ARIZONA DEPARTMENT OF WATER RESOURCES
Office of Assured and Adequate Water Supply
3550 North Central Avenue, Phoenix, Arizona 85012
Telephone 602 771-8500
Fax 602 771-8689

Janet Napolitano
Governor

Herbert R. Guenther
Director

November 8, 2007

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

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

Water provided by: Bella Vista Water Company
Water Type: Groundwater
Current water depth: No Information Provided

Estimated 100-year depth: No Information Provided
Current decline rate: No Information Provided
Basin: Sierra Vista

Dear Mr. Tanney:

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

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

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

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

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

This letter is being forwarded to your office as required by A.R.S. § 45-108. This law requires the developer to hold the recordation of the subdivision's plat until receipt of the Department's report on the subdivision's water supply. By copy of this report, the Cochise County Recorder is being officially notified of the developer's compliance with the law.

Sincerely,

Sandra Fabritz-Whitney
Assistant Director
Water Management Division

cc: Cochise County Planning and Zoning
Cochise County Recorder
Blaine Neptune, McIntoch & Associates
Rosemary Lopez, Office of Assured and Adequate Water Supply