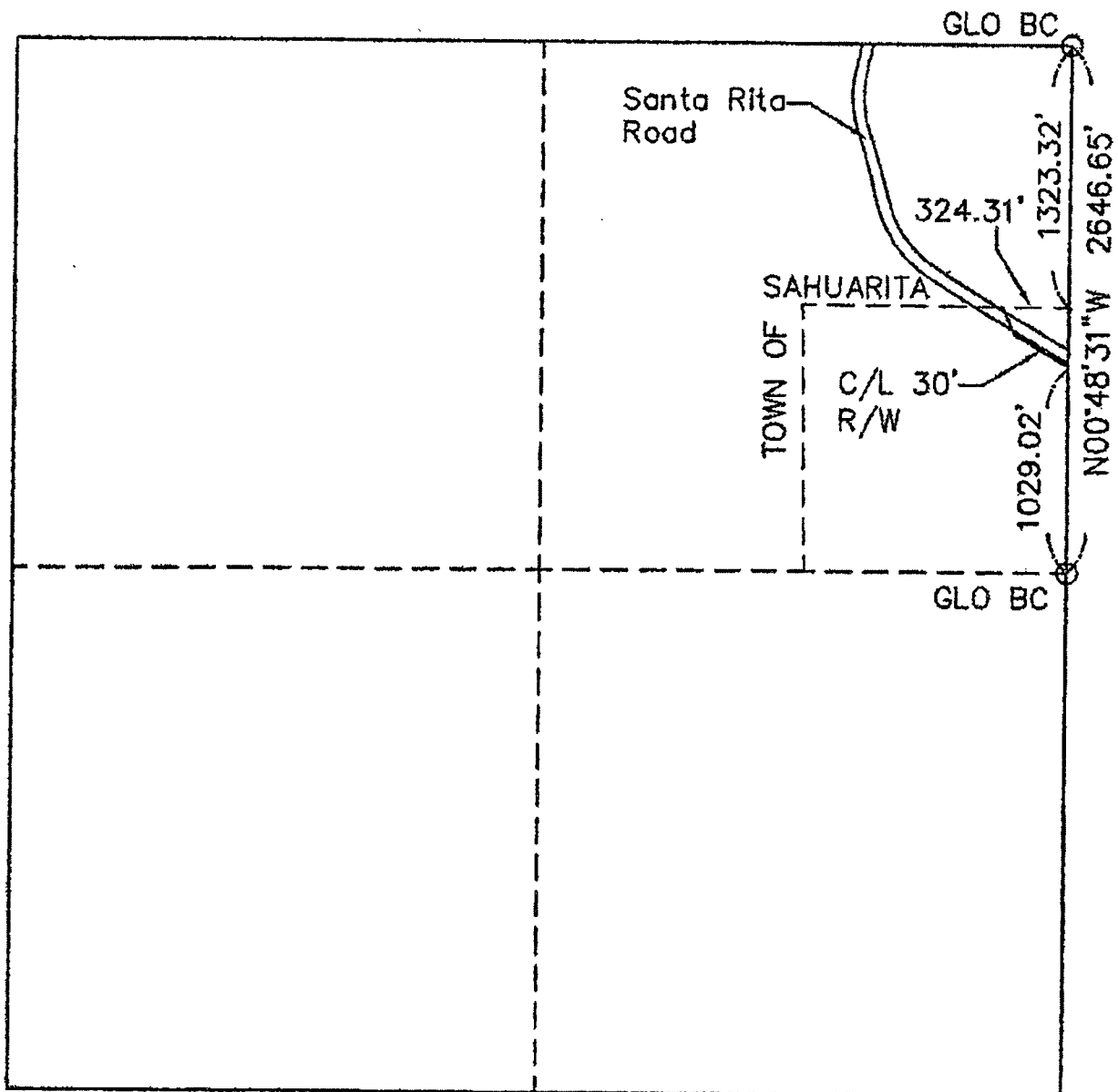
Township 17S

Range 14E

Section 19

Page 2 of 2

Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 17 of 100

### EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

#### EXHIBIT A

# 14-112157

(30-Foot Water Pipeline)

Page 3 of 41

Arizona State  
Land Department

Township 17S

Range 14E

Section 20

Page 1 of 3

### LEGAL DESCRIPTION

Description of a strip of land being thirty (30) feet in width across the West Half and the Southeast Quarter of Section 20, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 20, from which a GLO brass cap marking the Northwest corner of said section bears North 00°48'31" West, a distance of 1617.63 feet;

Thence along said centerline, on a line 15.00 feet Southwest of and parallel with the Southwest right-of-way line of Santa Rita Road, South 59°52'13" East, a distance of 342.43 feet;

Thence, along a tangent curve to the right with a radius of 1155.00 feet, a central angle of 14°49'40" (the chord of which bears South 52°27'23" East, a distance of 298.08 feet) for an arc length of 298.91 feet;

Thence South 45°02'33" East, a distance of 1074.33 feet to a point lying 97.00 feet South of the East-West Mid-section line of said Section, being also 67.00 feet South of the South right-of-way line of Dawson Road, hereinafter known as Point "A";

Thence continuing South 45°02'33" East, a distance of 3582.39 feet to a point on the South line of said section, from which a GLO brass cap marking the South Quarter corner bears South 89°31'45" West, a distance of 1124.04 feet, said point being the point of termination of the herein described centerline.

Together with:

Beginning at said Point "A";

Thence along a line 67.00 South of and parallel with the South right-of-way of said Dawson Road, North 89°24'14" East, a distance of 1373.56 feet;

Thence North 89°24'11" East, a distance of 2472.15 feet to a point hereinafter known as Point "B";

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 18 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A**

**# 14-112157**

**(30-Foot Water Pipeline)**

**Page 4 of 41**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 20  
Page 2 of 3

**LEGAL DESCRIPTION (continued)**

Thence North 89°24'11" East, a distance of 177.99 feet to a point on the East line of said Section, from which a ½-inch rebar marking the East Quarter corner bears North 00°51'01" West, a distance of 97.00 feet, said point being the point of termination of the herein described centerline.

Together with:

Beginning at said Point "B";

Thence, South 00°51'01" East, a distance of 2560.50 feet to a point on the South line of said Section, from which a GLO brass cap marking the South Quarter corner bears South 89°31'45" West, a distance of 2472.59 feet, said point being the point of termination of the herein described centerline;

Said strip of land contains 8.18 acres of land, more or less.

# ADDITIONAL CONDITIONS

14-112157-00-000

Page 19 of 100

## EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 5 of 41



Arizona State  
Land Department

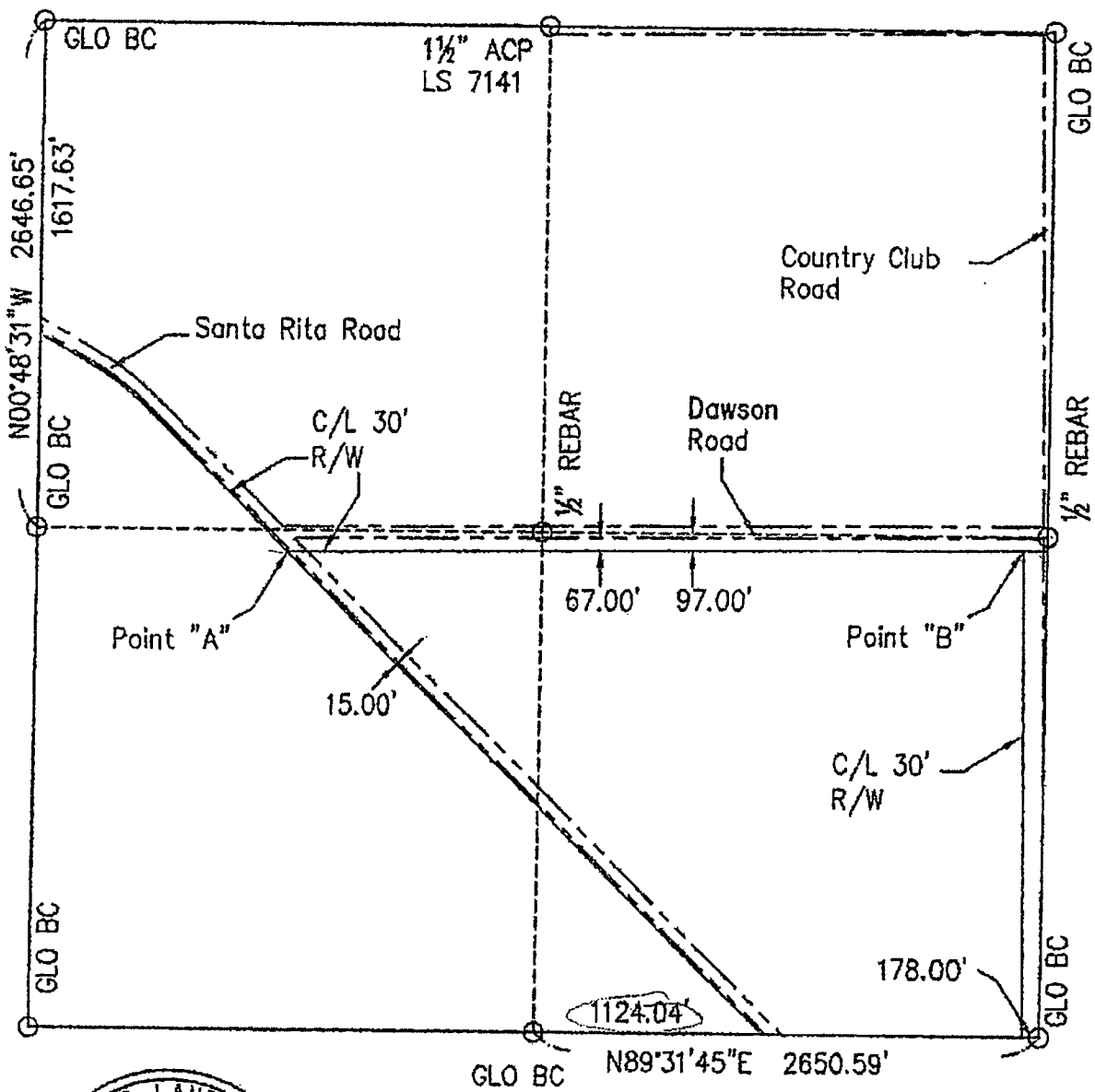
Township 17S

Range 14E

Section 20

Page 3 of 3

Section Map



**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 20 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A  
# 14-112157  
(30-Foot Water Pipeline)  
Page 6 of 41**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 21  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being thirty (30) feet in width across the South Half of Section 21, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 21, from which a GLO brass cap marking the West Quarter corner of said section bears North 00°51'01" West, a distance of 97.00 feet;

Thence along said centerline, on a line 67.00 feet South of and parallel with the South right-of-way line of Dawson Road, North 89°42'36" East, a distance of 2647.97 feet;

Thence North 89°42'54" East, a distance of 1811.82 feet;

Thence North 00°49'42" West, a distance of 97.00 feet to a point on the East-West center line of said Section, from which a 2" brass cap survey monument marking the East Quarter corner bears North 89°42'54" East, a distance of 837.00 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 3.14 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 21 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 7 of 41



Arizona State  
Land Department

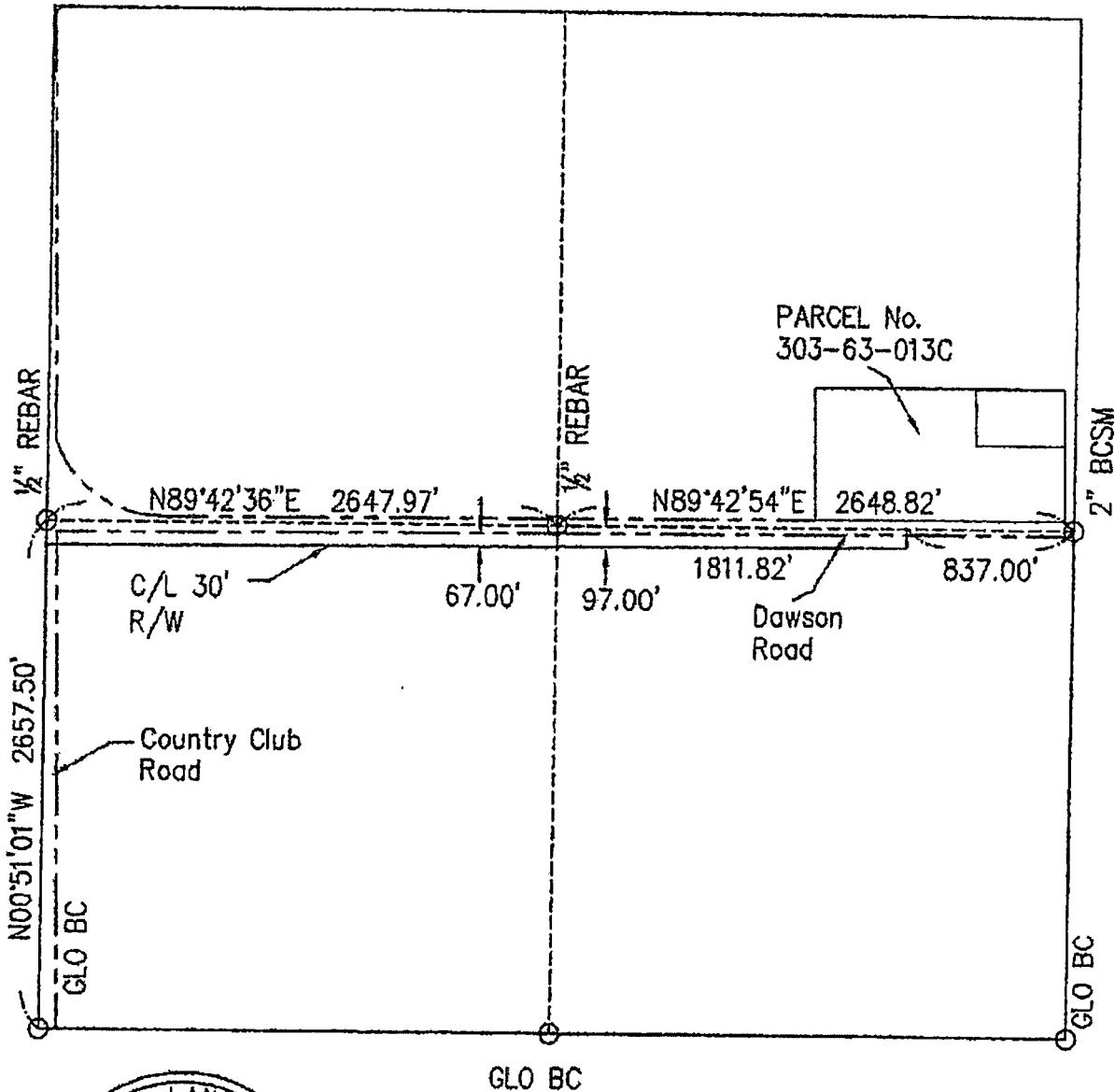
Township 17S

Range 14E

Section 21

Page 2 of 2

Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 22 of 100

### EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

**EXHIBIT A**  
**# 14-112157**  
**(30-Foot Water Pipeline)**  
**Page 8 of 41**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 29  
Page 1 of 3

### LEGAL DESCRIPTION

Description of a strip of land being thirty (30) feet in width across the Northeast Quarter and the South Half of Section 29, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said Section 29, from which a GLO brass cap marking the North Quarter corner of said section bears South 89°31'45" West, a distance of 1124.04 feet;

Thence along said centerline, on a line 15.00 feet Southwest of and parallel with the Southwest right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it is currently evident, although the legality of said right-of-way through said section is in question, South 45°02'33" East, a distance of 1927.99 feet to a point hereinafter known as Point "A";

Thence along a line 178.00 feet West of and parallel with the East line of said Section, South 00°39'33" East, a distance of 1266.03 feet;

Thence South 00°39'57" East, a distance of 2590.28 feet to a point hereinafter known as "Point B";

Thence South 45°21'01" East, a distance of 120.52 feet to a point on the South line of said section, from which a GLO brass cap marking the Southeast corner bears North 89°47'57" East, a distance of 93.25 feet, said point being the point of termination of the herein described centerline.

Together with:

Beginning at a point on the North line of said Section 29, from which a GLO brass cap marking the North Quarter corner of said section bears South 89°31'45" West, a distance of 2472.59 feet;

Thence along said centerline, on a line 178.00 feet West of and parallel with the East line of said Section, South 00°39'33" East, a distance of 1373.45 feet to said Point "A", being the point of termination of the herein described centerline.



**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 23 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A  
# 14-112157  
(30-Foot Water Pipeline)  
Page 9 of 41**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 29  
Page 2 of 3

**LEGAL DESCRIPTION (continued)**

Together with:

Beginning at a point on the West line of said Section 29, from which a GLO brass cap marking the Southwest corner of said section bears South 0°46'04" East, a distance of 45.00 feet;

Thence along said centerline, on a line 45.00 feet North of and parallel with the South line of said Section, North 89°48'18" East, a distance of 2646.33 feet;

Thence North 89°47'57" East, a distance of 661.57 feet to a point on the West line of Pima County Parcel No. 303-54-005B, said point being a point of termination of the herein described centerline. Said point of termination bears South 0°41'49" East, a distance of 45.00 feet to a point on the South line of said Section from which the South Quarter corner bears South 89°47'57" West, a distance of 661.63 feet;

Together with:

Commencing at a point on the South line of said Section 29, from which a GLO brass cap marking the South Quarter corner of said section bears South 89°47'57" West, a distance of 1323.25 feet;

Thence North 0°41'11" West, a distance of 85.00 feet to a point on the East line of Pima County Parcel No. 303-54-005B, said point being the point of beginning of said described centerline;

Thence along said centerline, on a line 85.00 feet North of and parallel with the South line of said Section North 89°47'57" East, a distance of 1145.28 feet to said Point "B", being the point of termination of the herein described centerline.

Said strip of land contains 8.08 acres of land, more or less.

ADDITIONAL CONDITIONS

14-112157-00-000

Page 24 of 100

EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 10 of 41



Arizona State  
Land Department

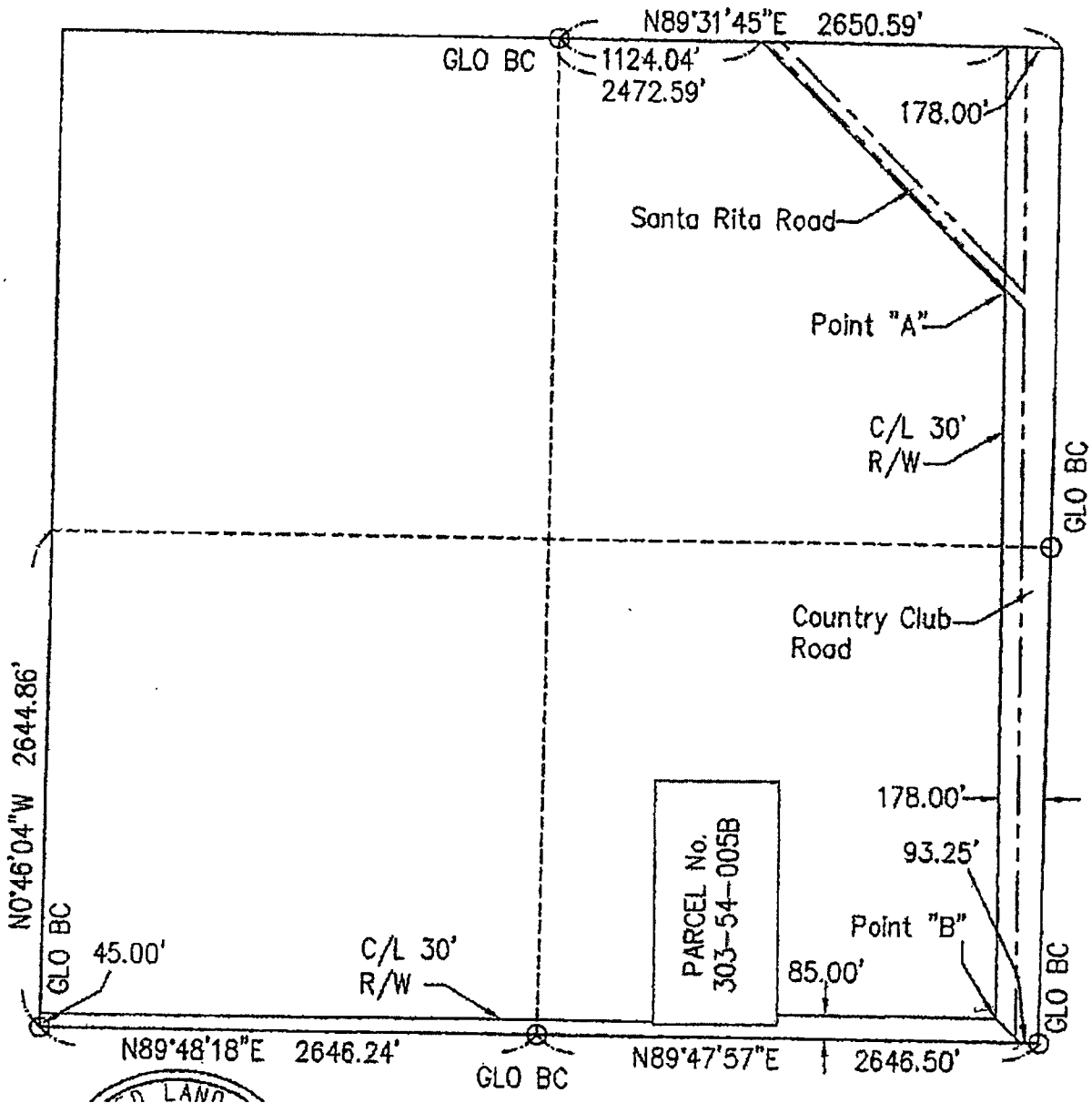
Township 17S

Range 14E

Section 29

Page 3 of 3

Section Map



**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 25 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A  
# 14-112157  
(30-Foot Water Pipeline)  
Page 11 of 41**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 30  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being thirty (30) feet in width across the Southeast Quarter of Section 30, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the South line of said Southeast Quarter, from which an aluminum cap stamped "LS 7141" marking the South Quarter corner of said section bears South 89°58'39" West, a distance of 166.90 feet;

Thence along said centerline, North 45°58'04" East, a distance of 64.76 feet;

Thence along a line 45.00 feet North of and parallel with the South line of said Southeast Quarter, North 89°58'39" East, a distance of 2432.05 feet to a point on the East line of said section, from which a GLO stone marking the Southeast corner bears South 00°46'04" East, a distance of 45.00 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 1.72 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 26 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 12 of 41



Arizona State  
Land Department

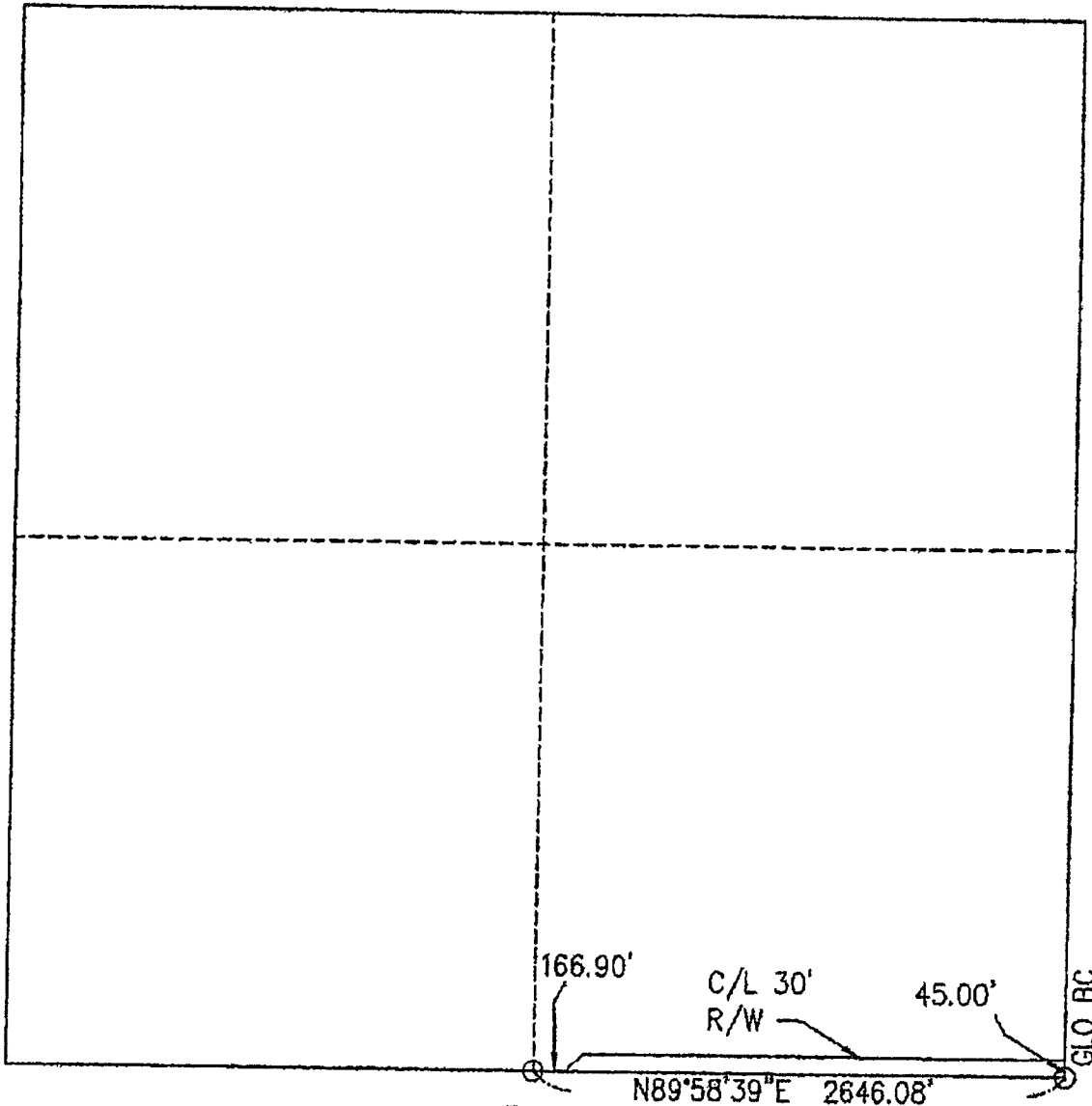
Township 17S

Range 14E

Section 30

Page 2 of 2

Section Map



1.5" ACP  
LS 7141

**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 27 of 100**

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A  
# 18-115542  
(30-Foot Water Pipeline)  
Page 13 of 41**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 31  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being thirty (30) feet in width across the Northeast Quarter of Section 31, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Northeast Quarter, from which an aluminum cap stamped "LS 7141" marking the North Quarter corner of said section bears North 00°39'57" West, a distance of 100.00 feet;

Thence along a line 70.00 feet South of and parallel with the North line of said Northeast Quarter, North 89°58'39" East, a distance of 62.26 feet;

Thence North 45°58'04" East, a distance of 143.92 feet to a point on the North line of said Northeast Quarter, from which an aluminum cap stamped "LS 7141" marking the North Quarter corner of said section bears South 89°58'39" West, a distance of 166.90 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 0.14 acres of land, more or less.

ADDITIONAL CONDITIONS

14-112157-00-000

Page 28 of 100

EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 14 of 41



Arizona State  
Land Department

Township 17S

Range 14E

Section 31

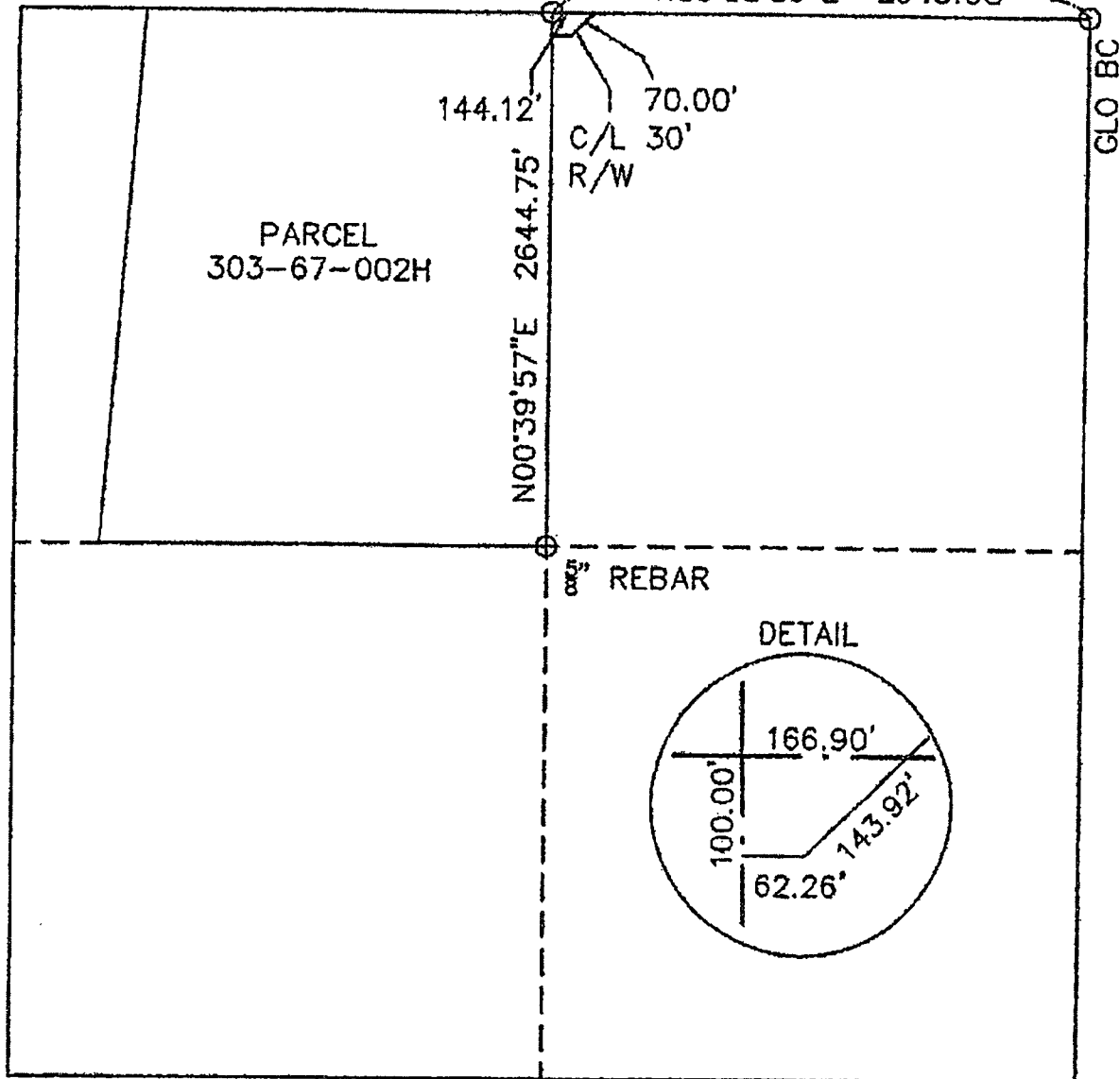
Page 2 of 2

Section Map

1.5" ACP

LS 7141

N89°58'39"E 2646.08'



**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 29 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A**

**# 14-112157**

**(30-Foot Water Pipeline)**

**Page 15 of 41**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 32  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being thirty (30) feet in width across the Northeast Quarter of Section 32, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said Section 32, from which a GLO brass cap marking the Northeast corner of said section bears North 89°47'57" East, a distance of 93.26 feet;

Thence along said centerline, South 45°21'01" East, a distance of 63.81 feet;

Thence on a line 45.00 feet South of, and parallel with, the North line of said Section, North 89°47'57" East, a distance of 48.04 feet to a point on the East line of said section, from which a GLO brass cap marking the Northeast corner bears North 0°14'03" West, a distance of 45.00 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 0.08 acres of land, more or less.

ADDITIONAL CONDITIONS

14-112157-00-000

Page 30 of 100

EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 16 of 41



Arizona State  
Land Department

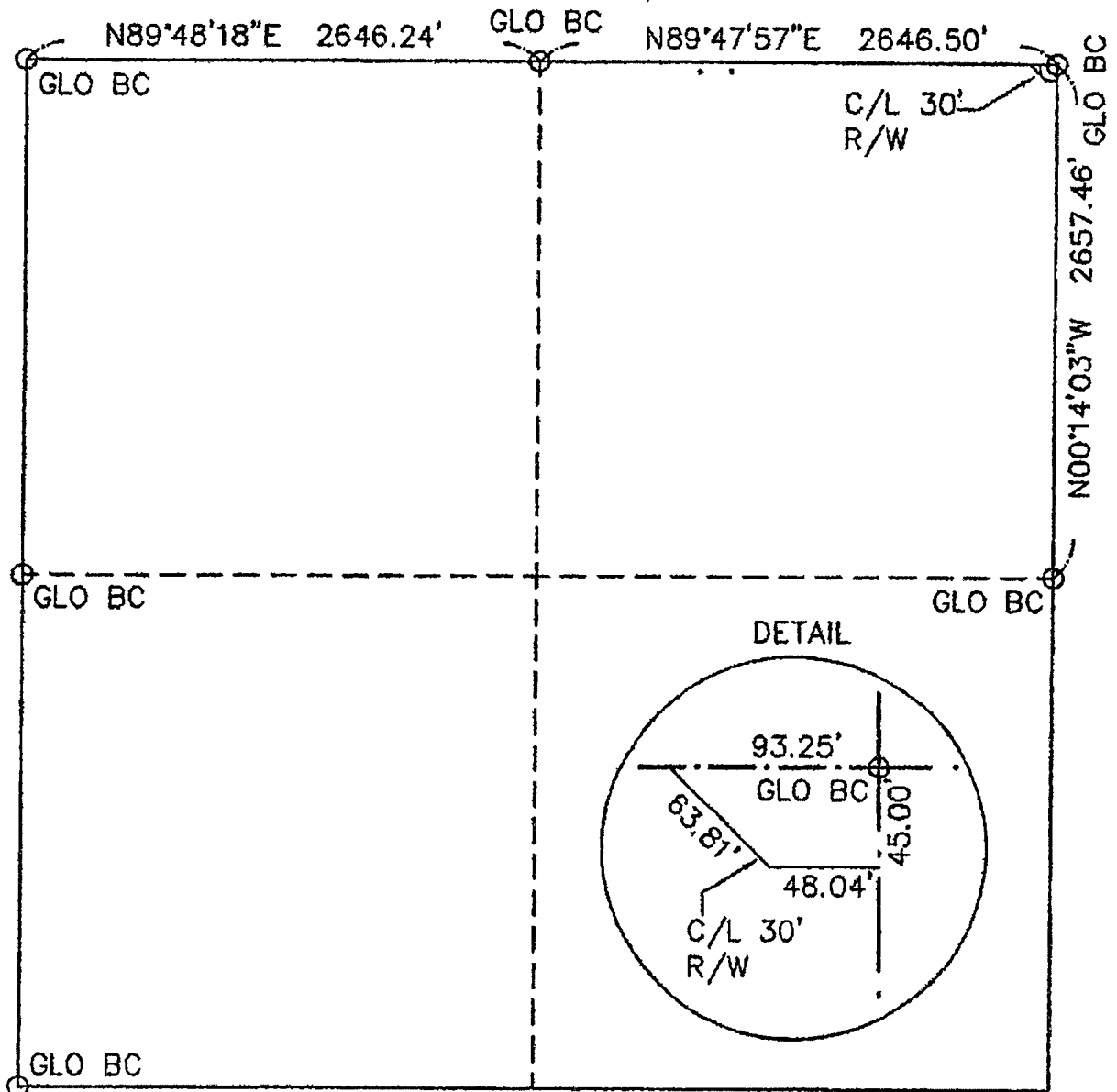
Township 17S

Range 14E

Section 32

Page 2 of 2

Section Map





## ADDITIONAL CONDITIONS

14-112157-00-000

Page 31 of 100

### EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

EXHIBIT A

# 14-112157

(30-Foot Water Pipeline)

Page 17 of 41

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 33  
Page 1 of 2

### LEGAL DESCRIPTION

Description of a strip of land being thirty (30) feet in width across the North Half of Section 33, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 33, from which a GLO brass cap marking the Northwest corner of said section bears North  $0^{\circ}14'03''$  West, a distance of 45.00 feet;

Thence along said centerline, on a line 45.00 feet South of, and parallel with, the North line of said Section, North  $89^{\circ}49'43''$  East, a distance of 2646.52 feet;

Thence North  $89^{\circ}44'36''$  East, a distance of 2646.82 feet to a point on the East line of said section, from which a GLO brass cap marking the Northeast corner bears North  $0^{\circ}06'55''$  West, a distance of 45.00 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 3.65 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 32 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 18 of 41



Arizona State  
Land Department

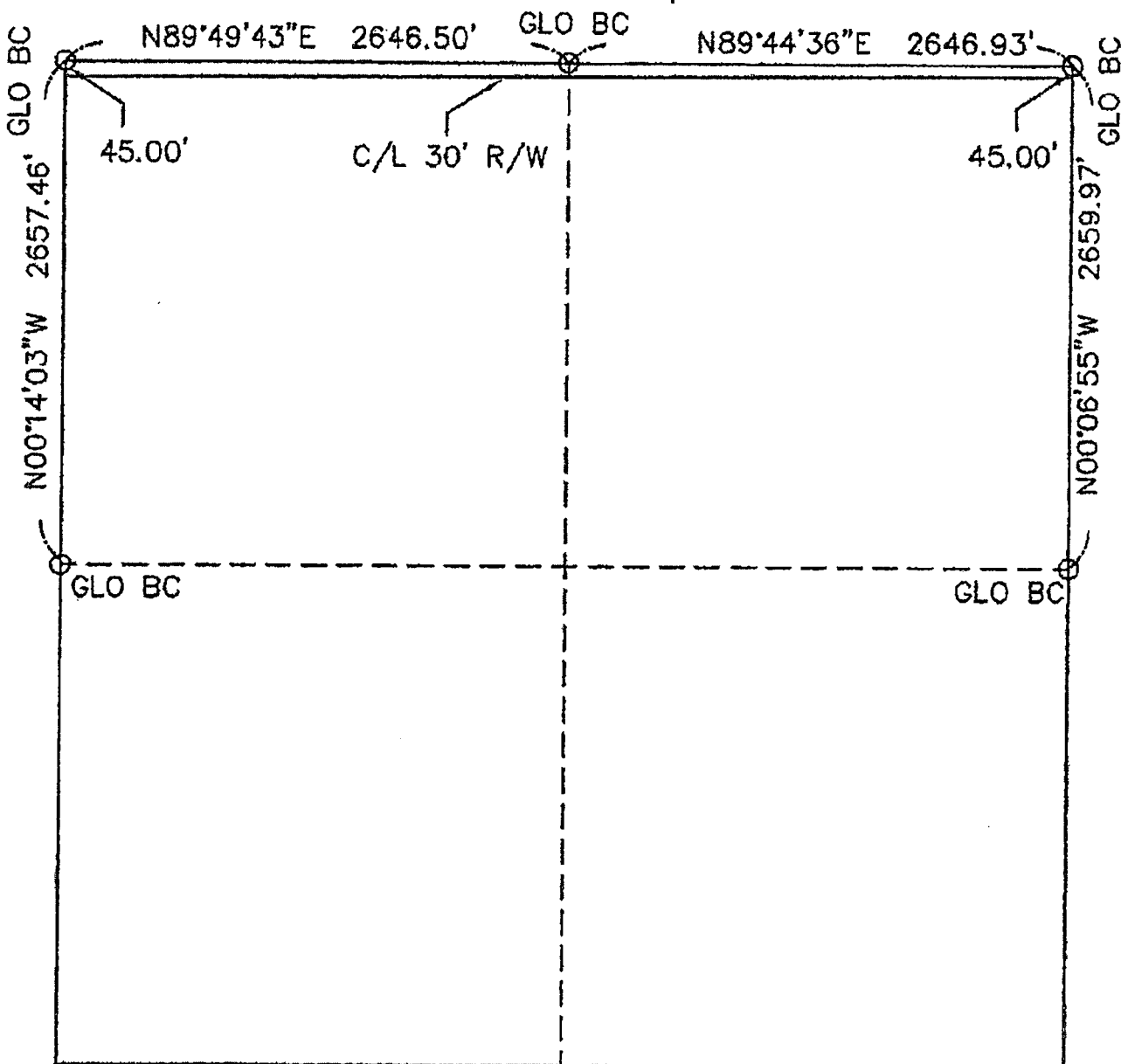
Township 17S

Range 14E

Section 33

Page 2 of 2

Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 33 of 100

### EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

#### EXHIBIT A

# 14-112157

(30-Foot Water Pipeline)

Page 19 of 41

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 34  
Page 1 of 2

#### LEGAL DESCRIPTION

Description of a strip of land being thirty (30) feet in width across the North Half and Southeast Quarter of Section 34, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 34, from which a GLO brass cap marking the Northwest corner of said section bears North  $0^{\circ}06'55''$  West, a distance of 45.00 feet;

Thence along said centerline, on a line 45.00 feet South of, and parallel with, the North line of said Section, North  $89^{\circ}38'16''$  East, a distance of 558.68 feet;

Thence along a line lying 15 feet North of, and parallel with, the North right-of-way line of Santa Rita Road (said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists), South  $54^{\circ}05'36''$  East, a distance of 2070.67 feet;

Thence, along a tangent curve to the left with a radius of 872.00 feet, a central angle of  $30^{\circ}55'07''$  (the chord of which bears South  $69^{\circ}33'10''$  East, a distance of 464.87 feet) for an arc length of 470.56 feet;

Thence, along a reverse curve to the right with a radius of 1548.00 feet, a central angle of  $13^{\circ}06'12''$  (the chord of which bears South  $78^{\circ}27'37''$  East, a distance of 353.25 feet) for an arc length of 354.02 feet;

Thence South  $71^{\circ}54'31''$  East, a distance of 1514.58 feet;

Thence, along a tangent curve to the right with a radius of 1348.00 feet, a central angle of  $28^{\circ}47'26''$  (the chord of which bears South  $57^{\circ}30'48''$  East, a distance of 670.25 feet) for an arc length of 677.35 feet;

Thence South  $43^{\circ}07'05''$  East, a distance of 501.16 feet to a point on the East line of said section, from which a GLO brass cap marking the Northeast corner bears North  $00^{\circ}17'16''$  West, a distance of 2672.35 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 4.23 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 34 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 20 of 41



Arizona State  
Land Department

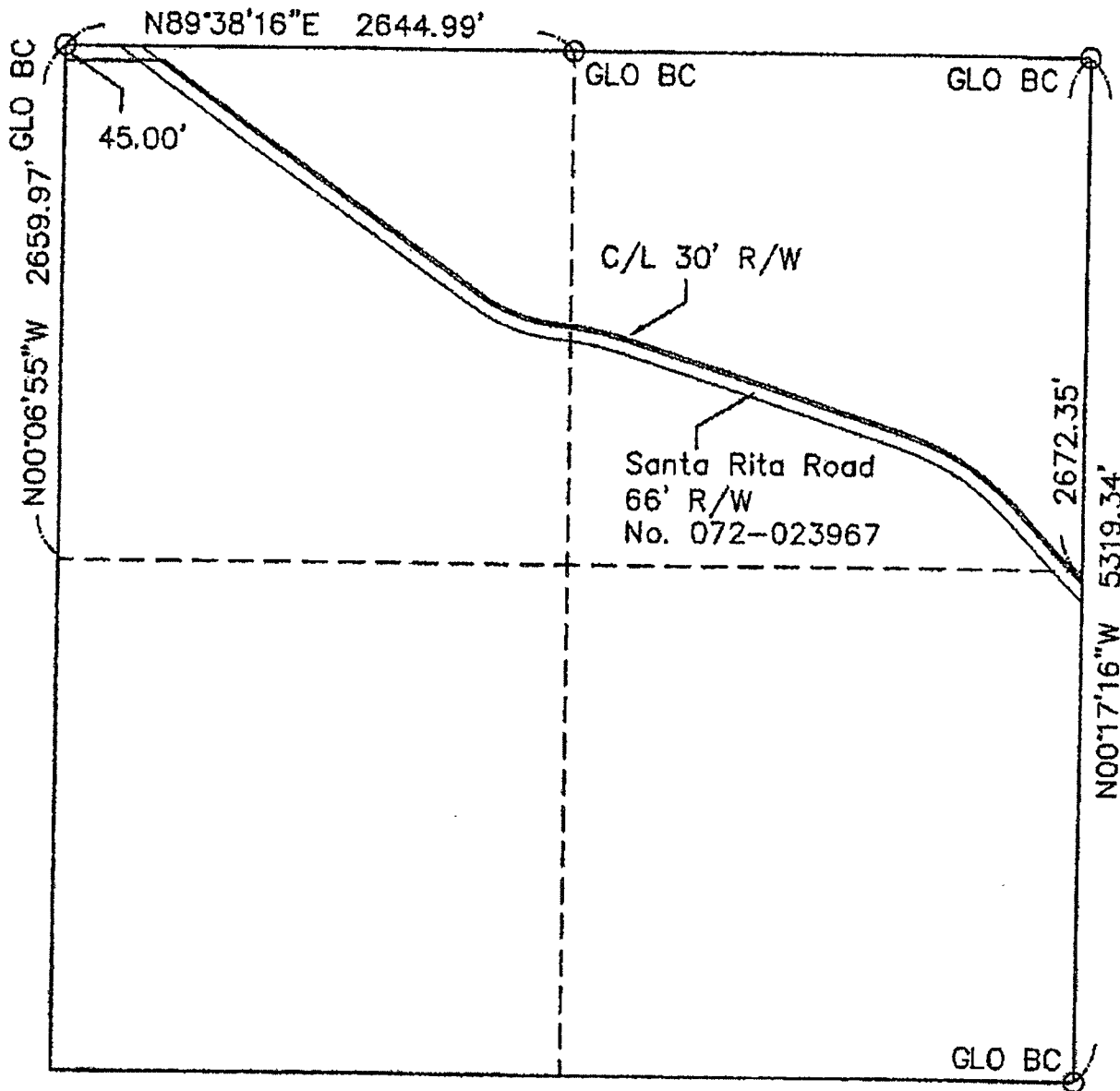
Township 17S

Range 14E

Section 34

Page 2 of 2

Section Map



**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 35 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A**

**# 14-112157**

**(30-Foot Water Pipeline)**

**Page 21 of 41**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 35  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being thirty (30) feet in width across the South Half of Section 35, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 15 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 35, from which a GLO brass cap marking the Northwest corner of said section bears North 00°17'16" West, a distance of 2672.35 feet;

Thence along said centerline, South 43°07'05" East, a distance of 79.52 feet;

Thence, along a tangent curve to the left with a radius of 3652.00 feet, a central angle of 07°22'22" (the chord of which bears South 46°48'16" East, a distance of 469.61 feet) for an arc length of 469.93 feet;

Thence South 50°29'27" East, a distance of 1123.64 feet;

Thence South 54°56'57" East, a distance of 1817.78 feet;

Thence South 56°00'18" East, a distance of 820.05 feet to a point on the South line of said section, from which a GLO brass cap marking the Southeast corner bears North 89°10'48" East, a distance of 1900.20 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 2.97 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 36 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 22 of 41



Arizona State  
Land Department

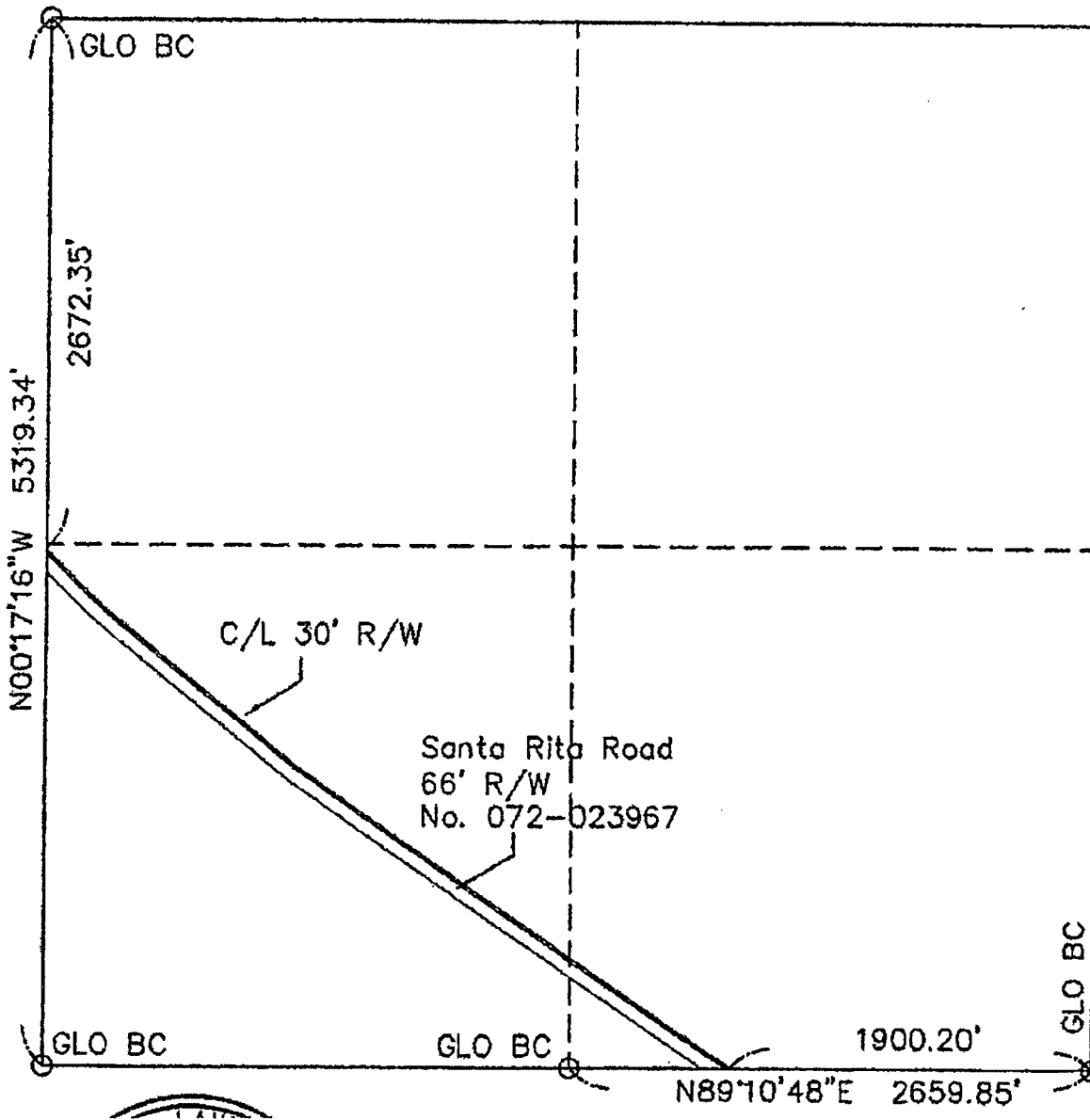
Township 17S

Range 14E

Section 35

Page 2 of 2

Section Map



**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 37 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A**

**# 14-112157**

**(30-Foot Water Pipeline)**

**Page 23 of 41**

Arizona State  
Land Department  
Township 18S  
Range 14E  
Section 2  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being thirty (30) feet in width across Lots 1, 2 and the South Half of the Northeast Quarter of Section 2, Township 18 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 15 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said Section 2, from which a GLO brass cap marking the Northeast corner of said section bears North  $89^{\circ}10'48''$  East, a distance of 1900.20 feet;

Thence along said centerline, South  $56^{\circ}00'18''$  East, a distance of 908.25 feet;

Thence, along a tangent curve to the right with a radius of 748.00 feet, a central angle of  $29^{\circ}04'45''$  (the chord of which bears South  $41^{\circ}27'56''$  East, a distance of 375.57 feet) for an arc length of 379.63 feet;

Thence, along a reverse curve to the left with a radius of 1052.00 feet, a central angle of  $23^{\circ}46'27''$  (the chord of which bears South  $38^{\circ}48'47''$  East, a distance of 433.39 feet) for an arc length of 436.52 feet;

Thence South  $50^{\circ}42'01''$  East, a distance of 827.21 feet to a point on the East line of said section, from which a GLO brass cap marking the Northeast corner bears North  $00^{\circ}27'36''$  West, a distance of 1678.13 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 1.76 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 38 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

~~EXHIBIT A~~

# 14-112157

(30-foot Water Pipeline)

Page 24 of 41



Arizona State  
Land Department

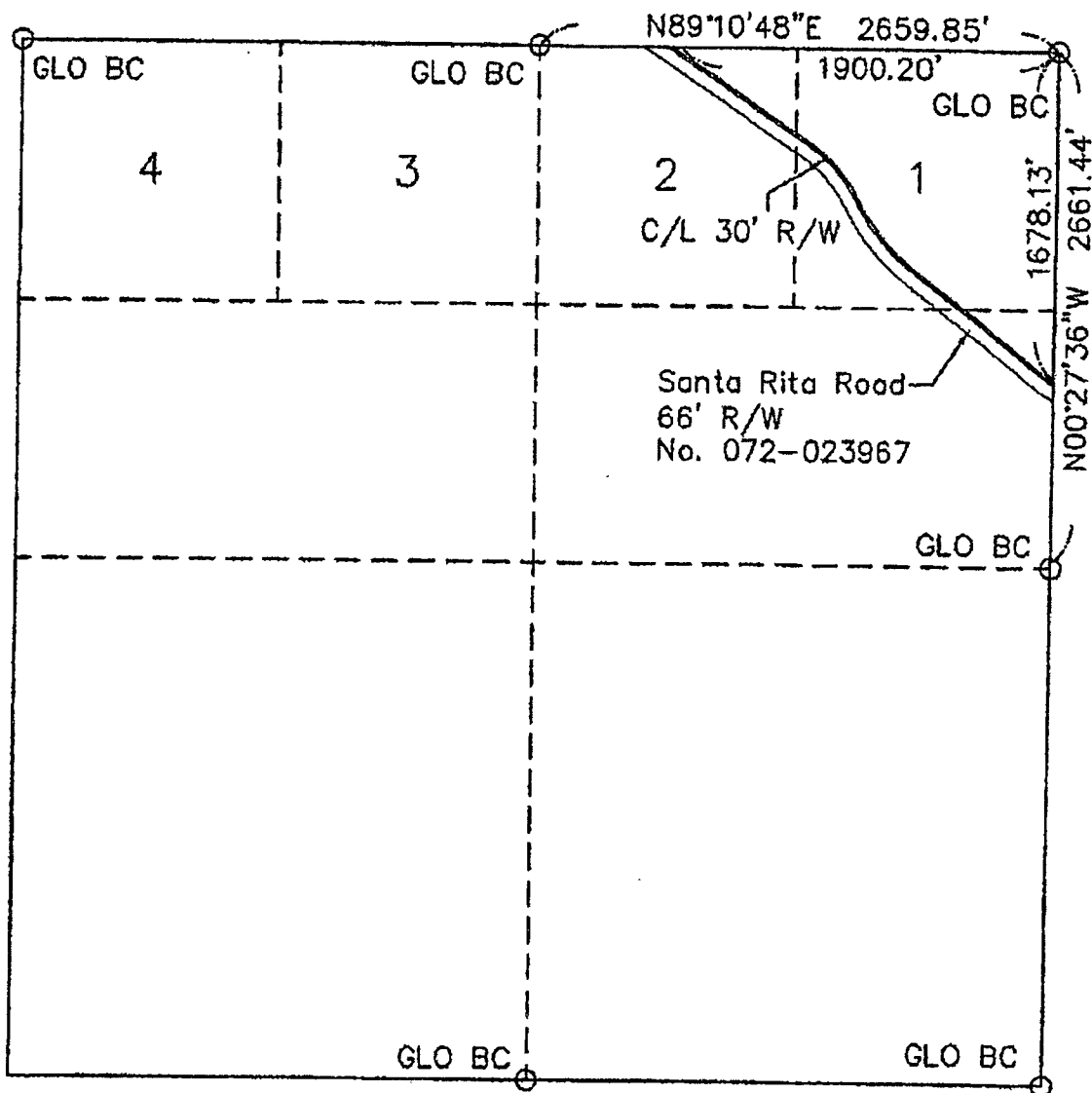
Township 18S

Range 14E

Section 2

Page 2 of 2

Section Map





## ADDITIONAL CONDITIONS

14-112157-00-000

Page 39 of 100

### EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

EXHIBIT A

# 14-112157

(30-Foot Water Pipeline)

Page 25 of 41

Arizona State  
Land Department

Township 18S

Range 14E

Section 1

Page 1 of 2

### LEGAL DESCRIPTION

Description of a strip of land being thirty (30) feet in width across the West Half of Section 1, Township 18 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 15 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 1, from which a GLO brass cap marking the Northwest corner of said section bears North 00°27'36" West, a distance of 1678.13 feet;

Thence along said centerline, South 50°42'01" East, a distance of 56.92 feet;

Thence South 55°02'50" East, a distance of 1350.43 feet;

Thence, along a tangent curve to the right with a radius of 1348.00 feet, a central angle of 20°56'00" (the chord of which bears South 44°34'50" East, a distance of 489.76 feet) for an arc length of 492.50 feet;

Thence South 34°06'50" East, a distance of 562.98 feet;

Thence, along a tangent curve to the right with a radius of 4448.00 feet, a central angle of 07°34'03" (the chord of which bears South 30°19'49" East, a distance of 587.07 feet) for an arc length of 587.49 feet;

Thence South 26°32'47" East, a distance of 466.32 feet;

Thence, along a tangent curve to the right with a radius of 2648.00 feet, a central angle of 20°01'21" (the chord of which bears South 16°32'06" East, a distance of 920.67 feet) for an arc length of 925.37 feet;

Thence, along a reverse curve to the left with a radius of 547.00 feet, a central angle of 10°49'20" (the chord of which bears South 11°56'05" East, a distance of 103.16 feet) for an arc length of 103.32 feet to a point on the South line of said section, from which a GLO brass cap marking the South Quarter corner bears North 86°39'37" East, a distance of 89.91 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 3.13 acres of land, more or less.

ADDITIONAL CONDITIONS

14-112157-00-000

Page 40 of 100

EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 26 of 41



Arizona State  
Land Department

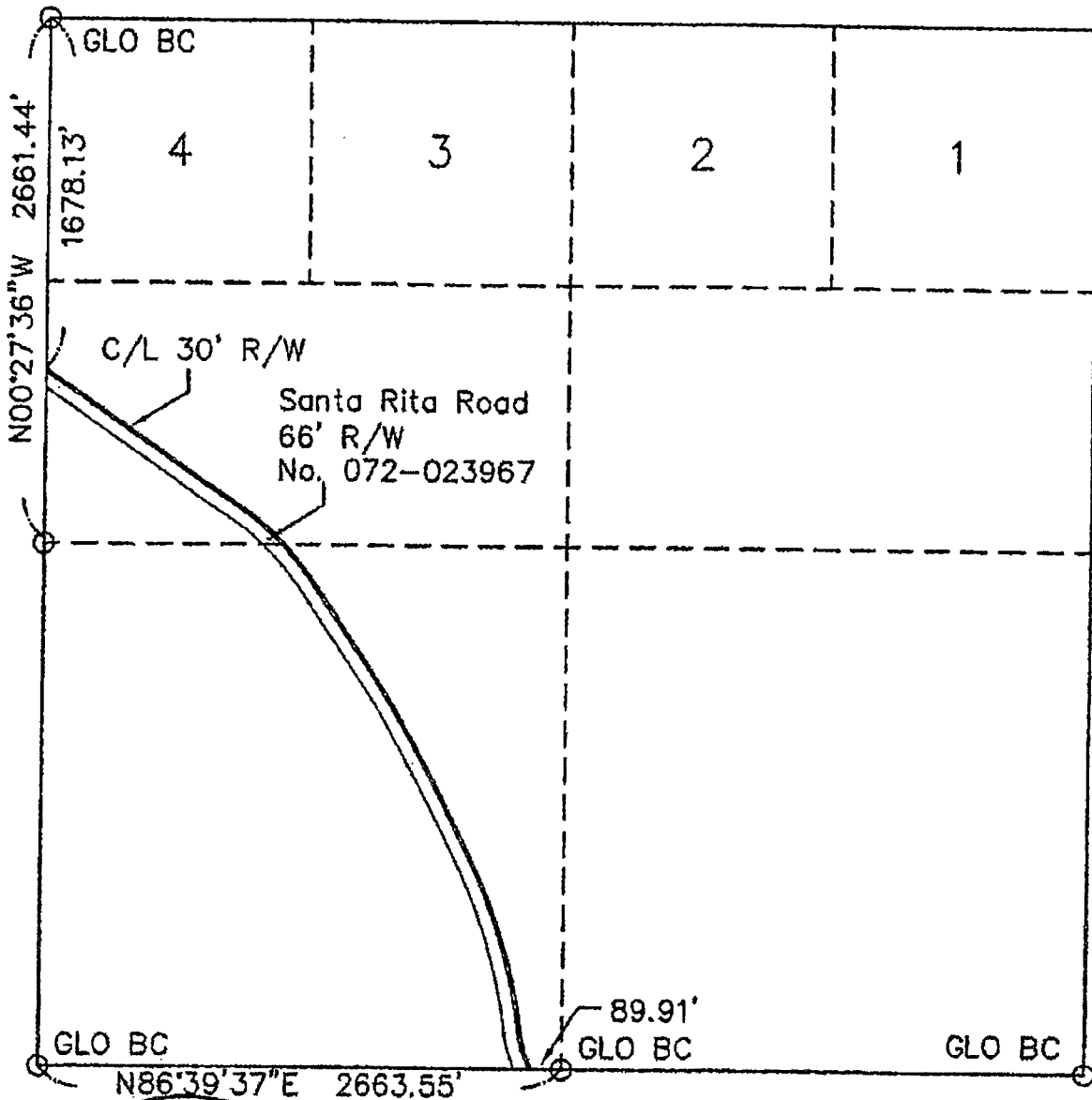
Township 18S

Range 14E

Section 1

Page 2 of 2

Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 41 of 100

### EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

EXHIBIT A  
# 14-112157  
(30-Foot Water Pipeline)  
Page 27 of 41

Arizona State  
Land Department  
Township 18S  
Range 14E  
Section 12  
Page 1 of 2

### LEGAL DESCRIPTION

Description of a strip of land being thirty (30) feet in width across the North Half of Section 12, Township 18 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 15 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said Section 12, from which a GLO brass cap marking the North Quarter corner of said section bears North 86°39'37" East, a distance of 89.91 feet;

Thence along said centerline, along a non-tangent curve to the left having a radius of 547.00 feet, a central angle of 43°36'01" (the chord of which bears South 39°08'46" East a distance of 406.28 feet) with a radial line in of North 72°39'15" East and a radial line out of South 29°03'14" West for an arc length of 416.25 feet;

Thence South 60°56'46" East, a distance of 741.56 feet;

Thence, along a tangent curve to the right with a radius of 8348.00 feet, a central angle of 10°41'01" (the chord of which bears South 55°36'16" East, a distance of 1554.33 feet) for an arc length of 1556.58 feet;

Thence South 50°15'46" East, a distance of 751.00 feet to a point on the East line of said section, from which a GLO brass cap marking the Northeast corner bears North 00°26'32" West, a distance of 2163.58 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 2.39 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 42 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 28 of 41



Arizona State  
Land Department

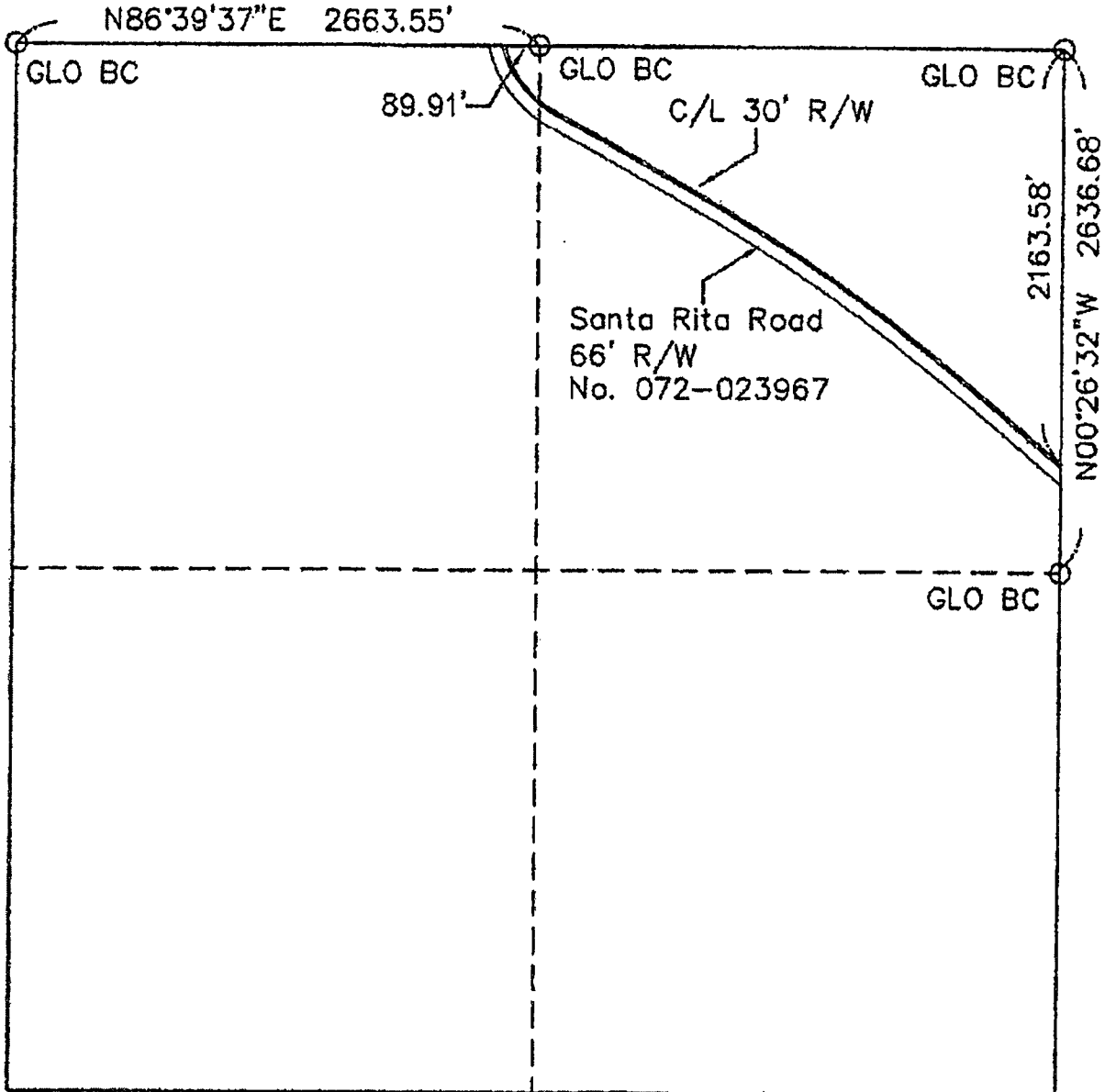
Township 18S

Range 14E

Section 12

Page 2 of 2

Section Map



**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 43 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A**

**# 14-112157**

**(30-Foot Water Pipeline)**

**Page 29 of 41**

Arizona State  
Land Department

Township 18S

Range 15E

Section 7

Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being thirty (30) feet in width across Lot 4 and the East Half of the Southwest Quarter of Section 7, Township 18 South, Range 15 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 15 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 7, from which a GLO brass cap marking the Southwest corner of said section bears South 00°26'32" East, a distance of 1077.53 feet;

Thence along said centerline, South 50°15'46" East, a distance of 352.82 feet;

Thence, along a tangent curve to the left with a radius of 4427.00 feet, a central angle of 17°41'44" (the chord of which bears South 59°06'37" East, a distance of 1361.82 feet) for an arc length of 1367.25 feet;

Thence South 67°57'29" East, a distance of 349.28 feet to a point on the South line of said section, from which a GLO stone marking the Southeast corner bears North 89°17'27" East, a distance of 3757.50 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 1.43 acres of land, more or less.

ADDITIONAL CONDITIONS

14-112157-00-000

Page 44 of 100

EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 30 of 41



Arizona State  
Land Department

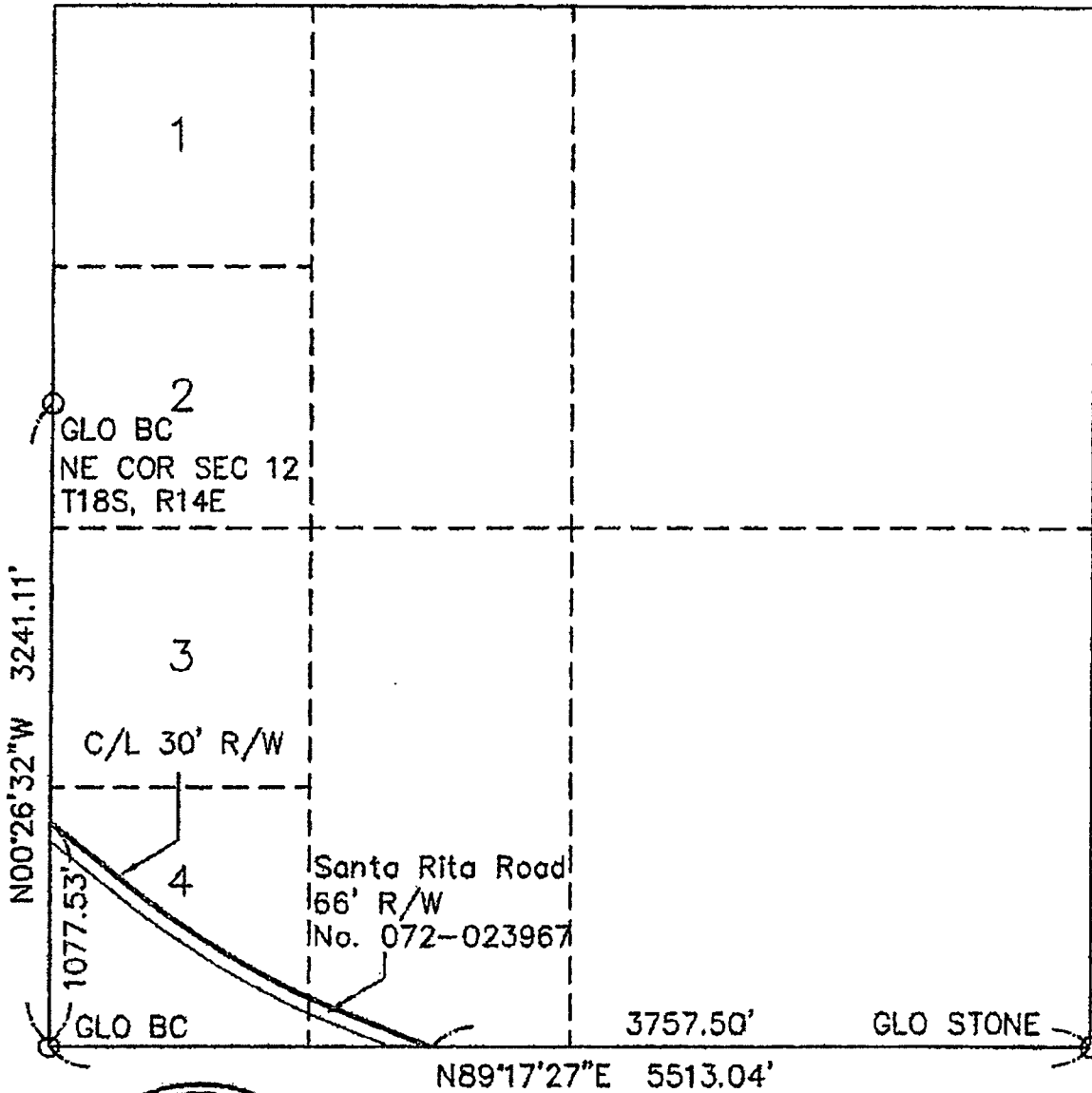
Township 18S

Range 15E

Section 7

Page 2 of 2

Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 45 of 100

### EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

EXHIBIT A

# 14-112157

(30-Foot Water Pipeline)

Page 31 of 41

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 18  
Page 1 of 3

### LEGAL DESCRIPTION

Description of a strip of land being thirty (30) feet in width across the North Half and the Southeast Quarter of Section 18, Township 18 South, Range 15 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 15 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said Section 18, from which a GLO stone marking the Northeast corner of said section bears North  $89^{\circ}17'27''$  East, a distance of 3757.50 feet;

Thence along said centerline, South  $67^{\circ}57'29''$  East, a distance of 1025.08 feet;

Thence along a tangent curve to the right with a radius of 698.00 feet, a central angle of  $19^{\circ}41'16''$  (the chord of which bears South  $58^{\circ}06'51''$  East, a distance of 238.67 feet) for an arc length of 239.85 feet to a point hereinafter known as Point "A";

Thence South  $48^{\circ}16'13''$  East, a distance of 3074.00 feet;

Thence along a tangent curve to the right with a radius of 2948.00 feet, a central angle of  $09^{\circ}53'29''$  (the chord of which bears South  $43^{\circ}19'28''$  East, a distance of 508.30 feet) for an arc length of 508.93 feet to a point on the East line of said section, from which a GLO stone marking the East Quarter corner bears North  $0^{\circ}41'23''$  West, a distance of 326.03 feet, said point being the point of termination of the herein described centerline.

Together with:

Beginning at said Point "A";

Thence along a non-tangent curve to the left with a radius of 698.00 feet, a central angle of  $2^{\circ}50'11''$  (the chord of which bears North  $49^{\circ}41'19''$  West, a distance of 34.55 feet) with a radial line in bearing South  $41^{\circ}43'47''$  West and radial line out bearing North  $38^{\circ}53'36''$  East for an arc length of 34.56 feet;

Thence South  $89^{\circ}47'06''$  East, a distance of 48.06 feet;

Thence South  $48^{\circ}16'13''$  East, a distance of 185.92 feet;

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 46 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A**

**# 14-112157**

**(30-Foot Water Pipeline)**

**Page 32 of 41**

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 18  
Page 2 of 3

**LEGAL DESCRIPTION (continued)**

Thence South 10°26'22" East, a distance of 50.54 feet;

Thence North 48°16'13" West, a distance of 227.28 feet to the Point of Beginning;

Said strip of land contains 3.50 acres of land, more or less.



# ADDITIONAL CONDITIONS

14-112157-00-000

Page 47 of 100

## EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

### Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 33 of 41



Arizona State  
Land Department

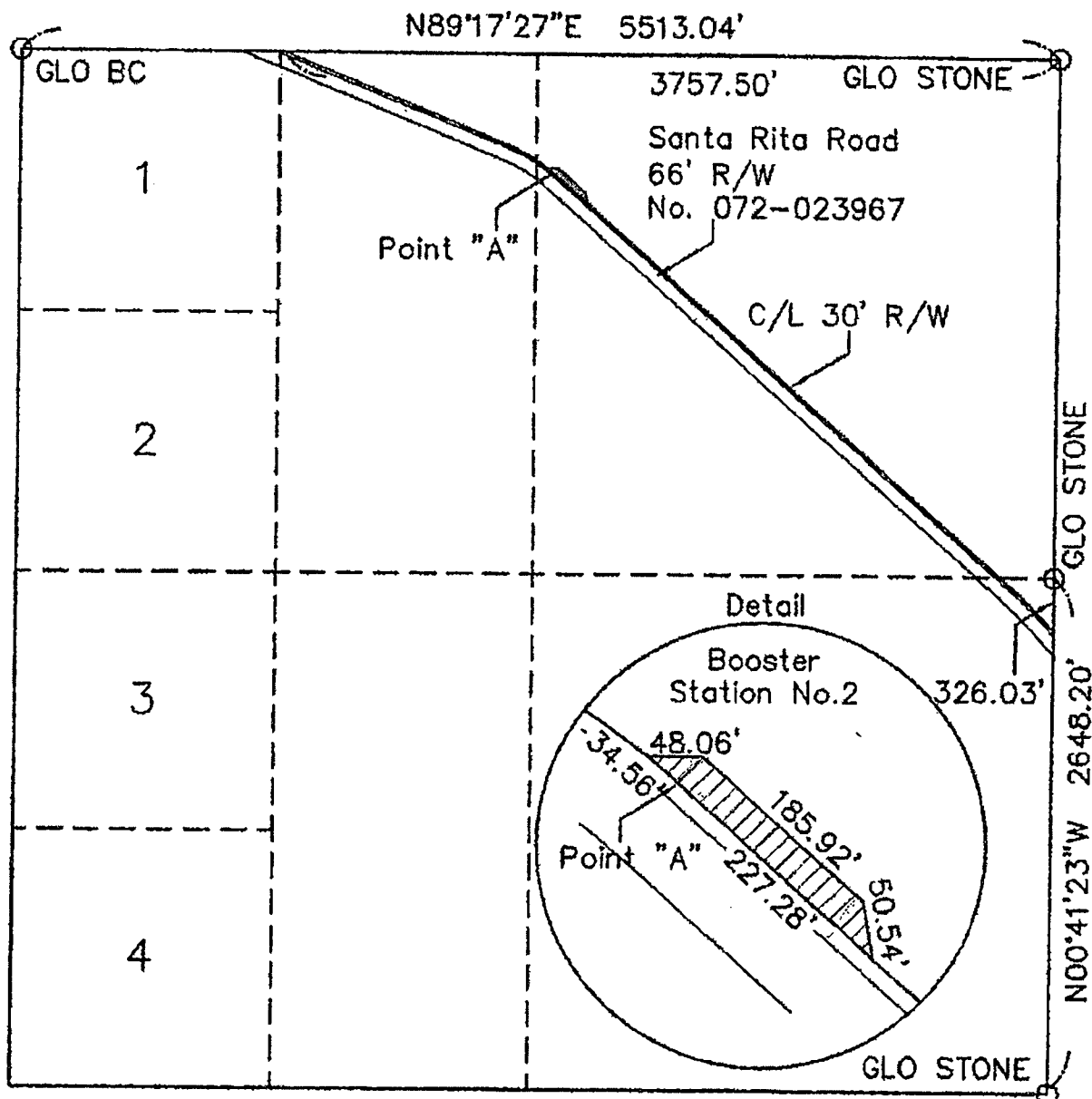
Township 18S

Range 15E

Section 18

Page 3 of 3

### Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 48 of 100

### EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

EXHIBIT A  
# 14-112157  
(30-Foot Water Pipeline)  
Page 34 of 41

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 17  
Page 1 of 3

### LEGAL DESCRIPTION

Description of a strip of land being thirty (30) feet in width across the South Half of Section 17, Township 18 South, Range 15 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 15 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 17, from which a GLO stone marking the West Quarter corner of said section bears North  $0^{\circ}41'23''$  West, a distance of 326.03 feet;

Thence along said centerline, along a non-tangent curve to the right having a radius of 2948.00 feet, a central angle of  $01^{\circ}21'18''$  (the chord of which bears South  $37^{\circ}42'05''$  East a distance of 69.72 feet) with a radial line in of South  $51^{\circ}37'16''$  West and a radial line out of North  $52^{\circ}58'34''$  East for an arc length of 69.72 feet;

Thence, along a reverse curve to the left with a radius of 777.00 feet, a central angle of  $22^{\circ}01'04''$  (the chord of which bears South  $48^{\circ}01'58''$  East, a distance of 296.75 feet) for an arc length of 298.59 feet;

Thence South  $59^{\circ}02'30''$  East, a distance of 393.88 feet;

Thence, along a tangent curve to the right with a radius of 1023.00 feet, a central angle of  $15^{\circ}08'22''$  (the chord of which bears South  $51^{\circ}28'19''$  East, a distance of 269.52 feet) for an arc length of 270.31 feet;

Thence South  $43^{\circ}54'08''$  East, a distance of 298.81 feet;

Thence, along a tangent curve to the right with a radius of 1973.00 feet, a central angle of  $21^{\circ}36'21''$  (the chord of which bears South  $33^{\circ}05'57''$  East, a distance of 739.61 feet) for an arc length of 744.01 feet;

Thence, along a reverse curve to the left with a radius of 627.00 feet, a central angle of  $38^{\circ}54'15''$  (the chord of which bears South  $41^{\circ}44'53''$  East, a distance of 417.60 feet) for an arc length of 425.74 feet;

Thence South  $61^{\circ}12'01''$  East, a distance of 443.83 feet;

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 49 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A**

**# 14-112157**

**(30-Foot Water Pipeline)**

**Page 35 of 41**

Arizona State  
Land Department

Township 18S

Range 15E

Section 17

Page 2 of 3

**LEGAL DESCRIPTION (continued)**

Thence, along a tangent curve to the left with a radius of 3052.00 feet, a central angle of 08°14'44" (the chord of which bears South 65°19'23" East, a distance of 438.84 feet) for an arc length of 439.21 feet;

Thence South 69°26'44" East, a distance of 348.52 feet to a point on the South line of said section, from which a GLO stone marking the Southeast corner bears North 89°20'29" East, a distance of 2510.26 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 2.57 acres of land, more or less.

ADDITIONAL CONDITIONS

14-112157-00-000

Page 50 of 100

EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 36 of 41



Arizona State  
Land Department

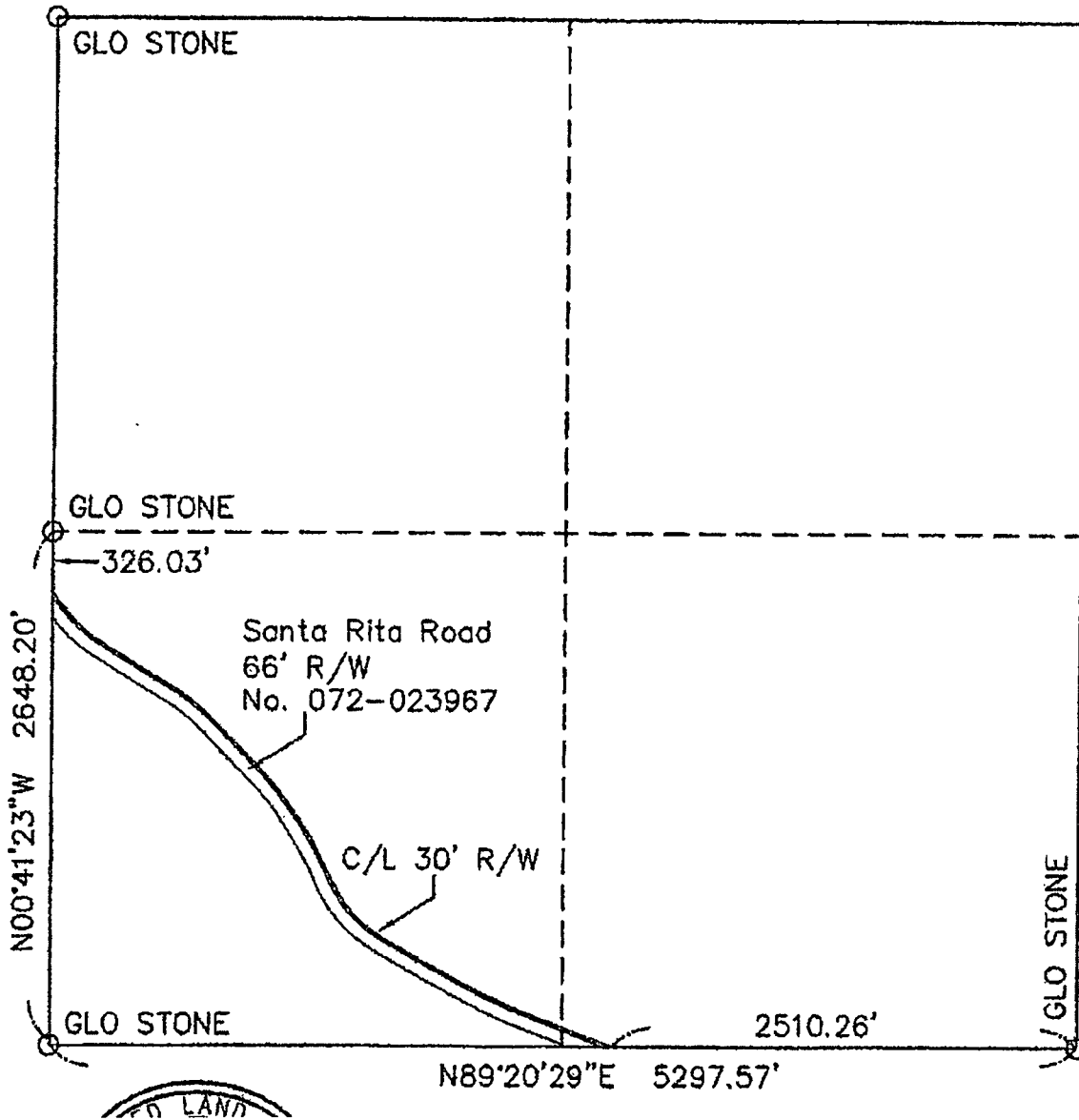
Township 18S

Range 15E

Section 17

Page 3 of 3

Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 51 of 100

### EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

EXHIBIT A

# 14-112157

(30-Foot Water Pipeline)

Page 37 of 41

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 20  
Page 1 of 2

### LEGAL DESCRIPTION

Description of a strip of land being thirty (30) feet in width across the Northeast Quarter of Section 20, Township 18 South, Range 15 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 15 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it is currently evident, although the legality of said right-of-way through said section is in question. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said section, from which a GLO stone marking the Northeast corner of said section bears North  $89^{\circ}20'29''$  East, a distance of 2510.26 feet;

Thence along said centerline, South  $69^{\circ}26'44''$  East, a distance of 2090.84 feet;

Thence, along a tangent curve to the right with a radius of 1548.00 feet, a central angle of  $13^{\circ}44'02''$  (the chord of which bears South  $62^{\circ}34'44''$  East, a distance of 370.17 feet) for an arc length of 371.06 feet;

Thence South  $55^{\circ}42'43''$  East, a distance of 285.68 feet to a point on the East line of said section, from which a GLO stone marking the East Quarter corner bears South  $0^{\circ}38'29''$  East, a distance of 1555.82 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 1.89 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 52 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 38 of 41



Arizona State  
Land Department

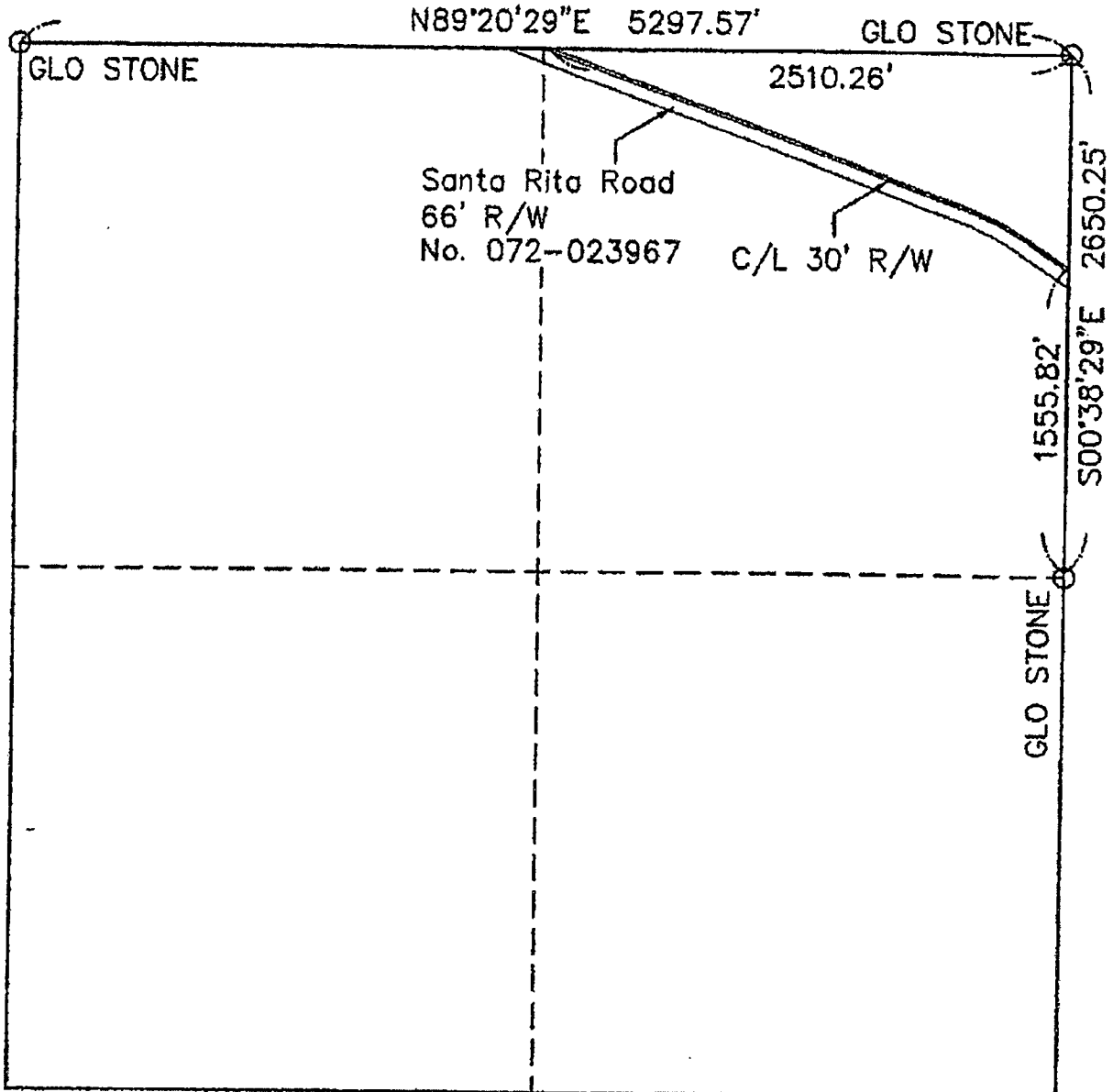
Township 18S

Range 15E

Section 20

Page 2 of 2

Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 53 of 100

### EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

EXHIBIT A  
# 14-112157  
(30-Foot Water Pipeline)  
Page 39 of 41

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 21  
Page 1 of 3

### LEGAL DESCRIPTION

Description of a strip of land being thirty (30) feet in width across the West Half and the Southeast Quarter of Section 21, Township 18 South, Range 15 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 15 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said section, from which a GLO stone marking the West Quarter corner bears South  $0^{\circ}38'29''$  East, a distance of 1555.82 feet;

Thence along said centerline, South  $55^{\circ}42'43''$  East, a distance of 511.59 feet;

Thence South  $54^{\circ}56'28''$  East, a distance of 1399.89 feet;

Thence, along a tangent curve to the right with a radius of 3048.00 feet, a central angle of  $10^{\circ}29'18''$  (the chord of which bears South  $49^{\circ}41'48''$  East, a distance of 557.18 feet) for an arc length of 557.96 feet;

Thence South  $44^{\circ}27'09''$  East, a distance of 161.52 feet;

Thence South  $42^{\circ}13'41''$  East, a distance of 734.51 feet;

Thence, along a tangent curve to the left with a radius of 2052.00 feet, a central angle of  $16^{\circ}34'22''$  (the chord of which bears South  $50^{\circ}30'52''$  East, a distance of 591.47 feet) for an arc length of 593.54 feet;

Thence South  $58^{\circ}48'04''$  East, a distance of 217.77 feet;

Thence, along a tangent curve to the right with a radius of 648.00 feet, a central angle of  $21^{\circ}20'40''$  (the chord of which bears South  $48^{\circ}07'43''$  East, a distance of 240.01 feet) for an arc length of 241.40 feet;

Thence South  $37^{\circ}27'23''$  East, a distance of 230.99 feet;

Thence, along a tangent curve to the left with a radius of 317.00 feet, a central angle of  $20^{\circ}46'19''$  (the chord of which bears South  $47^{\circ}50'32''$  East, a distance of 114.30 feet) for an arc length of 114.92 feet;

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 54 of 100

**EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY**

**EXHIBIT A**

**# 14-112157**

**(30-Foot Water Pipeline)**

**Page 40 of 41**

Arizona State  
Land Department

Township 18S

Range 15E

Section 21

Page 2 of 3

**LEGAL DESCRIPTION (continued)**

Thence South 58°13'42" East, a distance of 264.81 feet to a point lying 15 feet South of the South right-of-way line of said Santa Rita Road;

Thence along a line lying 15 feet South of, and parallel with, the South right-of-way line of said Santa Rita Road, North 80°59'36" East, a distance of 227.14 feet;

Thence, along a tangent curve to the left with a radius of 1048.00 feet, a central angle of 18°13'05" (the chord of which bears North 71°53'03" East, a distance of 331.83 feet) for an arc length of 333.23 feet;

Thence North 62°46'31" East, a distance of 363.96 feet;

Thence, along a tangent curve to the left with a radius of 548.00 feet, a central angle of 11°11'51" (the chord of which bears North 57°10'35" East, a distance of 106.93 feet) for an arc length of 107.10 feet;

Thence, along a reverse curve to the right with a radius of 5892.00 feet, a central angle of 06°08'59" (the chord of which bears North 54°39'09" East, a distance of 632.09 feet) for an arc length of 632.40 feet, to a point on the East line of said section, from which a 2½-inch aluminum cap stamped "RLS 40590" marking the Southeast corner bears South 0°47'06" East, a distance of 1703.14 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 4.64 acres of land, more or less.



ADDITIONAL CONDITIONS

14-112157-00-000

Page 55 of 100

EXHIBIT A - LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF RIGHT OF WAY

Exhibit A

# 14-112157

(30-foot Water Pipeline)

Page 41 of 41



Arizona State  
Land Department

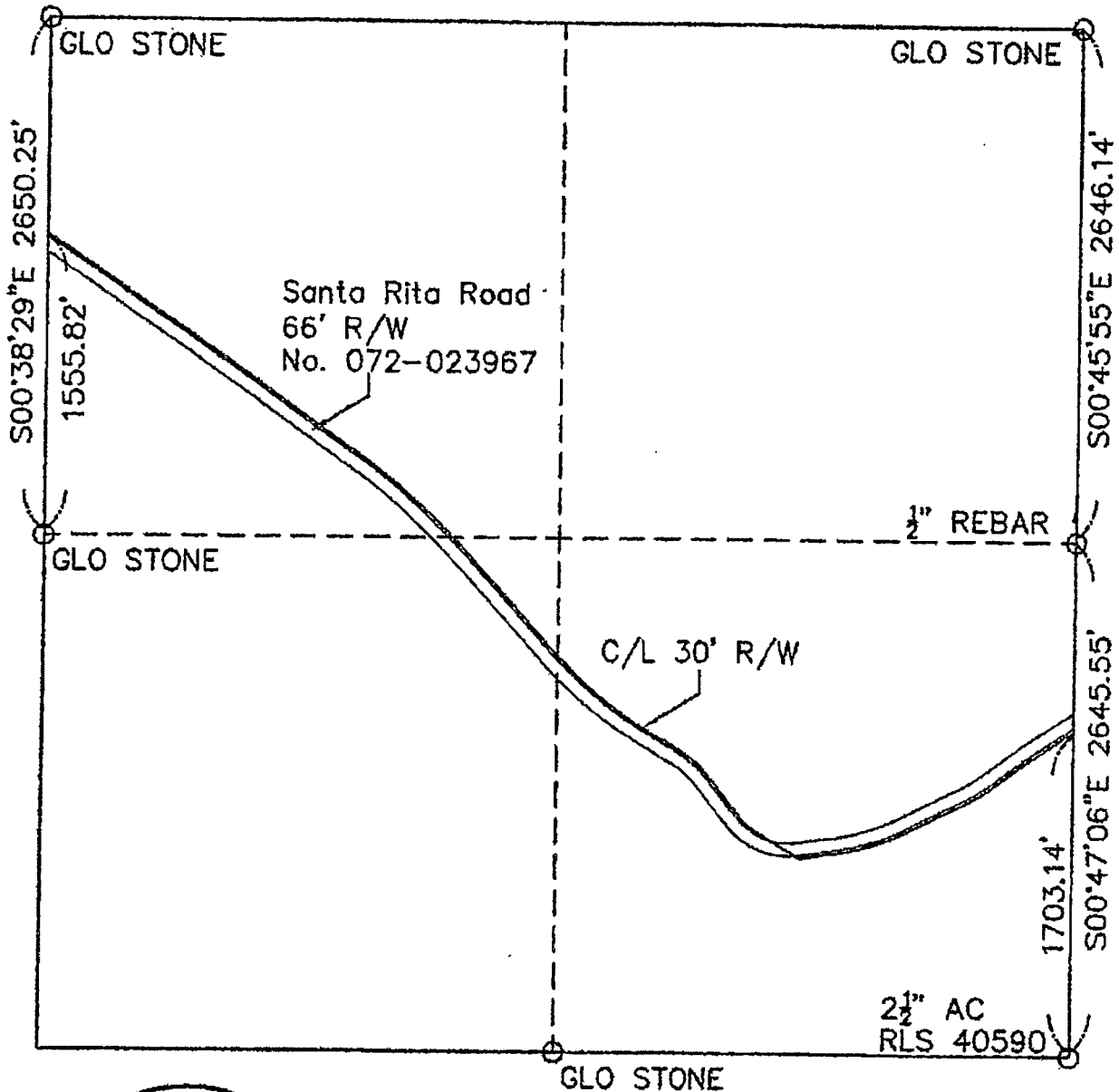
Township 18S

Range 15E

Section 21

Page 3 of 3

Section Map



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 56 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction easement)**

**Page 1 of 40**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 19  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across the Northeast Quarter of Section 19, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Commencing at a point on the East line of said Section 19, from which a GLO brass cap marking the Northeast corner of said section bears North 00°48'31" West, a distance of 1323.32 feet. Said point of commencement lies on the common boundary between Arizona State Land Department and the Town of Sahuarita town limits;

Thence along said common boundary, North 89°42'48" West, a distance of 350.50 feet, to the Point of Beginning;

Thence South 21°05'30" East, a distance of 168.46 feet to a point lying 42.50 feet West of the West right-of-way of Santa Rita Road said right-of-way being 66 feet in width, centered on the surveyed location of said road as it is currently evident;

Thence along a line 42.50 feet West of and parallel with said West right-of-way, South 59°52'13" East, a distance of 340.49 feet to a point on the East line of said section, from which a GLO brass cap marking the East Quarter corner bears South 00°48'31" East, a distance of 996.96 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 0.32 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 57 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 2 of 40



Arizona State  
Land Department

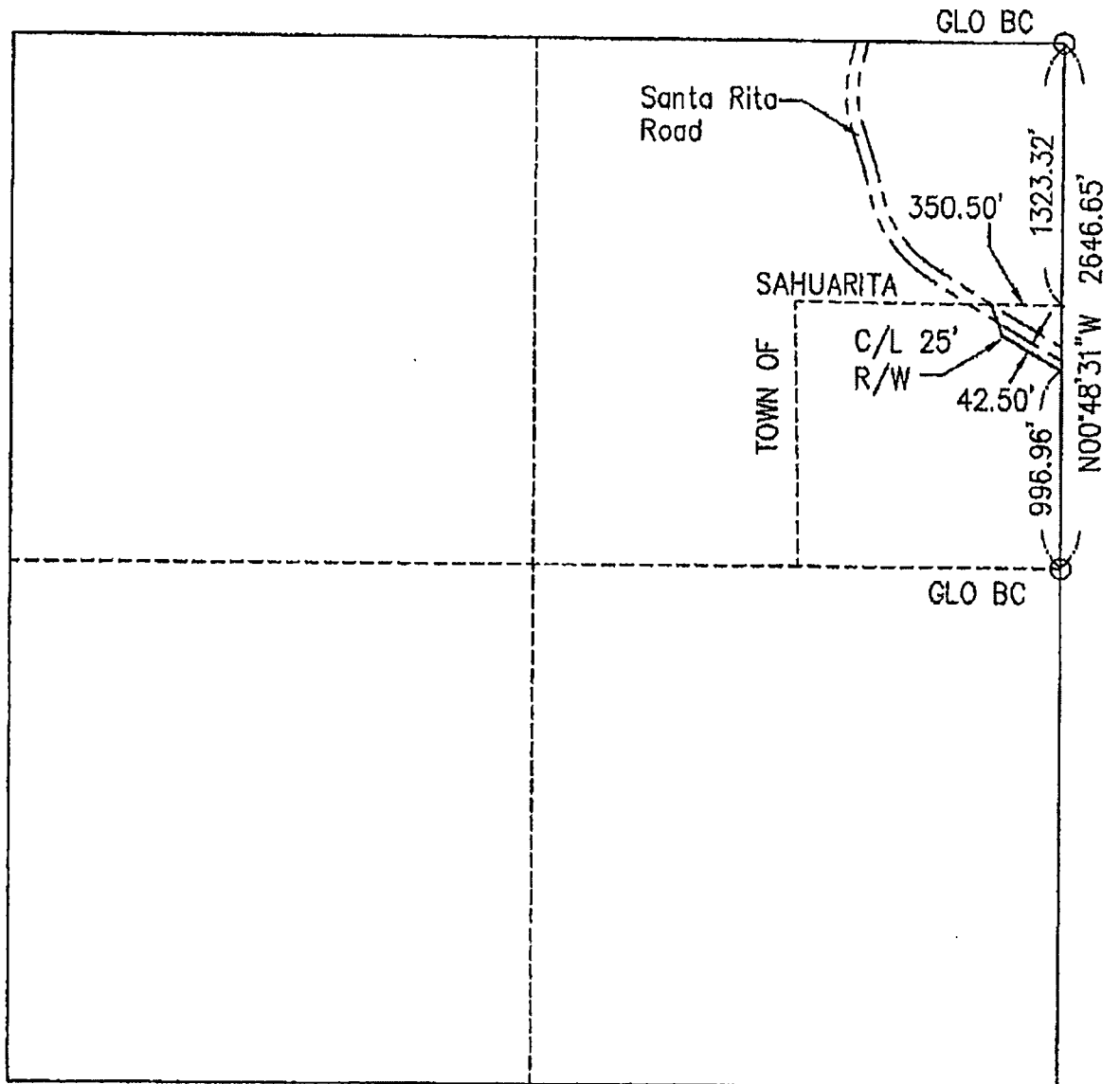
Township 17S

Range 14E

Section 19

Page 2 of 2

Section Map



# ADDITIONAL CONDITIONS

14-112157-00-000

Page 58 of 100

## EXHIBIT B

### LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF TEMPORARY CONSTRUCTION EASEMENT

#### EXHIBIT A

# 14-112157

(Temporary Construction Easement)

Page 3 of 40

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 20  
Page 1 of 2

### LEGAL DESCRIPTION

Description of a strip of land being twenty-five (25) feet in width across the West Half and the Southeast Quarter of Section 20, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 20, from which a GLO brass cap marking the Northwest corner of said section bears North 00°48'31" West, a distance of 1649.69 feet;

Thence along said centerline, on a line 42.50 feet Southwest of and parallel with the Southwest right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it is currently evident, South 59°52'13" East, a distance of 325.94 feet;

Thence, along a tangent curve to the right with a radius of 1127.50 feet, a central angle of 14°49'40" (the chord of which bears South 52°27'23" East, a distance of 290.98 feet) for an arc length of 291.79 feet;

Thence South 45°02'33" East, a distance of 1085.88 feet to a point lying 124.50 feet South of the East-West Mid-section line of said Section, being also 94.50 feet South of the South right-of-way line of Dawson Road, hereinafter known as Point "A";

Thence continuing South 45°02'33" East, a distance of 3543.75 feet to a point on the South line of said section, from which a GLO brass cap marking the South Quarter corner bears South 89°31'45" West, a distance of 1085.44 feet, said point being the point of termination of the herein described centerline.

Together with:

Beginning at said Point "A";

Thence along a line 124.50 South of and parallel with said East-West Mid-section line, North 89°24'14" East, a distance of 1385.23 feet;

Thence North 89°24'11" East, a distance of 2650.15 feet to a point on the East line of said Section, from which a ½-Inch rebar marking the East Quarter corner bears North 00°51'01" West, a distance of 124.50 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 5.36 acres of land, more or less.

# ADDITIONAL CONDITIONS

14-112157-00-000

Page 59 of 100

## EXHIBIT B

### LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF TEMPORARY CONSTRUCTION EASEMENT

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 4 of 40



Arizona State  
Land Department

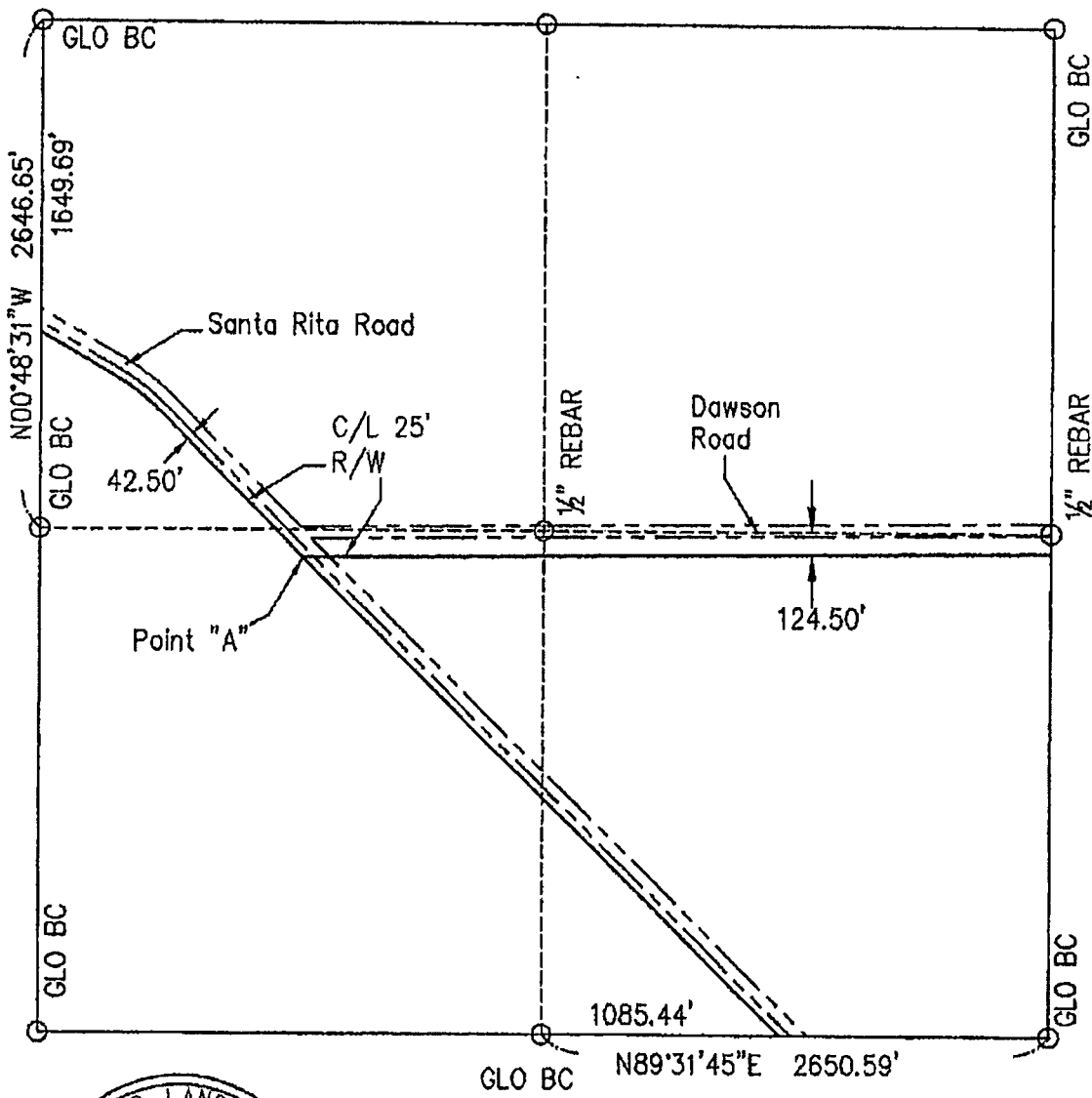
Township 17S

Range 14E

Section 20

Page 2 of 2

Section Map



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 60 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 5 of 40**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 21  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across the South Half of Section 21, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 21, from which a GLO brass cap marking the West Quarter corner of said section bears North 00°51'01" West, a distance of 124.50 feet;

Thence along said centerline, on a line 124.50 feet South of and parallel with the East-West Mid-section line of said Section, North 89°42'36" East, a distance of 2647.96 feet;

Thence North 89°42'54" East, a distance of 1838.14 feet;

Thence North 00°17'06" West, a distance of 124.50 feet to a point on said East-West Mid-section line, from which a 2" brass cap survey monument marking the East Quarter corner bears North 89°42'54" East, a distance of 809.50 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 2.65 acres of land, more or less.

# ADDITIONAL CONDITIONS

14-112157-00-000

Page 61 of 100

## EXHIBIT B

### LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF TEMPORARY CONSTRUCTION EASEMENT

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 6 of 40



Arizona State  
Land Department

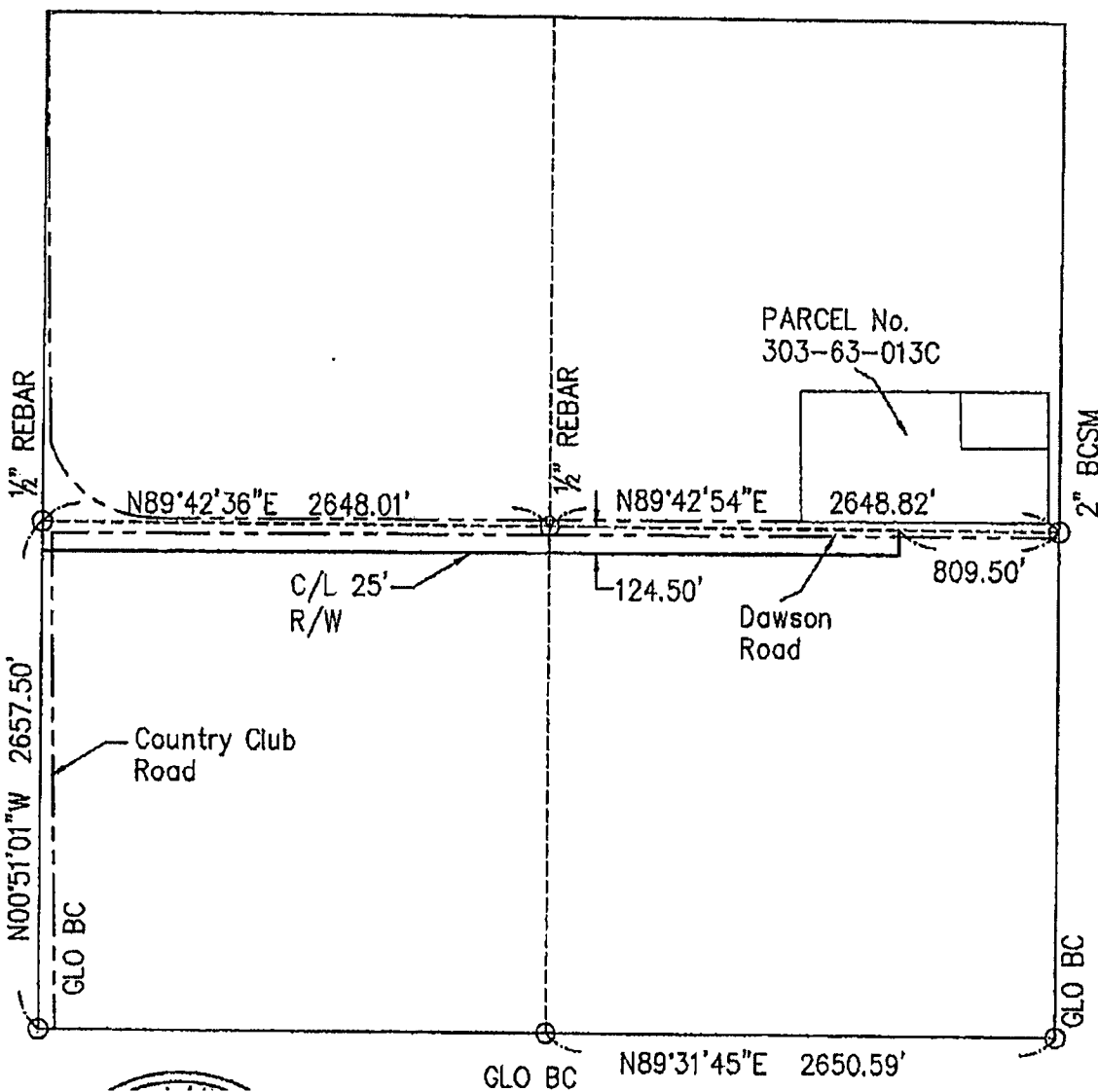
Township 17S

Range 14E

Section 21

Page 2 of 2

Section Map



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 62 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 7 of 40**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 29  
Page 1 of 4

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across the Northeast Quarter of Section 29, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said Section 29, from which a GLO brass cap marking the North Quarter corner of said section bears South 89°31'45" West, a distance of 1085.44 feet;

Thence along said centerline, on a line 42.50 feet Southwest of and parallel with the Southwest right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it is currently evident, although the legality of said right-of-way through said section is in question, South 45°02'33" East, a distance of 1954.58 feet to the point of termination of said centerline, from which a perpendicular to the East line of said section bears North 89°20'27" East, a distance of 198.00 feet to a point from which a GLO brass cap marking the East Quarter corner of said section bears South 00°39'33" East, a distance of 1247.51 feet.

Together with:

*1086.5 SF*

Description of a strip of land being twenty-five (25) feet in width across the South Half of Section 29, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 29, from which a GLO brass cap marking the Southwest corner of said section bears South 00°46'04" East, a distance of 72.50 feet;

Thence along said centerline, on a line 72.50 feet North of and parallel with the South line of said section, North 89°48'18" East, a distance of 2646.42 feet;

Thence North 89°47'57" East, a distance of 661.54 feet to a point on the West line of Pima County Parcel No. 303-54-005B, said point being a point of termination of the herein described centerline. Said point of termination bears South 0°41'49" East, a distance of 72.50 feet to a point on the South line of said Section from which the South Quarter corner bears South 89°47'57" West, a distance of 661.63 feet;



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 63 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 8 of 40**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 29  
Page 2 of 4

**LEGAL DESCRIPTION**

Together with:

Description of a strip of land being ten (10) feet in width across the Southeast Quarter of Section 29, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Commencing at a point on the South line of said Section 29, from which a GLO brass cap marking the South Quarter corner of said section bears South 89°47'57" West, a distance of 1323.25 feet;

Thence North 0°41'11" West, a distance of 105.00 feet to a point on the East line of Pima County Parcel No. 303-54-005B, said point being the point of beginning of said described centerline;

Thence along said centerline, on a line 105.00 feet North of and parallel with the South line of said Section North 89°47'57" East, a distance of 1153.70 feet;

Thence South 45°21'01" East, a distance of 148.88 feet to a point on the South line of said section, from which a GLO brass cap marking the Southeast corner bears North 89°47'57" East, a distance of 64.89 feet, said point being the point of termination of the herein described centerline.

Together with:

12186

Description of a strip of land being twenty (20) feet in width across the Southeast Quarter of Section 29, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Commencing at a point on the South line of said Section 29, from which a GLO brass cap marking the South Quarter corner of said section bears South 89°47'57" West, a distance of 1323.25 feet;

Thence North 0°41'11" West, a distance of 20.00 feet to the point of beginning of said described centerline;

Thence along said centerline, on a line 20.00 feet North of and parallel with the South line of said Section North 89°47'57" East, a distance of 1117.90 feet;

**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 64 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 9 of 40**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 29  
Page 3 of 4

**LEGAL DESCRIPTION**

Thence South 45°21'01" East, a distance of 28.36 feet to a point on the South line of said section, from which a GLO brass cap marking the Southeast corner bears North 89°47'57" East, a distance of 185.41 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 3.86 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 65 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 10 of 40



Arizona State  
Land Department

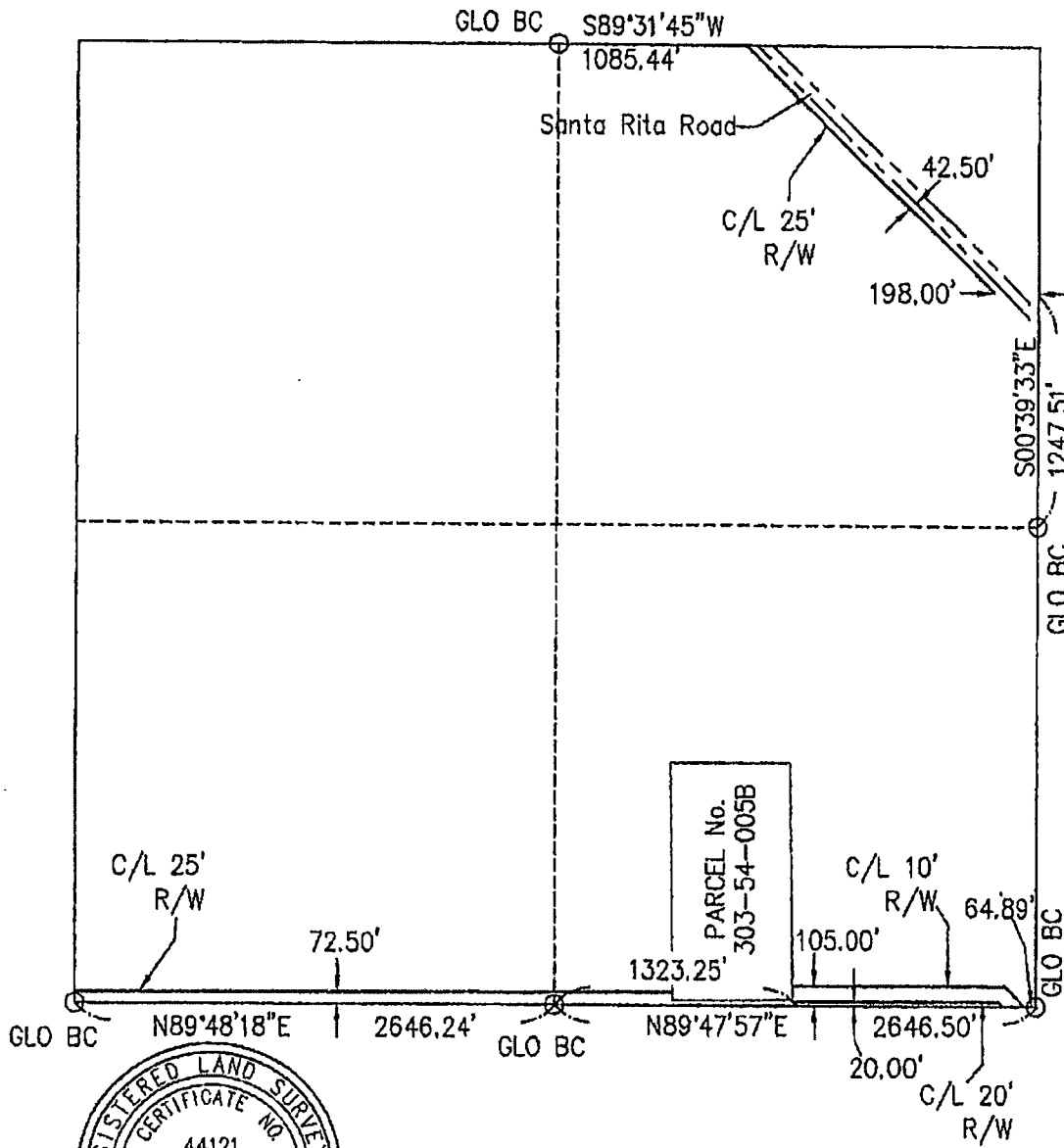
Township 17S

Range 14E

Section 29

Page 4 of 4

Section Map



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 66 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 11 of 40**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 30  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across the Southeast Quarter of Section 30, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the South line of said Southeast Quarter of Section 30, from which an aluminum cap stamped "LS 7141" marking the South Quarter corner of said section bears South 89°58'39" West, a distance of 127.32 feet;

Thence along said centerline, North 45°58'04" East, a distance of 104.34 feet;

Thence along a line 72.50 feet North of and parallel with the South line of said Southeast Quarter, North 89°58'39" East, a distance of 2442.78 feet to a point on the East line of said section, from which a GLO stone marking the Southeast corner bears South 00°46'04" East, a distance of 72.50 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 1.46 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 67 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 12 of 40



Arizona State  
Land Department

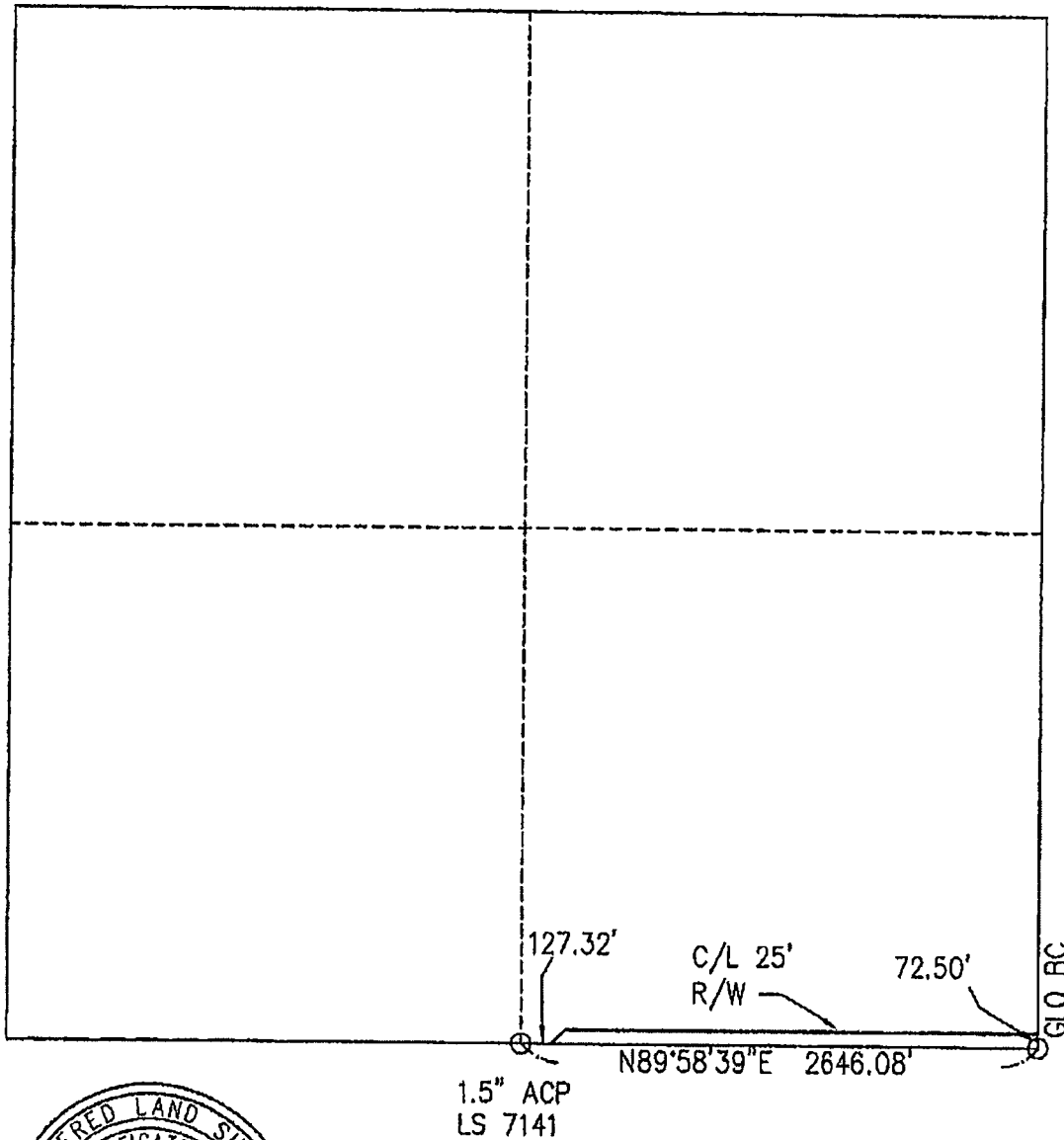
Township 17S

Range 14E

Section 30

Page 2 of 2

Section Map



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 68 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 13 of 40**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 31  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across the Northeast Quarter of Section 31, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Northeast Quarter of Section 31, from which an aluminum cap stamped "LS 7141" marking the North Quarter corner of said section bears North 00°39'57" West, a distance of 127.50 feet;

Thence along a line 127.50 feet South of and parallel with the North line of said Northeast Quarter, North 89°58'39" East, a distance of 73.07 feet;

Thence North 45°58'04" East, a distance of 183.50 feet to a point on the North line of said Northeast Quarter, from which an aluminum cap stamped "LS 7141" marking the North Quarter corner of said section bears South 89°58'39" West, a distance of 206.48 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 0.12 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 69 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 14 of 40

Arizona State  
Land Department

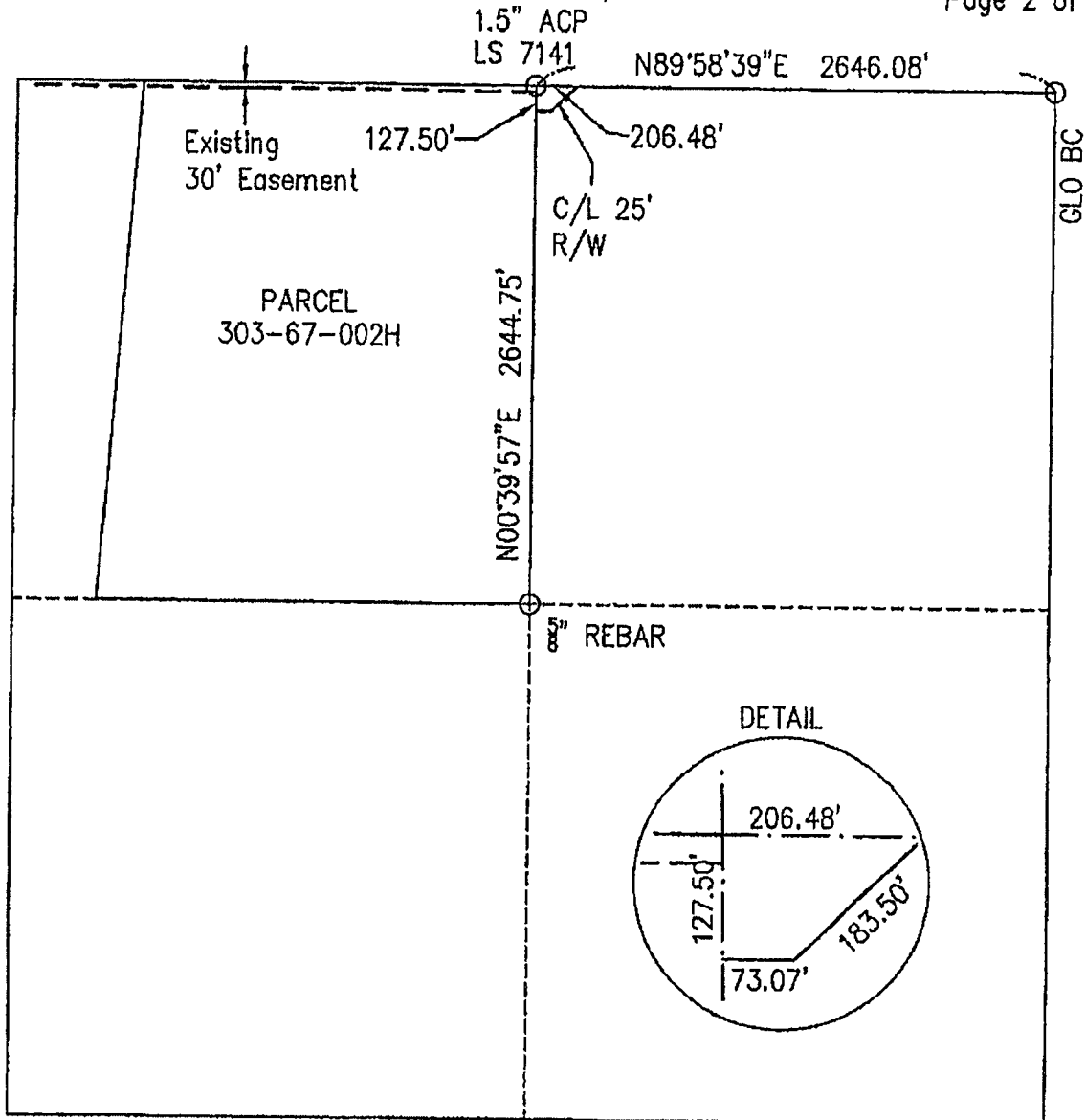
Township 17S  
Range 14E

Section 31

Page 2 of 2



Section Map



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 70 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 15 of 40**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 32  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across the Northeast Quarter of Section 32, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said Section 32, from which a GLO brass cap marking the Northeast corner of said section bears North 89°47'57" East, a distance of 132.24 feet;

Thence along said centerline, South 45°21'01" East, a distance of 102.80 feet;

Thence on a line 72.50 feet South of, and parallel with, the North line of said Section, North 89°47'57" East, a distance of 59.40 feet to a point on the East line of said section, from which a GLO brass cap marking the Northeast corner bears North 0°14'03" West, a distance of 72.50 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 0.09 acres of land, more or less.



**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 71 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 16 of 40



Arizona State  
Land Department

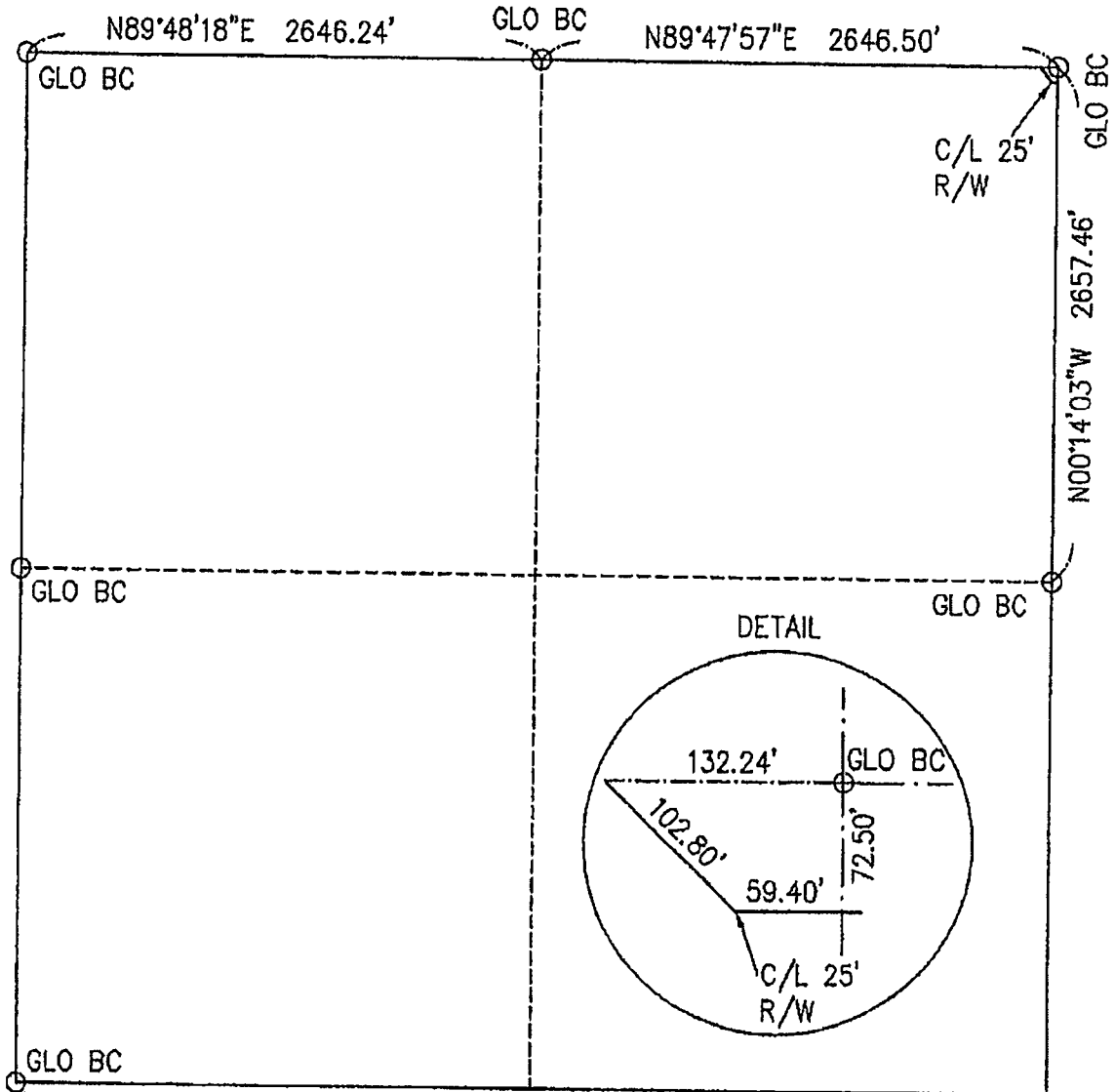
Township 17S

Range 14E

Section 32

Page 2 of 2

Section Map



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 72 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 17 of 40**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 33  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across the North Half of Section 33, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 33, from which a GLO brass cap marking the Northwest corner of said section bears North  $0^{\circ}14'03''$  West, a distance of 72.50 feet;

Thence along said centerline, on a line 72.50 feet South of, and parallel with, the North line of said Section, North  $89^{\circ}49'43''$  East, a distance of 2646.52 feet;

Thence North  $89^{\circ}44'36''$  East, a distance of 2646.76 feet to a point on the East line of said section, from which a GLO brass cap marking the Northeast corner bears North  $0^{\circ}06'55''$  West, a distance of 72.50 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 3.04 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 73 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 18 of 40



Arizona State  
Land Department

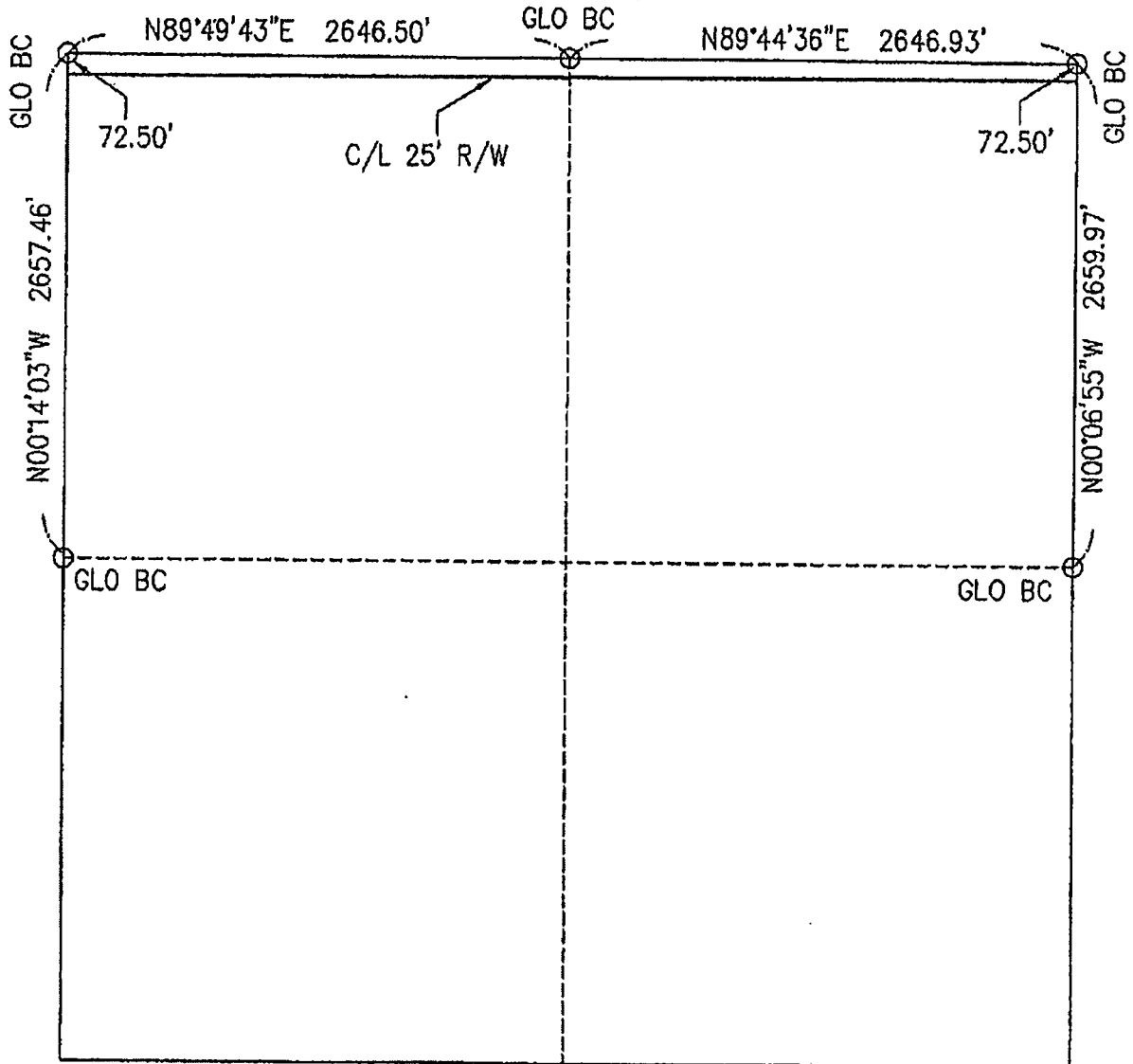
Township 17S

Range 14E

Section 33

Page 2 of 2

Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 74 of 100

### EXHIBIT B

#### LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF TEMPORARY CONSTRUCTION EASEMENT

#### EXHIBIT A

# 14-112157

(Temporary Construction Easement)

Page 19 of 40

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 34  
Page 1 of 2

#### LEGAL DESCRIPTION

Description of a strip of land being twenty-five (25) feet in width across the North Half of Section 34, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 34, from which a GLO brass cap marking the Northwest corner of said section bears North 0°06'55" West, a distance of 17.50 feet;

Thence along said centerline, on a line 72.50 feet South of, and parallel with, the North line of said Section, North 89°38'16" East, a distance of 642.77 feet;

Thence along a line lying 42.50 feet North of, and parallel with, the North right-of-way line of Santa Rita Road (said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists), South 54°05'36" East, a distance of 1910.64 feet;

Thence, along a tangent curve to the left with a radius of 844.50 feet, a central angle of 30°55'07" (the chord of which bears South 69°33'10" East, a distance of 450.21 feet) for an arc length of 455.72 feet;

Thence, along a reverse curve to the right with a radius of 1575.50 feet, a central angle of 13°06'12" (the chord of which bears South 78°27'37" East, a distance of 359.53 feet) for an arc length of 360.31 feet;

Thence South 71°54'31" East, a distance of 1514.58 feet;

Thence, along a tangent curve to the right with a radius of 1375.50 feet, a central angle of 28°47'26" (the chord of which bears South 57°30'48" East, a distance of 683.92 feet) for an arc length of 691.17 feet;

Thence South 43°07'05" East, a distance of 471.49 feet to a point on the East line of said section, from which a GLO brass cap marking the Northeast corner bears North 00°17'16" West, a distance of 2631.90 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 3.48 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 75 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 20 of 40



Arizona State  
Land Department

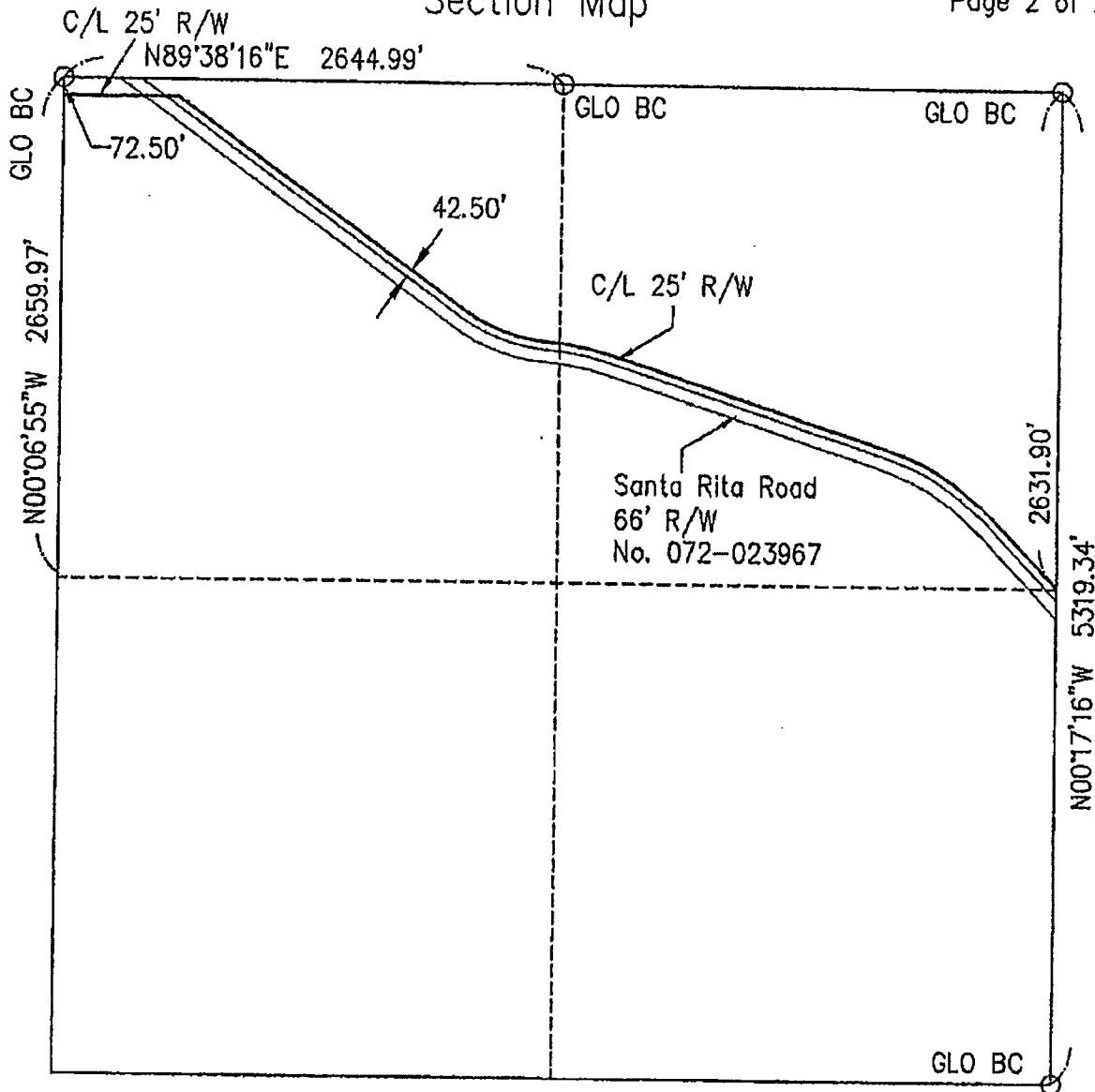
Township 17S

Range 14E

Section 34

Page 2 of 2

Section Map



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

Page 76 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 21 of 40**

Arizona State  
Land Department  
Township 17S  
Range 14E  
Section 35  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across the Northwest Quarter and South Half of Section 35, Township 17 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 42.50 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 35, from which a GLO brass cap marking the Northwest corner of said section bears North  $00^{\circ}17'16''$  West, a distance of 2631.90 feet;

Thence along said centerline, South  $43^{\circ}07'05''$  East, a distance of 109.19 feet;

Thence, along a tangent curve to the left with a radius of 3624.50 feet, a central angle of  $07^{\circ}22'22''$  (the chord of which bears South  $46^{\circ}48'16''$  East, a distance of 466.07 feet) for an arc length of 466.40 feet;

Thence South  $50^{\circ}29'27''$  East, a distance of 1122.57 feet;

Thence South  $54^{\circ}56'57''$  East, a distance of 1816.47 feet;

Thence South  $56^{\circ}00'18''$  East, a distance of 859.32 feet to a point on the South line of said section, from which a GLO brass cap marking the Southeast corner bears North  $89^{\circ}10'48''$  East, a distance of 1852.04 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 2.51 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 77 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 22 of 40



Arizona State  
Land Department

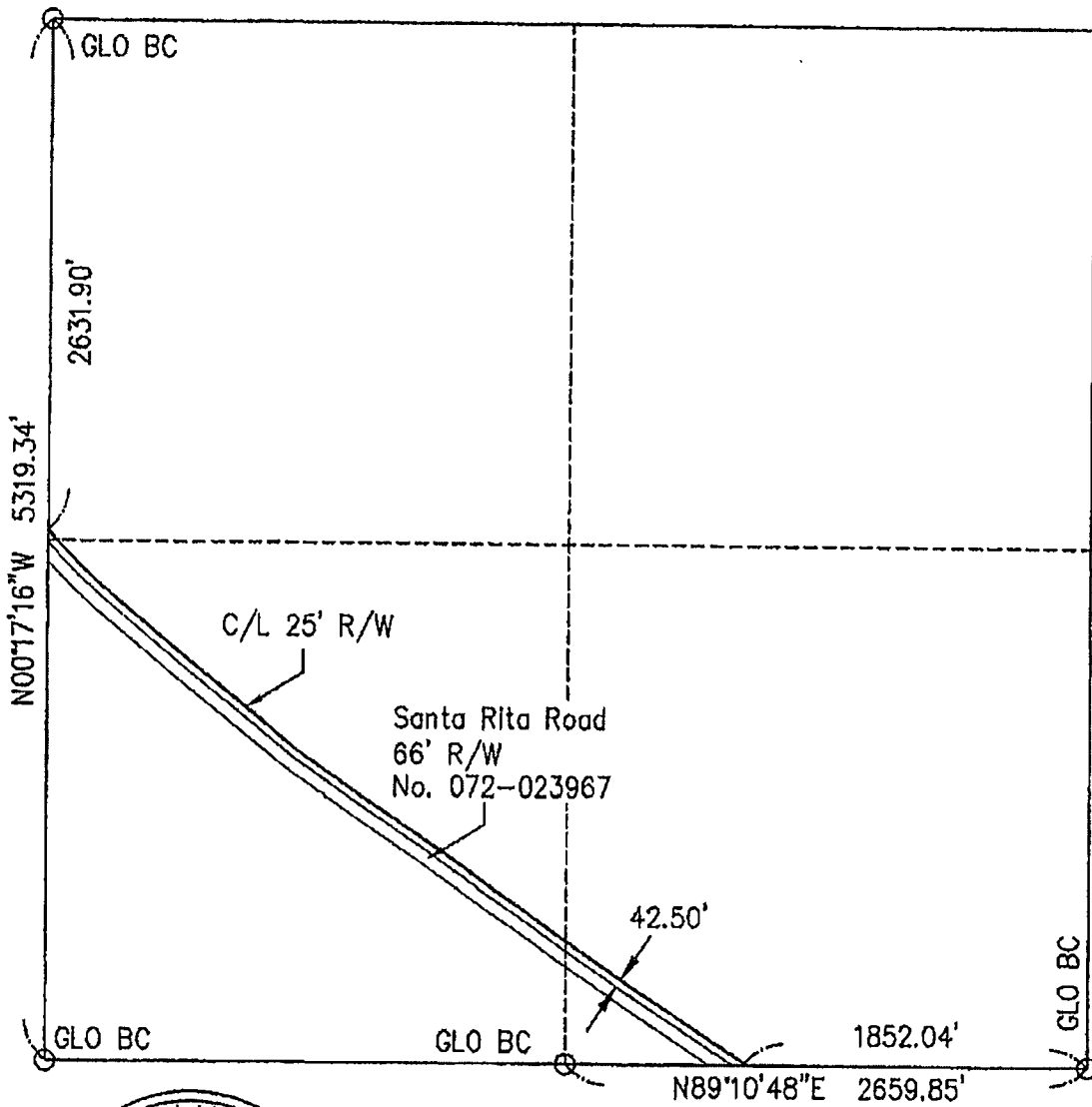
Township 17S

Range 14E

Section 35

Page 2 of 2

Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 78 of 100

### EXHIBIT B

#### LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF TEMPORARY CONSTRUCTION EASEMENT

### EXHIBIT A

# 14-112157

(Temporary Construction Easement)

Page 23 of 40

Arizona State  
Land Department  
Township 18S  
Range 14E  
Section 2  
Page 1 of 2

#### LEGAL DESCRIPTION

Description of a strip of land being twenty-five (25) feet in width across Lots 1, 2 and the South Half of the Northeast Quarter of Section 2, Township 18 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 42.50 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said Section 2, from which a GLO brass cap marking the Northeast corner of said section bears North 89°10'48" East, a distance of 1852.04 feet;

Thence along said centerline, South 56°00'18" East, a distance of 868.70 feet;

Thence, along a tangent curve to the right with a radius of 775.50 feet, a central angle of 29°04'45" (the chord of which bears South 41°27'56" East, a distance of 389.38 feet) for an arc length of 393.59 feet;

Thence, along a reverse curve to the left with a radius of 1024.50 feet, a central angle of 23°46'27" (the chord of which bears South 38°48'47" East, a distance of 422.06 feet) for an arc length of 425.10 feet;

Thence South 50°42'01" East, a distance of 804.33 feet to a point on the East line of said section, from which a GLO brass cap marking the Northeast corner bears North 00°27'36" West, a distance of 1642.36 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 1.43 acres of land, more or less.



**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 79 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 24 of 40



Arizona State  
Land Department

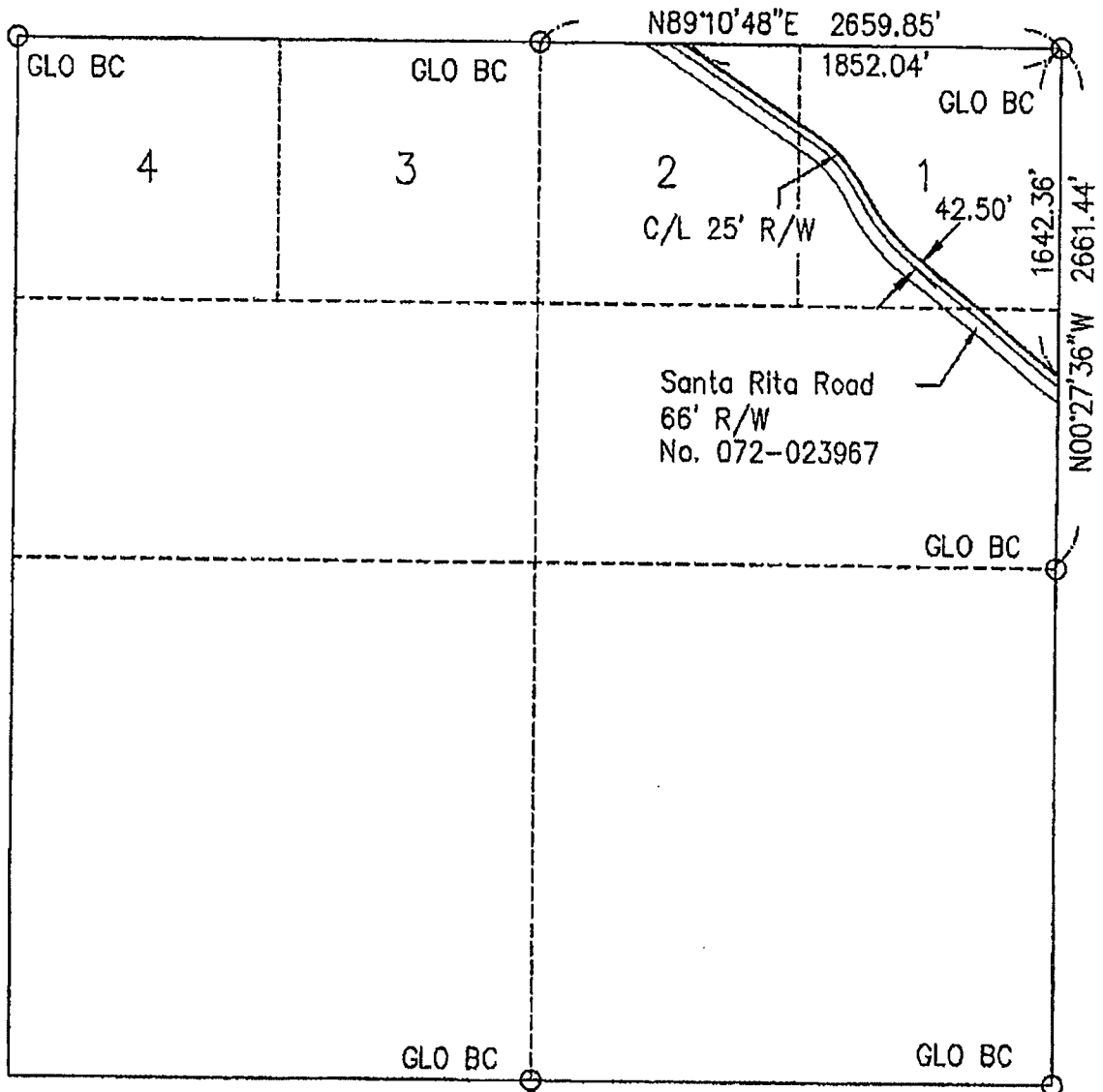
Township 18S

Range 14E

Section 2

Page 2 of 2

Section Map



# ADDITIONAL CONDITIONS

14-112157-00-000

Page 80 of 100

## EXHIBIT B

### LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT A

# 14-112157

(Temporary Construction Easement)

Page 25 of 40

Arizona State  
Land Department  
Township 18S  
Range 14E  
Section 1  
Page 1 of 2

#### LEGAL DESCRIPTION

Description of a strip of land being twenty-five (25) feet in width across the West Half of Section 1, Township 18 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 42.50 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 1, from which a GLO brass cap marking the Northwest corner of said section bears North  $00^{\circ}27'36''$  West, a distance of 1642.36 feet;

Thence along said centerline, South  $50^{\circ}42'01''$  East, a distance of 78.76 feet;

Thence South  $55^{\circ}02'50''$  East, a distance of 1349.39 feet;

Thence, along a tangent curve to the right with a radius of 1375.50 feet, a central angle of  $20^{\circ}56'00''$  (the chord of which bears South  $44^{\circ}34'50''$  East, a distance of 499.75 feet) for an arc length of 502.54 feet;

Thence South  $34^{\circ}06'50''$  East, a distance of 562.98 feet;

Thence, along a tangent curve to the right with a radius of 4475.50 feet, a central angle of  $07^{\circ}34'03''$  (the chord of which bears South  $30^{\circ}19'49''$  East, a distance of 590.70 feet) for an arc length of 591.12 feet;

Thence South  $26^{\circ}32'47''$  East, a distance of 466.32 feet;

Thence, along a tangent curve to the right with a radius of 2675.50 feet, a central angle of  $20^{\circ}01'21''$  (the chord of which bears South  $16^{\circ}32'06''$  East, a distance of 930.23 feet) for an arc length of 934.98 feet;

Thence, along a reverse curve to the left with a radius of 519.50 feet, a central angle of  $11^{\circ}34'48''$  (the chord of which bears South  $12^{\circ}18'50''$  East, a distance of 104.82 feet) for an arc length of 105.00 feet to a point on the South line of said section, from which a GLO brass cap marking the South Quarter corner bears North  $86^{\circ}39'37''$  East, a distance of 61.52 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 2.67 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 81 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 26 of 40



Arizona State  
Land Department

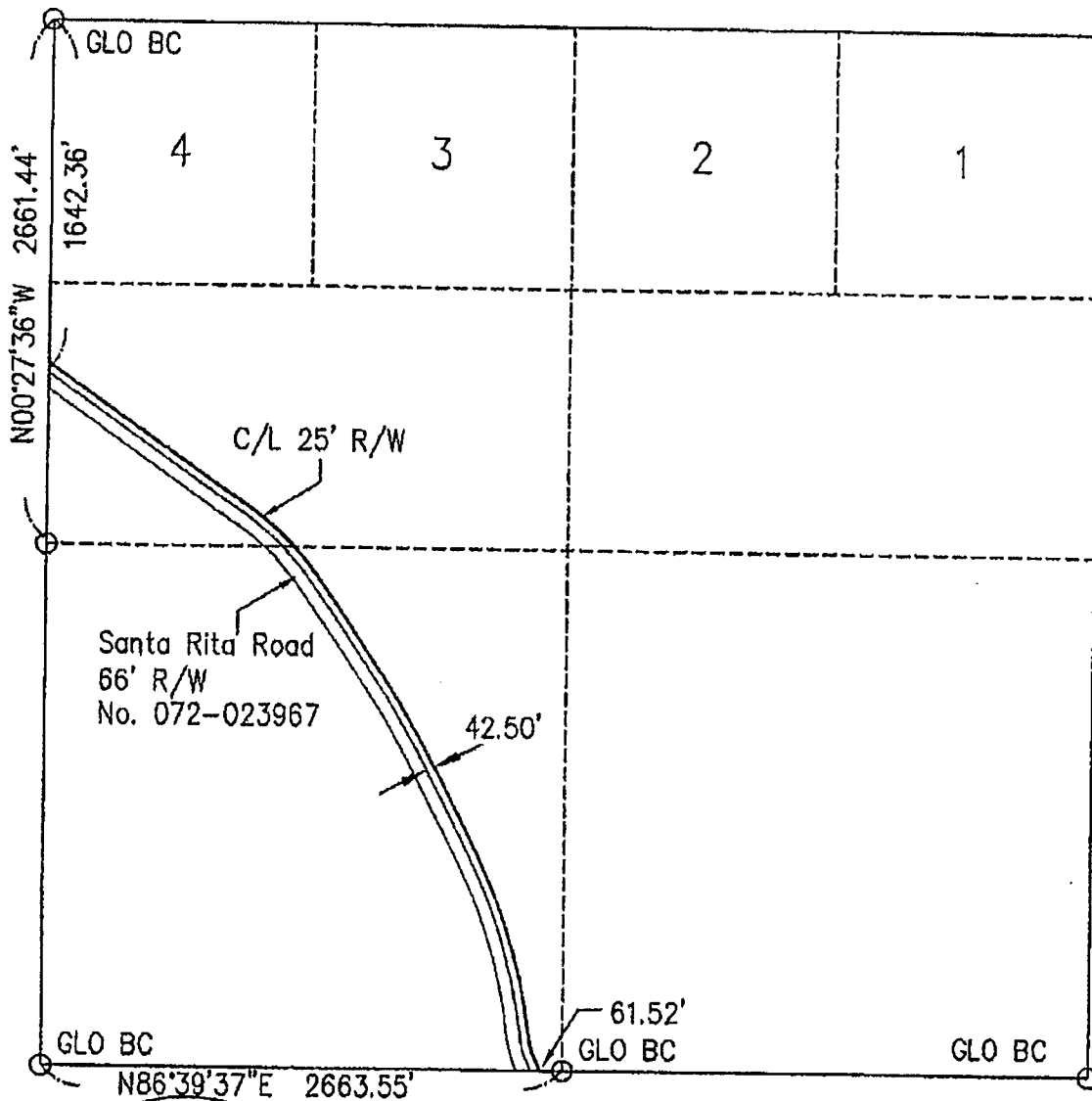
Township 18S

Range 14E

Section 1

Page 2 of 2

Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 82 of 100

### EXHIBIT B

#### LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF TEMPORARY CONSTRUCTION EASEMENT

### EXHIBIT A

# 14-112157

(Temporary Construction Easement)

Page 27 of 40

Arizona State  
Land Department  
Township 18S  
Range 14E  
Section 12  
Page 1 of 2

#### LEGAL DESCRIPTION

Description of a strip of land being twenty-five (25) feet in width across the North Half of Section 12, Township 18 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 42.50 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said Section 12, from which a GLO brass cap marking the North Quarter corner of said section bears North  $86^{\circ}39'37''$  East, a distance of 61.52 feet;

Thence along said centerline, along a non-tangent curve to the left having a radius of 519.50 feet, a central angle of  $42^{\circ}50'33''$  (the chord of which bears South  $39^{\circ}31'30''$  East a distance of 379.47 feet) with a radial line in of North  $71^{\circ}53'47''$  East and a radial line out of South  $29^{\circ}03'14''$  West for an arc length of 388.45 feet;

Thence South  $60^{\circ}56'46''$  East, a distance of 741.56 feet;

Thence, along a tangent curve to the right with a radius of 8375.50 feet, a central angle of  $10^{\circ}41'01''$  (the chord of which bears South  $55^{\circ}36'16''$  East, a distance of 1559.45 feet) for an arc length of 1561.71 feet;

Thence South  $50^{\circ}15'46''$  East, a distance of 727.78 feet to a point on the East line of said section, from which a GLO brass cap marking the Northeast corner bears North  $00^{\circ}26'32''$  West, a distance of 2127.59 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 1.96 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 83 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 28 of 40



Arizona State  
Land Department

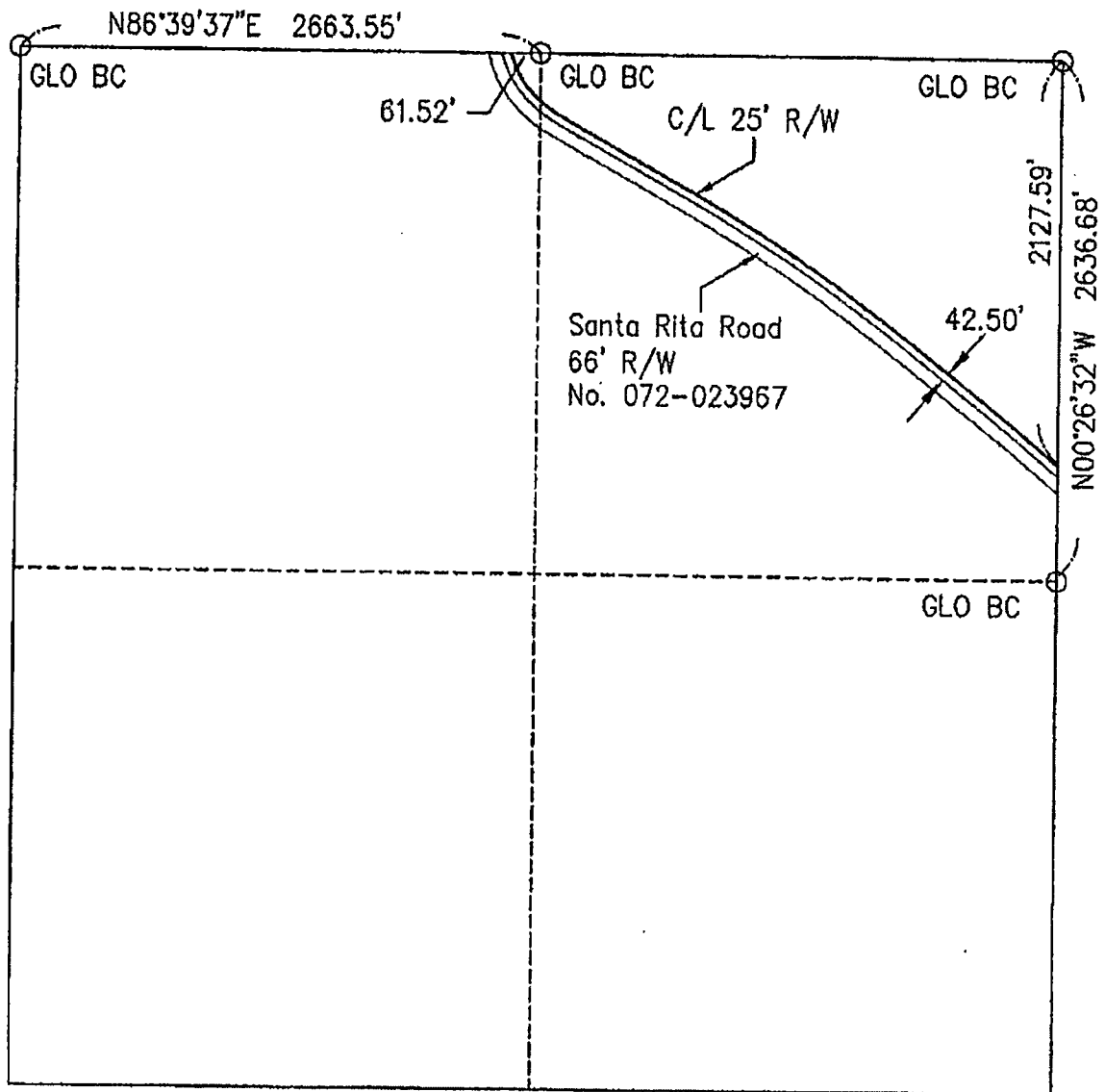
Township 18S

Range 14E

Section 12

Page 2 of 2

Section Map



**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 84 of 100

EXHIBIT B

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 29 of 40**

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 7  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across Lot 4 and the East Half of the Southwest Quarter of Section 7, Township 18 South, Range 15 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 42.5 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 7, from which a GLO brass cap marking the Southwest corner of said section bears South 00°26'32" East, a distance of 1113.52 feet;

Thence along said centerline, South 50°15'46" East, a distance of 376.04 feet;

Thence, along a tangent curve to the left with a radius of 4399.50 feet, a central angle of 17°41'44" (the chord of which bears South 59°06'37" East, a distance of 1353.36 feet) for an arc length of 1358.76 feet;

Thence South 67°57'29" East, a distance of 414.86 feet to a point on the South line of said section, from which a GLO stone marking the Southeast corner bears North 89°17'27" East, a distance of 3686.39 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 1.23 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 85 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

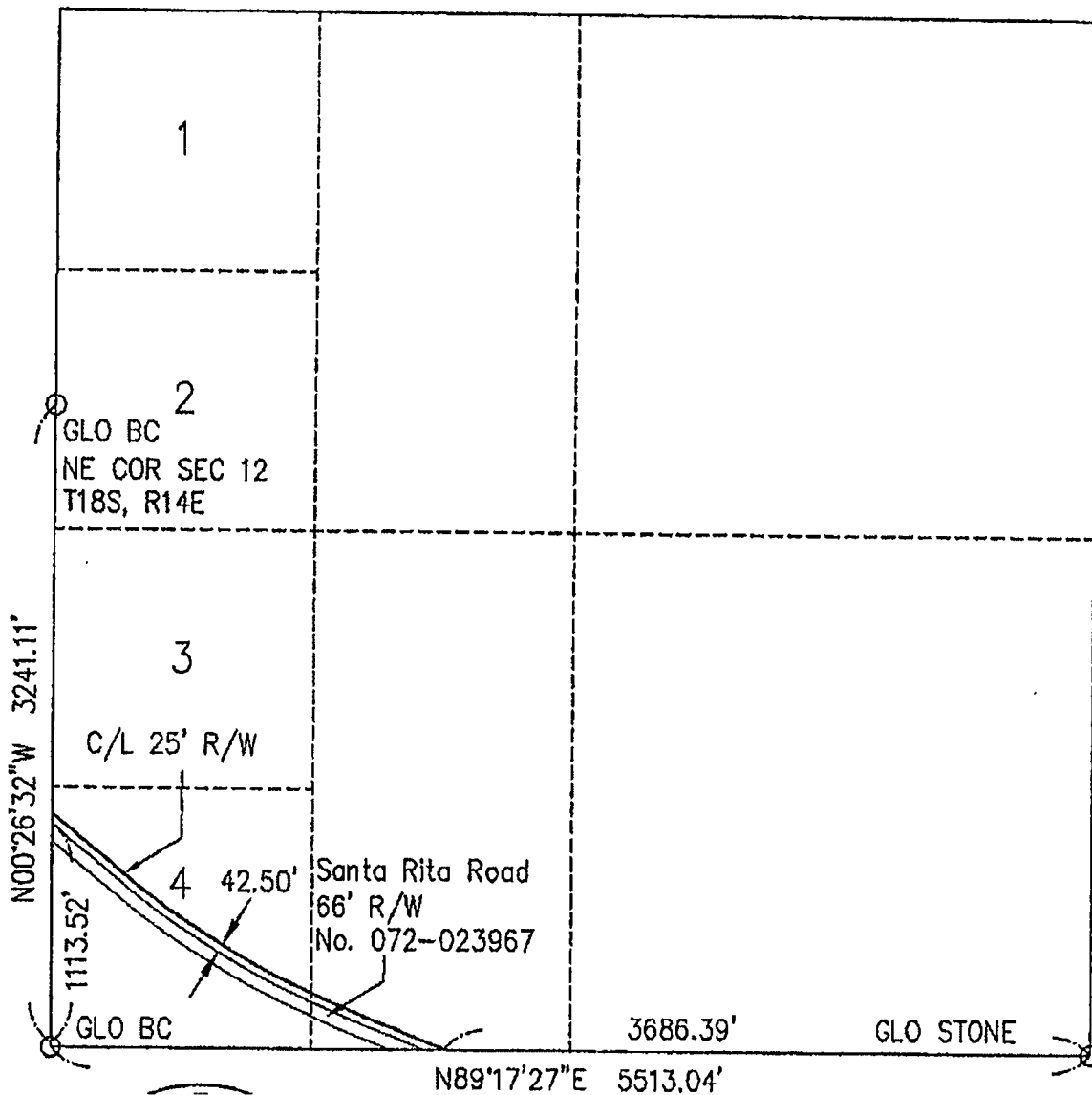
Page 30 of 40



Arizona State  
Land Department

Township 18S  
Range 15E  
Section 7  
Page 2 of 2

Section Map



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 86 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 31 of 40**

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 18  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across the North Half and the Southeast Quarter of Section 18, Township 18 South, Range 15 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying generally 42.50 feet North of, and parallel with, the North right-of-way line of Santa Rita Road (except in the vicinity of proposed Booster Station No.2), said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said Section 18, from which a GLO stone marking the Northeast corner of said section bears North 89°17'27" East, a distance of 3686.39 feet;

Thence along said centerline, South 67°57'29" East, a distance of 959.51 feet;

Thence along a tangent curve to the right with a radius of 725.50 feet, a central angle of 17°58'16" (the chord of which bears South 58°58'21" East, a distance of 226.63 feet) for an arc length of 227.56 feet;

Thence South 89°47'06" East, a distance of 24.63 feet;

Thence South 48°16'13" East, a distance of 194.94 feet;

Thence South 10°26'22" East, a distance of 26.09 feet;

Thence South 48°16'13" East, a distance of 2861.75 feet;

Thence along a tangent curve to the right with a radius of 2975.50 feet, a central angle of 09°12'40" (the chord of which bears South 43°39'53" East, a distance of 477.84 feet) for an arc length of 478.36 feet to a point on the East line of said section, from which a GLO stone marking the East Quarter corner bears North 0°41'23" West, a distance of 281.40 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 2.74 acres of land, more or less.



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

Page 87 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 32 of 40



Arizona State  
Land Department

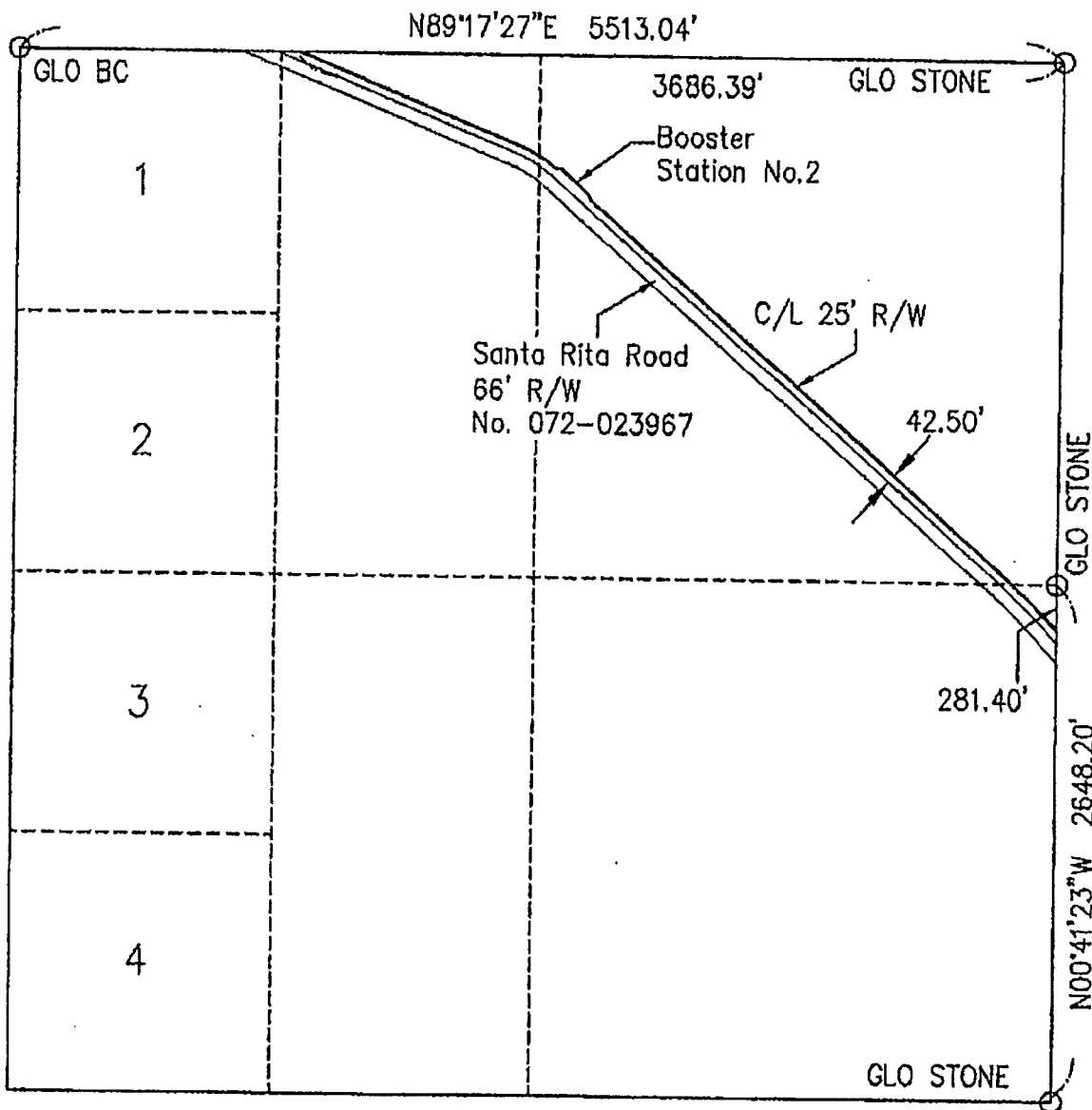
Township 18S

Range 15E

Section 18

Page 2 of 2

Section Map



# ADDITIONAL CONDITIONS

14-112157-00-000

Page 88 of 100

## EXHIBIT B

### LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT A

# 14-112157

(Temporary Construction Easement)

Page 33 of 40

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 17  
Page 1 of 3

### LEGAL DESCRIPTION

Description of a strip of land being twenty-five (25) feet in width across the South Half of Section 17, Township 18 South, Range 15 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 42.50 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 17, from which a GLO stone marking the West Quarter corner of said section bears North 0°41'23" West, a distance of 281.40 feet;

Thence along said centerline, along a non-tangent curve to the right with a radius of 2975.50 feet, a central angle of 02°02'07" (the chord of which bears South 38°02'29" East a distance of 105.69 feet) with a radial line in of South 50°56'27" West and a radial line out of North 52°58'34" East for an arc length of 105.69 feet;

Thence, along a reverse curve to the left with a radius of 749.50 feet, a central angle of 22°01'04" (the chord of which bears South 48°01'58" East, a distance of 286.25 feet) for an arc length of 288.02 feet;

Thence South 59°02'30" East, a distance of 393.88 feet;

Thence, along a tangent curve to the right with a radius of 1050.50 feet, a central angle of 15°08'22" (the chord of which bears South 51°28'19" East, a distance of 276.77 feet) for an arc length of 277.58 feet;

Thence South 43°54'08" East, a distance of 298.81 feet;

Thence, along a tangent curve to the right with a radius of 2000.50 feet, a central angle of 21°36'21" (the chord of which bears South 33°05'57" East, a distance of 749.92 feet) for an arc length of 754.38 feet;

Thence, along a reverse curve to the left with a radius of 599.50 feet, a central angle of 38°54'15" (the chord of which bears South 41°44'53" East, a distance of 399.29 feet) for an arc length of 407.06 feet;

Thence South 61°12'01" East, a distance of 443.83 feet;

**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 89 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 34 of 40**

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 17  
Page 2 of 3

**LEGAL DESCRIPTION (continued)**

Thence, along a tangent curve to the left with a radius of 3024.50 feet, a central angle of 08°14'44" (the chord of which bears South 65°19'23" East, a distance of 434.88 feet) for an arc length of 435.26 feet;

Thence South 69°26'44" East, a distance of 419.38 feet to a point on the South line of said section, from which a GLO stone marking the Southeast corner bears North 89°20'29" East, a distance of 2434.26 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 2.19 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 90 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 35 of 40



Arizona State  
Land Department

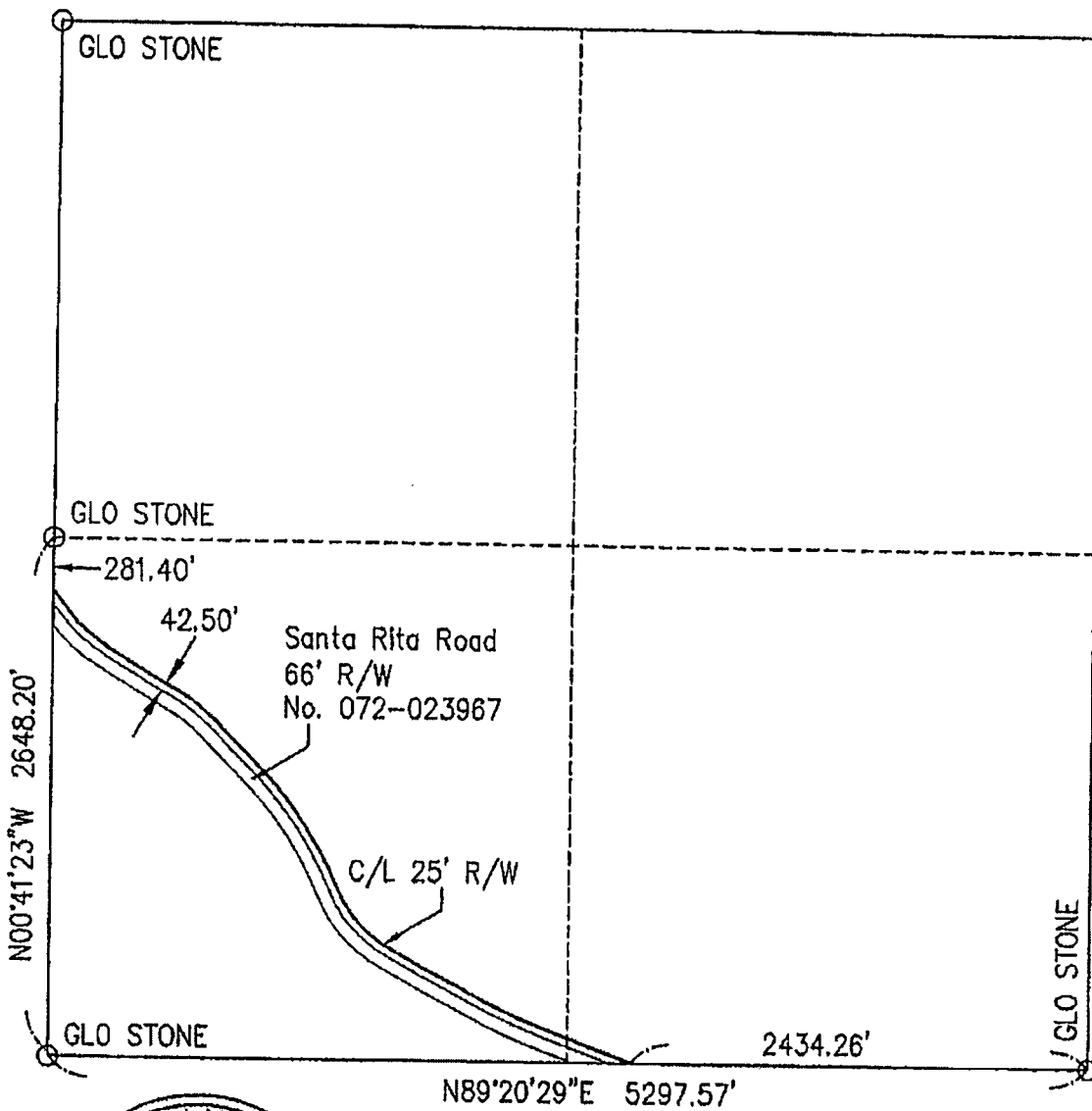
Township 18S

Range 15E

Section 17

Page 3 of 3

Section Map



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 91 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 36 of 40**

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 20  
Page 1 of 2

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across the Northeast Quarter of Section 20, Township 18 South, Range 15 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land lying 42.50 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the North line of said Section 20, from which a GLO stone marking the Northeast corner of said section bears North 89°20'29" East, a distance of 2434.26 feet;

Thence along said centerline, South 69°26'44" East, a distance of 2019.98 feet;

Thence, along a tangent curve to the right with a radius of 1575.50 feet, a central angle of 13°44'02" (the chord of which bears South 62°34'44" East, a distance of 376.74 feet) for an arc length of 377.65 feet;

Thence South 55°42'43" East, a distance of 266.48 feet to a point on the East line of said section, from which a GLO stone marking the East Quarter corner bears South 0°38'29" East, a distance of 1589.37 feet, said point being the point of termination of the herein described centerline.

Said strip of land contains 1.53 acres of land, more or less.

**ADDITIONAL CONDITIONS**

14-112157-00-000

Page 92 of 100

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

Exhibit A

# 14-112157

(Temporary Construction Easement)

Page 37 of 40



Arizona State  
Land Department

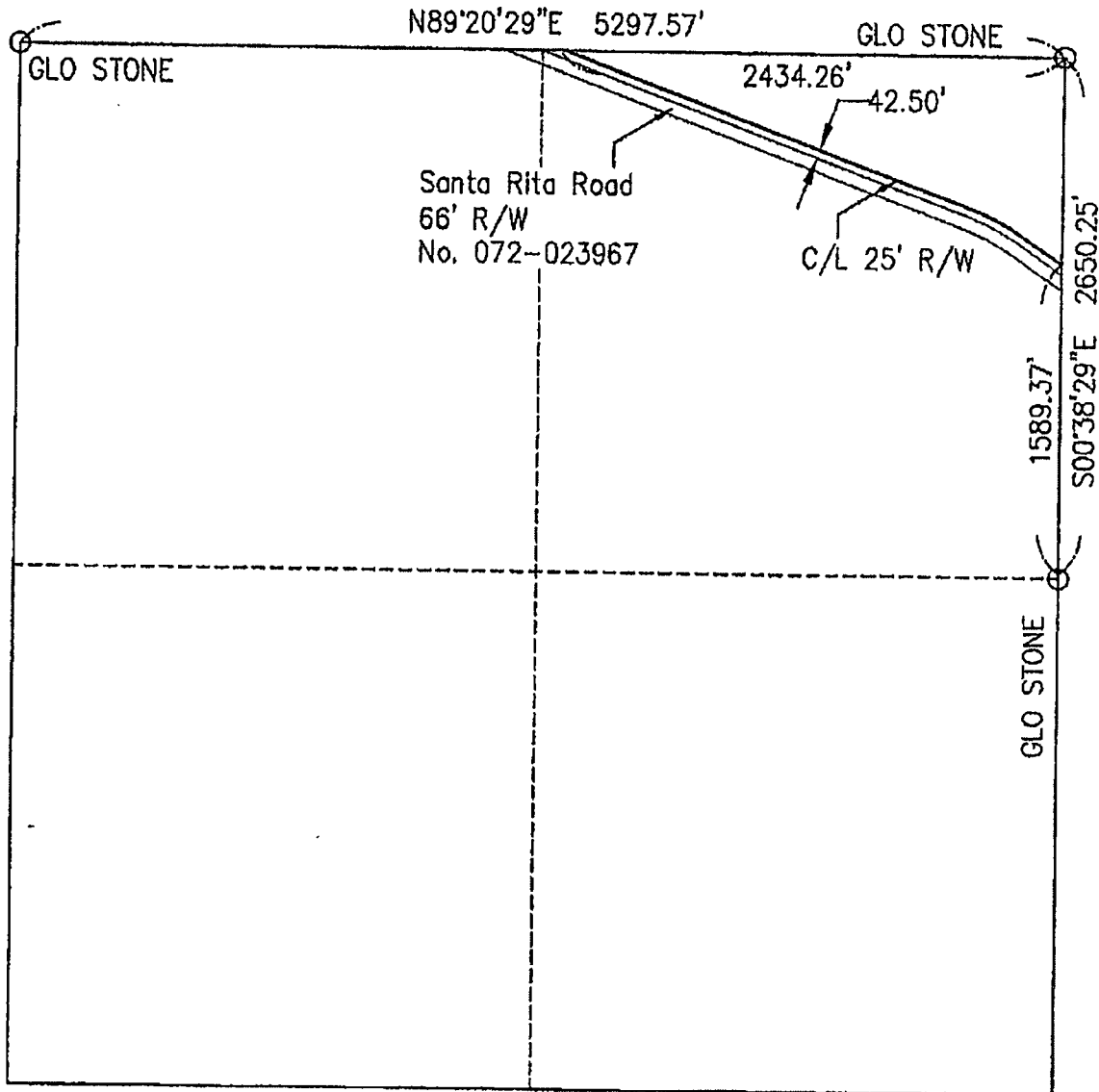
Township 18S

Range 15E

Section 20

Page 2 of 2

Section Map



**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 93 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 38 of 40**

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 21  
Page 1 of 3

**LEGAL DESCRIPTION**

Description of a strip of land being twenty-five (25) feet in width across the West Half and the Southeast Quarter of Section 21, Township 18 South, Range 15 East, Gila and Salt River Meridian, Pima County, Arizona. The centerline of said strip of land being more particularly described as follows:

Beginning at a point on the West line of said Section 21, from which a GLO stone marking the West Quarter corner bears South 0°38'29" East, a distance of 1589.37 feet;

Thence along a line 42.50 feet North of, and parallel with, the North right-of-way line of Santa Rita Road, said right-of-way being 66 feet in width, centered on the surveyed location of said road as it currently exists, South 55°42'43" East, a distance of 530.98 feet;

Thence South 54°56'28" East, a distance of 1400.08 feet;

Thence, along a tangent curve to the right with a radius of 3075.50 feet, a central angle of 10°29'18" (the chord of which bears South 49°41'48" East, a distance of 562.21 feet) for an arc length of 562.99 feet;

Thence South 44°27'09" East, a distance of 162.05 feet;

Thence South 42°13'41" East, a distance of 735.04 feet;

Thence, along a tangent curve to the left with a radius of 2024.50 feet, a central angle of 16°34'22" (the chord of which bears South 50°30'52" East, a distance of 583.55 feet) for an arc length of 585.59 feet;

Thence South 58°48'04" East, a distance of 217.77 feet;

Thence, along a tangent curve to the right with a radius of 675.50 feet, a central angle of 21°20'40" (the chord of which bears South 48°07'43" East, a distance of 250.19 feet) for an arc length of 251.64 feet;

Thence South 37°27'23" East, a distance of 230.99 feet;

Thence, along a tangent curve to the left with a radius of 289.50 feet, a central angle of 20°46'18" (the chord of which bears South 47°50'32" East, a distance of 104.38 feet) for an arc length of 104.95 feet;

**ADDITIONAL CONDITIONS**

**14-112157-00-000**

**Page 94 of 100**

**EXHIBIT B**

**LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF  
TEMPORARY CONSTRUCTION EASEMENT**

**EXHIBIT A**

**# 14-112157**

**(Temporary Construction Easement)**

**Page 39 of 40**

Arizona State  
Land Department  
Township 18S  
Range 15E  
Section 21  
Page 2 of 3

**LEGAL DESCRIPTION (continued)**

Thence South 58°13'42" East, a distance of 162.52 feet to a point on the North right-of-way line of said Santa Rita Road;

Thence continuing South 58°13'42" East, a distance of 92.06 feet

Thence South 11°22'57" West, a distance of 13.33 feet to a point on the South right-of-way line of said Santa Rita Road;

Thence continuing South 11°22'57" West, a distance of 45.34 feet;

Thence along a line 42.50 feet South of, and parallel with, the South right-of-way line of said Santa Rita Road North 80°59'36" East, a distance of 237.37 feet;

Thence, along a tangent curve to the left with a radius of 1075.50 feet, a central angle of 18°13'05" (the chord of which bears North 71°53'03" East, a distance of 340.53 feet) for an arc length of 341.97 feet;

Thence North 62°46'31" East, a distance of 363.96 feet;

Thence, along a tangent curve to the left with a radius of 575.50 feet, a central angle of 11°11'51" (the chord of which bears North 57°10'35" East, a distance of 112.29 feet) for an arc length of 112.47 feet;

Thence, along a reverse curve to the right with a radius of 5864.50 feet, a central angle of 05°57'47" (the chord of which bears North 54°33'34" East, a distance of 610.08 feet) for an arc length of 610.35 feet, to a point on the East line of said section, from which a 2½-inch aluminum cap stamped "RLS 40590" marking the Southeast corner bears South 0°51'01" East, a distance of 1669.69 feet, said point being the point of termination of the herein described centerline

Said strip of land contains 3.88 acres of land, more or less.



# ADDITIONAL CONDITIONS

14-112157-00-000

Page 95 of 100

## EXHIBIT B

### LEGAL DESCRIPTION AND/OR VISUAL DEPICTION OF TEMPORARY CONSTRUCTION EASEMENT

Exhibit A

# 14-112157

(Temporary Construction Easement)

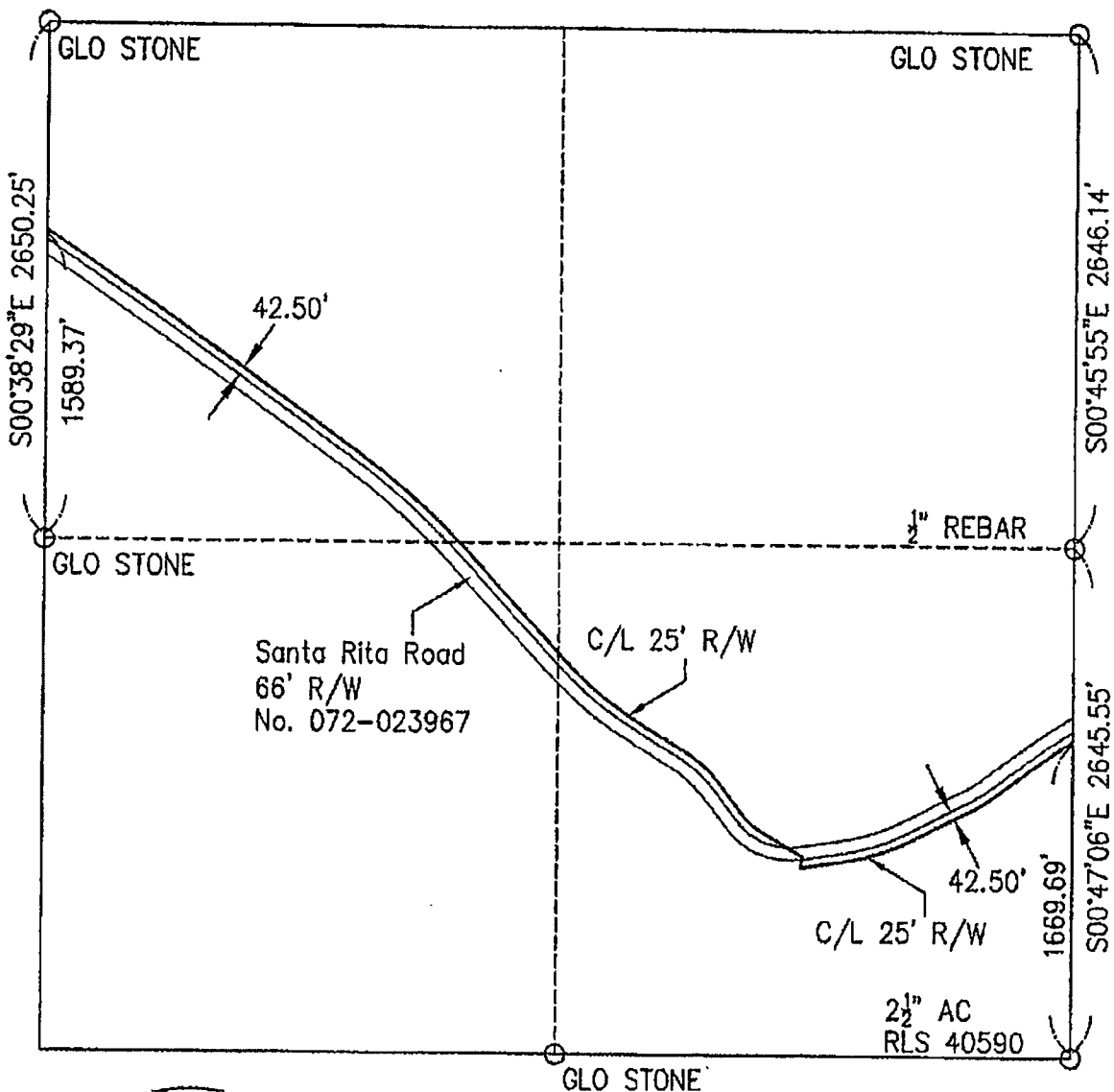
Page 40 of 40



Arizona State  
Land Department

Township 18S  
Range 15E  
Section 21  
Page 3 of 3

Section Map



## ADDITIONAL CONDITIONS

14-112157-00-000

Page 96 of 100

### EXHIBIT C

#### ADDITIONAL SPECIFIC COMPLIANCE REQUIREMENTS

##### 1. THREATENED / ENDANGERED SPECIES

The Arizona Game of Fish Department's Heritage Data Management System has been accessed and current records show that one or more listed, proposed, or candidate species or Critical Habitat (Designated or Proposed) have been documented in the vicinity of this Right of Way.

##### 1.1 Threatened / Endangered Species of Concern:

Common Name	Scientific Name	Status
<i>Pima Pineapple Cactus</i>	<i>Coryphantha scheeri var, robustispina</i>	<i>Listed Endangered</i>

1.2 Grantee shall follow the conditions specified by the U.S. Fish & Wildlife Service in the Biological Opinion(s) issued pursuant to any Section 7 consultation under the Endangered Species Act (ESA).

## ADDITIONAL CONDITIONS

14-112157-00-000

Page 97 of 100

### EXHIBIT D

#### INSURANCE RIDER TO STATE LAND DEPARTMENT

This Rider is attached to and made a part of the above-referenced Right of Way as if set forth therein verbatim.

**R-1 Indemnity.** To the fullest extent permitted by law, Grantee shall defend, indemnify, and hold harmless the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees (hereinafter referred to as "Indemnatee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Grantee or any of its owners, officers, directors, agents, employees, contractors or sub-contractors, arising out of or related to Grantee's occupancy and use of the Subject Land. This indemnity includes any claim or amount arising out of, or recovered under, the Workers' Compensation Law or arising out of the failure of such contractor or sub-contractors to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnatee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnatee, be indemnified by contractor or sub-contractor from and against any and all claims. It is agreed that Grantee will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable.

**R-2 Insurance Requirements.** Grantee shall procure and maintain for the duration of the Right of Way insurance against claims for injury to persons or damage to property which may arise from or in connection with this Right of Way. The insurance requirements herein are minimum requirements for this Right of Way and in no way limit the indemnity covenants contained in this Right of Way. The State of Arizona in no way warrants that the minimum limits contained herein is sufficient to protect the Grantee from liabilities that might arise out of this Right of Way. Grantee is free to purchase such additional insurance as Grantee determines necessary.

**A. Minimum Scope and Limits of Insurance.** Grantee shall provide coverage with limits of liability not less than those stated below:

1. **Commercial General Liability-Occurrence Form.** The Policy shall include bodily injury, property damage, personal injury and, products and completed operations.

<b>General Aggregate:</b>	<b>\$2,000,000.00</b>
<b>Products-Completed Operations Aggregate:</b>	<b>\$1,000,000.00</b>

## ADDITIONAL CONDITIONS

14-112157-00-000

Page 98 of 100

<b>Personal and Advertising Injury:</b>	<b>\$1,000,000.00</b>
<b>Each Occurrence:</b>	<b>\$1,000,000.00</b>
<b>Damage to Rented Premises:</b>	<b>\$50,000.00</b>

The policy shall be endorsed as required by written agreement to include the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees as additional insureds with respect to liability arising out of the use and/or occupancy of the property subject to this Right of Way.

The policy shall contain a waiver of subrogation endorsement as required by this written agreement in favor of the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents and employees for losses arising from the Grantee.

2. **Business Automobile Liability.** The Policy shall include Bodily Injury and Property Damage for any owned, hired, and/or non-owned vehicles used in the performance of this Right of Way.

Combined Single Limit (CSL)

\$1,000,000

The policy shall be endorsed as required by written agreement the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees as additional insureds with respect to liability arising out of the activities performed by or on behalf of the Grantee, involving automobiles owned, Right of Way, hired or borrowed by the Grantee.

a. Policy shall contain a waiver of subrogation endorsement as required by this written agreement in favor of the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Grantee.

3. **Worker's Compensation and Employers' Liability.**

<b>Workers' Compensation</b>	<b>Statutory</b>
<b>Employers' Liability</b>	
<b>Each Accident</b>	<b>\$ 1,000,000</b>
<b>Disease – Each Employee</b>	<b>\$ 1,000,000</b>
<b>Disease – Policy Limit</b>	<b>\$ 1,000,000</b>

a. Policy shall contain a waiver of subrogation endorsement, as required by this written agreement, in favor of the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees for losses arising from Grantee activities.

## ADDITIONAL CONDITIONS

14-112157-00-000

Page 99 of 100

4. **Property Insurance.** Property insurance on the building(s), if any, is only required if the Grantee is the sole occupant of the building(s).

Coverage on Grantee's contents	\$	Replacement Value
Coverage on building (if Grantee is sole occupant)	\$	Replacement Value

a. Property insurance shall be written on an "all risk, replacement cost coverage", including coverage for flood and earth movement.

b. If property coverage on the building is required, "the State of Arizona (and the respective agency or university) shall be named as a loss payee".

c. Policy shall contain a waiver of subrogation endorsement in favor of the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from the Right of Way.

**B. Additional Insurance Requirements.** The policies shall include, or be endorsed as required by written agreement to include, the following provisions:

1. The Grantee's policies shall stipulate that the insurance afforded the Grantee shall be primary insurance and that any insurance carried by the Department, its agents, officials, employees or the State of Arizona shall be excess and not contributory insurance, as provided by Arizona Revised Statutes Section 41-621 (E).

2. Insurance provided by the Grantee shall not limit the liability assumed under the indemnification provisions of this Right of Way.

**C. Notice of Cancellation.** For each insurance policy required by the insurance provisions of this Contract, the Contractor must provide to the State, within 2 business days of receipt, a notice if a policy is suspended, voided or cancelled for any reason. Such notice shall be mailed, emailed, hand delivered or sent by facsimile transmission to (State's Representative Name and Address & Fax Number).

**D. Acceptability of Insurers.** Grantee's insurance shall be with companies licensed in the State of Arizona or hold approved non-admitted status on the Arizona Department of Insurance List of Qualified Unauthorized Insurers. Insurers shall have an "A.M. Best" rating of not less than A-VII. The State of Arizona in no way warrants that the above-required minimum insurer rating is sufficient to protect the Grantee from potential insurer insolvency.

**E. Verification of Coverage.** Grantee shall furnish the State of Arizona with certificates of insurance valid (ACORD form or equivalent approved by the State of Arizona) as required by this Right of Way. The certificates for each insurance policy are to be signed by an authorized representative.

## ADDITIONAL CONDITIONS

14-112157-00-000

Page 100 of 100

All certificates and endorsements, as required by this written agreement are to be received and approved by the State of Arizona before the Right of Way Term commences. Each insurance policy required by this Right of Way must be in effect at or prior to the commencement of the Right of Way. Failure to maintain the insurance policies as required by this Right of Way or to provide timely evidence of renewal will be considered a material breach of the Right of Way.

All certificates required by this Right of Way shall be sent directly to The Arizona State Land Department, 1616 W. Adams, Phoenix, Arizona 85007. Right of Way number and location description are to be noted on the certificate of insurance. The State of Arizona reserves the right to require complete, certified copies of all insurance policies and endorsements required by this Right of Way at any time.

F. Approval and Modifications. The contracting agency in consultation with the Department of Administration, Risk Management Division reserves the right to review, or make modifications to the insurance limits, required coverages or endorsements throughout the life of this contract as deemed necessary. In such event, the contracting agency shall provide the contractor with written notice of such and contractor shall comply within thirty (30) days of receipt thereof. Such action will not require a formal Contract amendment, but may be made by administrative action.

G. Exceptions. In the event the Grantee or sub-Grantee(s) is/are a public entity, then the Insurance Requirements shall not apply. Such public entity shall provide Certificate of Self Insurance. If the Grantee or sub-Grantee(s) is/are a State of Arizona agency, board, commission, or university, none of the above shall apply.

H. Contractors/Subcontractors. Contractors' certificate(s) shall include all subcontractors as insureds under its policies or Contractor shall be responsible for ensuring and/or verifying that all Subcontractors have collectable insurance as evidenced by the certificates of insurance and endorsements for each Subcontractor. All coverages for Subcontractors shall be subject to the minimum insurance requirements identified above. The Department reserves the right to require, at any time, proof from the Contractor that its subcontractors have the required coverage.

DMEIDING/12809972.2/015556.0063

APPENDIX A

STATE OF ARIZONA LAND DEPARTMENT  
 1616 W. ADAMS  
 PHOENIX, AZ 85007

RUN DATE: 15 November 2017  
 RUN TIME: 14:51 PM  
 PAGE: 1

KE-LEASE# 014-112157-00-000 APPTYPE: NEW  
 AMENDMENT#: 0

LAND#	LEGAL DESCRIPTION	AUS	ACREAGE
17.0-S-14.0-E-19-10-053-9001	M&B THRU N2SENE	0.00	0.320
17.0-S-14.0-E-20-10-053-9011	M&B THRU E2 SWNW NESW	0.00	8.180
17.0-S-14.0-E-21-10-053-9005	M&B THRU N2N2S2	0.00	3.140
17.0-S-14.0-E-29-10-049-9005	M&B THRU E2 S2S2SW	0.00	8.080
17.0-S-14.0-E-30-10-049-9002	M&B THRU S2S2SE	0.00	1.720
17.0-S-14.0-E-31-10-049-9010	M&B THRU NWNWNE	0.00	0.140
17.0-S-14.0-E-32-10-030-9008	M&B THRU NENENE	0.00	0.080
17.0-S-14.0-E-33-10-021-9003	M&B THRU N2N2N2	0.00	3.650
17.0-S-14.0-E-34-10-021-9002	M&B THRU N2	0.00	4.230
17.0-S-14.0-E-35-10-012-9002	M&B THRU SW SWSE	0.00	2.970
18.0-S-14.0-E-01-10-021-9004	M&B THRU SWNW SW	0.00	3.130
18.0-S-14.0-E-02-10-043-9004	M&B THRU LOTS 1 2 SENE	0.00	1.760
18.0-S-14.0-E-12-10-043-9002	M&B THRU NE NENW	0.00	2.390
18.0-S-15.0-E-07-10-021-9003	M&B THRU LOT 4 SWSESSEW	0.00	1.430
18.0-S-15.0-E-17-10-043-9003	M&B THRU SW SWSWSE	0.00	2.570
18.0-S-15.0-E-18-10-021-9004	M&B THRU NE NENW NESE (3.00 AC) WATERPIPELINE M&B THRU SWNWNE (0.50 AC) BOOSTER STATION #2	0.00	3.500
18.0-S-15.0-E-20-10-049-9003	M&B THRU N2NE	0.00	1.890
18.0-S-15.0-E-21-10-021-9005	M&B THRU NW NESW SE	0.00	4.640
	TOTALS	0.00	53.820

IN WITNESS HEREOF, the parties hereto have signed this Right of Way effective the day and year set forth previously herein.

STATE OF ARIZONA, GRANTOR  
Arizona State Land Commissioner

By: *[Signature]* 11/28/17  
Date

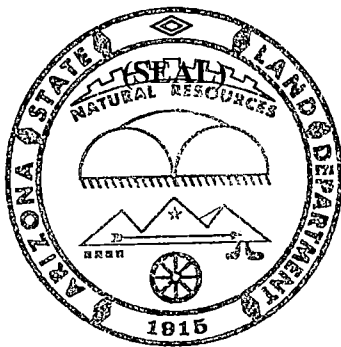
ROSEMONT COPPER COMPANY  
GRANTEE

*[Signature]* 11-21-17  
Authorized Signature Date

Director and Secretary  
Title

5255 E. Williams Circle, Ste. 1065  
Address

TUCSON AZ 85711  
City State Zip





**GRANTEE'S CERTIFICATE OF CONSTRUCTION**

**RIGHT OF WAY NUMBER:** \_\_\_\_\_

**NAME OF GRANTEE:** \_\_\_\_\_

**DATE ISSUED:** \_\_\_\_\_

**PERMITTED USE:** \_\_\_\_\_

**LAND DEPARTMENT ADMINISTRATOR:** \_\_\_\_\_

**DATE CONSTRUCTION STARTED:** \_\_\_\_\_

**DATE CONSTRUCTION COMPLETED:** \_\_\_\_\_

**I hereby certify that the facilities authorized by the State Land Commissioner, were actually constructed and tested in accordance with the terms of the grant, in compliance with any required plans and specifications, and applicable Federal and State laws and regulations.**

\_\_\_\_\_  
**Grantee's Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Title**

**Return To: Arizona State Land Department  
R/W Section  
1616 W. Adams Street  
Phoenix, AZ 85007**