ARIZONA DEPARTMENT OF WATER RESOURCES
GROUNDWATER MANAGEMENT SUPPORT SECTION

MAIL TO: P.O. BOX 458, PHOENIX, ARIZONA 85001-0458
FOR INFORMATION: CALL MONICA ORTIZ AT (602) 417-2470

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NOTICE OF INTENTION TO DRILL MONITOR/PIEZOMETER WELL

PLEASE READ GENERAL INSTRUCTIONS AND CONDITIONS ON REVERSE SIDE OF THIS FORM BEFORE COMPLETING.

1. Well/land Location:

14 N/S 13 E/W 24
Township Range Section

NW ¼ SW ¼ NE ¼
10 Acre 40 Acre 160 Acre

2. Position location of the well on the land:

Latitude 32 o 12 ' 06 "

Longitude 110 o 58 ' 09 "

3. County: Pima

4. Owner of the well:

Michael Katcher
Name
347 Pauls Crescent
Mailing Address
Osler, Saskatchawan, Canada
City State Zip S0K3A0
Telephone No. 306-239-4647

5. Lessee of the land of wellsite:

Michael Katcher
Name
347 Pauls Crescent
Mailing Address
Osler, Saskatchawan, Canada
City State Zip S0K3A0
Telephone No. 306-239-4647

6. Owner of the Land of Wellsite:

Victoria Alpert
Name
P.O. Box 30746
Mailing Address
Tucson AZ 85751
City State Zip
Telephone No. 520-721-1511

7. Consulting firm:

EEC, Inc.
Name
Michael Murray
Contact Person
Telephone No. 520-321-4625

VARIANCE GRANTED

8. Purpose of well drilled pursuant to this notice:

Monitor X
Piezometer

SPECIAL REQUIREMENTS

9. If for deepening or modifying, list well registration number:

55-

FOR DEPARTMENT USE ONLY

File No. D(14-13)24ACB
Filed 5-18-00 By MB
Input 6-1-00 By Gm

DUPLICATE
Mailed 6-8-00 By Gm
Registration 55- 581293
AMA/INA Tucson
W/S 09 S/B 16

10. Will this proposed well be associated with a permit: Yes _____ **No** X
If yes, Permit No. _____

11. Construction will start:

04 24 2000
Month Day Year

12. Period well will remain in use:

_____ Years _____ Months/Years

13. For monitoring wells, is pump equipment to be installed?

Yes _____ No X

(a) If yes, design pump capacity:

_____

(b) What use will be made of the water:

_____

14. Drilling Firm:

Geomechanics Southwest
Name
7700 S. Nogales Hwy
Mailing Address
Tucson AZ 85706
City State Zip
520-889-7787
Telephone No.
498
DWR License Number
079441 A-4
ROC License Category

15. Proposed method of abandonment of well after project is completed: Cement grout by tremie

_____, **pursuant to R12-15-816.**

16. Is this well to monitor existing contamination? X **Potential contamination:** _____ **Please explain:** Expanded assessment of perched groundwater contamination from leaking UST.

17. If construction plans have been coordinated with Arizona Department of Environmental Quality, who is the agency contact?

Kevin Synder

18. If construction plans have been coordinated with Arizona Department of Water Resources, who is the agency contact?

_____

19. WELL CONSTRUCTION PLAN:

a) Drilling method (mud rotary, hollow-stem auger, etc.) Hollow-stem auger

b) Borehole diameters: 11 inches from 0 feet to 90 feet.
_____ inches from _____ feet to _____ feet.

c) Casing materials (PVC, steel, hollow-stem auger, etc.)
material Sched. 40 PVC diameter 4 inches from 0 feet to 90 feet.
material _____ diameter _____ inches from _____ feet to _____ feet.

d) Method of sealing at reductions NA

e) Annular seal materials (cement, grout, etc.,); method of placement (tremied, circulated):
material neat cement method tremie from 0 feet to 20 feet.
material _____ method _____ from _____ feet to _____ feet.

f) Filter packs (state material):
material 10-20 silica sand from 60 feet to 90 feet.
material _____ from _____ feet to _____ feet.

g) Perforations or screen specifications:
Type 020" slot from 60 feet to 90 feet.
Type _____ from _____ feet to _____ feet.

h) Method of well development (bail, air lift, surge) surge and bail

i) Will surface or conductor casing extend above grade?: Yes_____ No X

20. Include detailed construction diagram showing expected water depth in feet below land surface, and details of vault, if specified.

I state that this Notice is filed in compliance with Rule A.A.C. R12-15-809, is complete and correct to the best of my knowledge and belief and that I understand the conditions set forth on this form.

Michael Katcher — Michael Katcher — April 5 2000

Typed or Printed Name and Title | **Signature [ ] Land Owner [X] Lessee of Wellsite, Title** | **Date**

Necessary Steps and Instructions to Obtain Drilling Authority (Monitor/Piezometer Wells)

1. Arizona Revised Statues ("A.R.S.") § 45-596 provides that prior to drilling a monitor or piezometer well, a Notice of Intention to Drill must be filed with the Department. To assist you in understanding the substantive requirements for this application, copies of A.R.S. § 45-596 and Arizona Administrative Code ("A.A.C.") R12-15-810 are available thru the department bookstore.
2. Information to complete items 1, 2, and 3 may be available from your County Tax Receipt or your County Assessors Office.
3. Information to complete item 9 is available from your copy of the original Notice of Intent to Drill or our Records Division at (602)417-2405.
4. Information to complete items 11, 14 and 15 may be available from your driller.
5. If an individual other than the land owner or lessee signs this notice, an original **notarized** letter of authorization from the land owner/lessee, stating that the individual has permission to sign this specific Notice on his or her behalf, must accompany the Notice of Intention to Drill a Monitor/Piezometer Well.
6. Please complete two original notices with original signatures and include a $10.00 check or money order for the processing fee, in accordance with A.R.S. § 45-113. Submit them to: P.O. Box 458, Phoenix, Arizona 85001-0458.

TIME FRAME FOR REVIEW OF YOUR APPLICATION

Within 15 days after receipt of your Notice of Intention, the Arizona Department of Water Resources ("Department") will determine whether your application should be granted or denied, unless this time is extended for lack of a complete application. If your application is incomplete, the Department will notify you in writing and will specify what information is necessary to make the application complete. Until the missing information is received, the time frame for review of your application will be suspended. Your application will not be complete until all of the requested information is received. If you do not supply the missing information within sixty (60) days, the Department may deem your application withdrawn and close the file.

At the end of its review, the Department will send you written notice either granting or denying your application for drilling authority. If your application is approved, the Drill Card will be mailed directly to the drilling company. If denied, the Department's notice will state justification for the denial and an explanation of your right to appeal.

Construction and Follow-up Requirements

1. Construction and abandonment standards for all wells must be in accordance with Department Rules.
2. A.A.C. Rule R12-15-811(H)(2) requires a monitor well to be identified as such on the vault cover or at the top of the steel casing. Identification information must include the well registration number.
3. Pursuant to A.R.S. § 45-596(E), drilling, deepening or modification of the well must be completed within one year after the date of the Notice of Intent.
4. A Well Driller Report is required within thirty (30) days of completion of drilling. Within thirty (30) days after installation of pumping equipment in monitor wells, a Completion Report must be filed with the Department.
5. Pump equipment may not be installed on a well drilled for piezometer purposes. If a monitor well is pumped, pumping is limited to the maximum amount required for monitor purposes, but in no case may exceed 35 gallons per minute and an annual total volume of 10 acre feet.
6. Special construction standards required pursuant to A.A.C. Rule R12-15-821: _____

ARIZONA DEPARTMENT OF WATER RESOURCES

GROUNDWATER MANAGEMENT SUPPORT SECTION

500 North Third Street
Phoenix, Arizona 85004

THIS AUTHORIZATION SHALL BE IN POSSESSION OF THE DRILLER DURING ALL DRILL OPERATIONS

WELL REGISTRATION NO: 55-581293

AUTHORIZED DRILLER: GEOMECHANICS SOUTHWEST, INC. LICENSE NO: 498

NOTICE OF INTENTION TO DRILL A MONITOR WELL(S) HAS BEEN FILED WITH THE DEPARTMENT BY:

WELL OWNER: MICHAEL KATCHER 347 PAULS CRESCENT OSLER, SA S0K3A0

The well(s) is/are to be located in the:

NW ¼ of the SW ¼ of the NE ¼ Section 24 Township 14 SOUTH Range 13 EAST

No. of wells in this project: 1

THIS AUTHORIZATION EXPIRES AT MIDNIGHT ON THE 17TH DAY OF MAY, 2001

GROUNDWATER MANAGEMENT SUPPORT

THE DRILLER MUST FILE A LOG OF THE WELL
WITHIN 30 DAYS OF COMPLETION OF DRILLING

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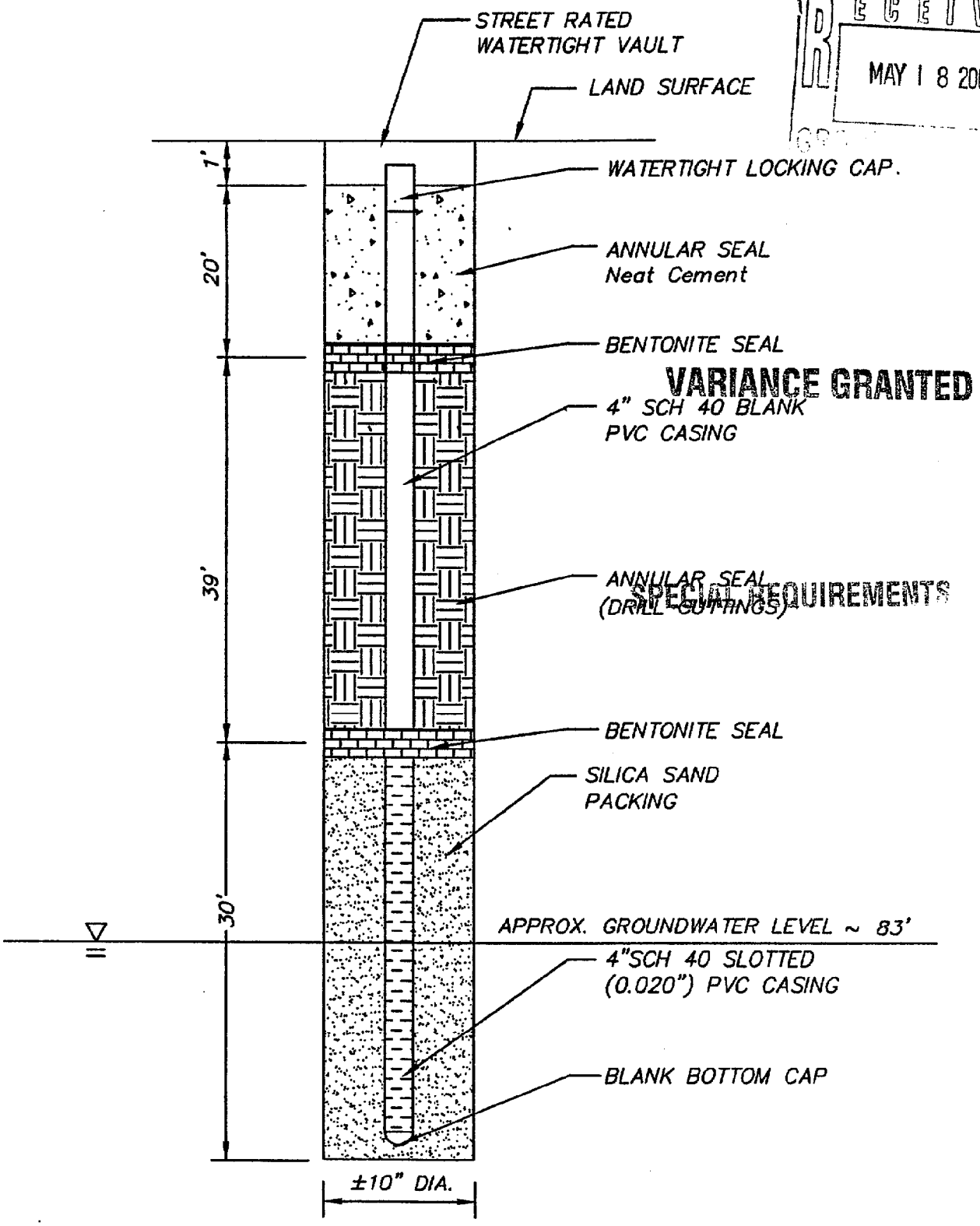

VARIANCE GRANTED
SPECIAL REQUIREMENTS

ENGINEERING AND ENVIRONMENTAL CONSULTANTS, INC.
4625 E. FT. LOWELL RD. · TUCSON, ARIZONA · 85712

DESIGNED BY:	JTM
DRAWN BY:	WJC
CHK'D BY (DESIGN):	JJH
DATE:	05/00
SCALE: HORIZ.	N/A
VERT.	NTS

MONITORING WELL SCHEMATIC

KATCHER PROPERTY

1700 S. 6th AVE.
TUCSON, ARIZONA

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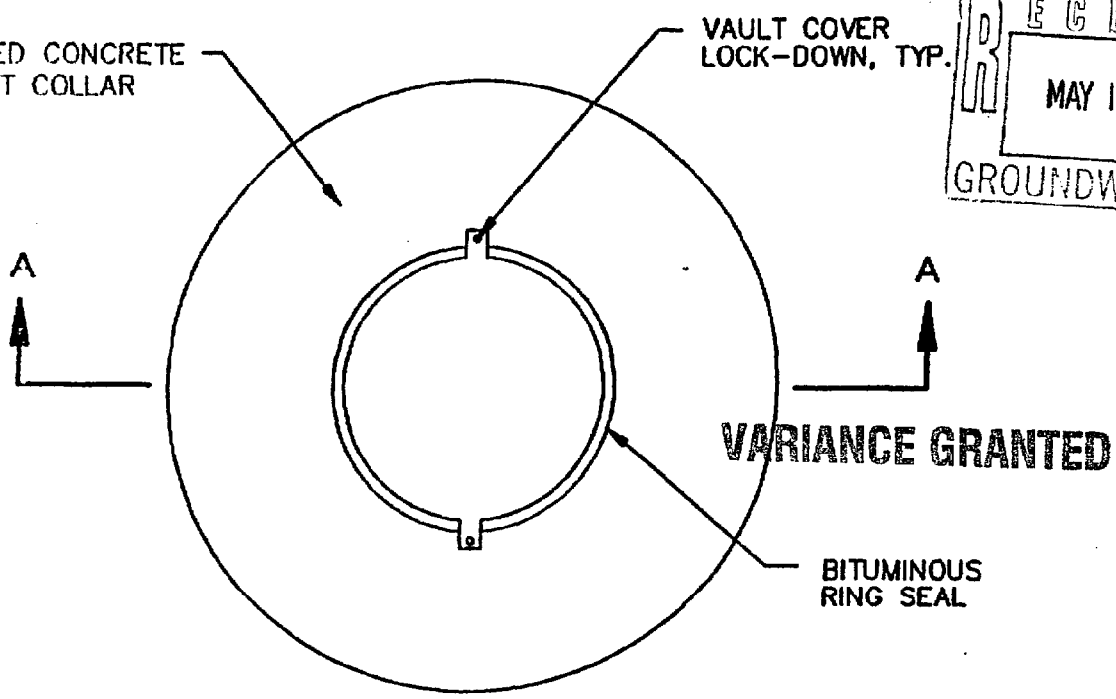
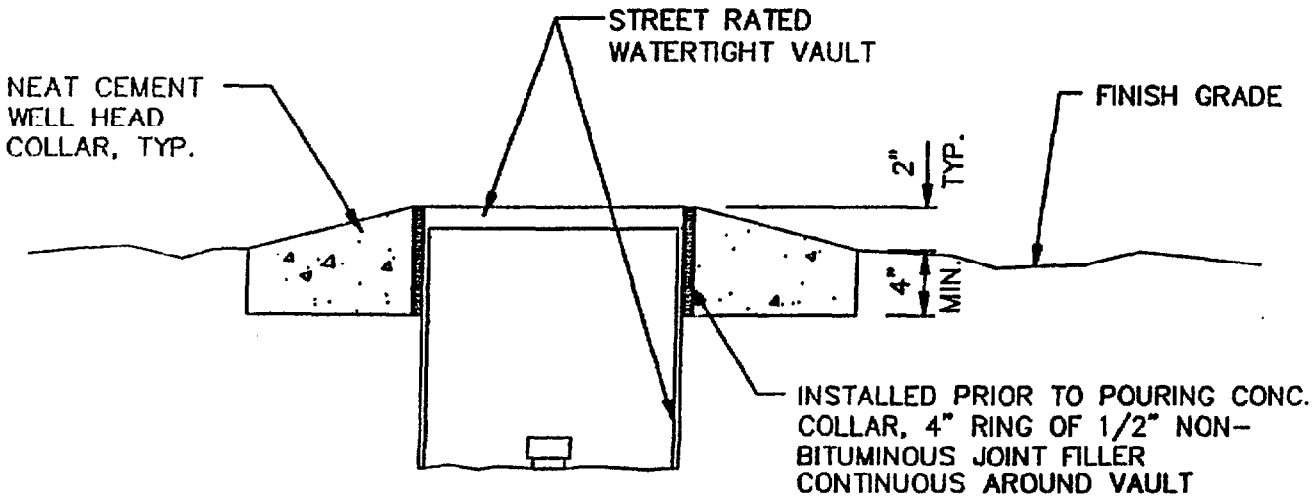


VARIANCE GRANTED

SPECIAL REQUIREMENTS

PLAN VIEW



SECTION A–A
NTS

WELL VAULT DETAIL

SCALE N.T.S.

ENVIRONMENTAL ENGINEERING CONSULTANTS, INC.
4025 E. GT. LOWELL RD. · SUITE 200 · TUCSON, ARIZONA · 85712

PLT SCALE 1"=1'

ARIZONA DEPARTMENT OF WATER RESOURCES
Hydrology Division
500 North Third Street, Phoenix, Arizona 85004
Telephone 602-417-2448
Fax 602-417-2425

May 23, 2000

JANE DEE HULL
Governor

Mr. Michael Katcher
347 Pauls Crescent
Osler, Saskatchawan, Canada SOK3A0

Re: Notice of Intent to Drill Five Monitor Wells
Registration Numbers 55-581291 through 55-581295

Dear Mr. Katcher:

The Arizona Department of Water Resources received your request dated May 18, 2000 for construction of five monitor wells to be located in Pima County.

The Department has reviewed the above referenced application to determine if the application meets the substantive requirements of A.R.S. §45-596(D) and A.A.C. R12-15-820. Pursuant to A.R.S. §41-1075, the Department has determined that additional information is required and is being requested through Geomechanics Southwest.

The following information must be submitted before the Department can complete its review.

- A variance request to use thermoplastic casing with a watertight cap in lieu of steel

Failure to submit the information requested within 62 days may result in the denial of the application. The Department's substantive review time frame is suspended until all of the requested information is provided.

If you have any questions, please contact Bruce Hammett of my staff at 602-417-2400 extension 7301.

Sincerely,

Frank Corkhill
Technical Support Section Supervisor

FC/BH/mr
503050

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LICENSE AGREEMENT

THIS LICENSE AGREEMENT is made on Mar. 22, 2000, by and between Deanna J. Myerson, an unmarried woman, and Victoria Ann Alpert (nee Myerson), as Trustee of the V.A. Myerson Trust, (hereinafter, collectively, "Licensor"), and Michael O. Katcher and Mary M. Katcher, as Co-Trustees of the Katcher Family Trust, dated January 1, 1989 (the "Katcher Trust"), and Michael O. Katcher and Mary Katcher, husband and wife ("Katcher") (hereinafter the Katcher Trust and Katcher are collectively referred to as "Licensee"). Licensor and Licensee shall sometimes hereinafter be referred to as the "Parties."

RECITALS

A. Licensor is the owner of certain real property legally described as the West 40.2 feet and the East 125 feet of Lots 8 and 9 in Block 2 of Hughes Subdivision, Pima County, Arizona, according to the Map or Plat thereof of record in the Office of the County Recorder of Pima County, Arizona, in Book 3 of Maps and Plats at Page 92 thereof (the "Property");

B. The Katcher Trust is the owner of certain real property legally described as Lots 10 and 11 in Block 3 of Hughes Subdivision according to the plat of record in the office of the County Recorder of Pima County, Arizona, in Book 3 of Maps and Plats at Page 92 (the "Licensee Property");

C. Licensee desires to enter the Property to drill and construct up to and not to exceed six monitoring wells at the locations indicated as "Proposed Monitoring Well" on Exhibit "1" attached hereto and made a part hereof; convert the borings to ground water monitoring wells, the monitoring well detail of which is illustrated in Exhibit "2" attached hereto and made a part hereof; and conduct certain sampling and testing activities on a quarterly basis. No monitoring well shall be located more than three (3) feet from the location shown on Exhibit "1" without the prior written consent of Licensor. In the event that petroleum free product is discovered through sampling, Licensee may need to enter the Property to install underground piping to remove the petroleum free product from the groundwater. The underground piping, approximately located as indicated on Exhibit "1", will transmit the petroleum free product from the Property to Licensee Property. Notwithstanding the foregoing, Licensee will not install equipment above grade on the Property.

D. Licensor and Licensee desire to enter into this License Agreement for the foregoing purposes;

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AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are acknowledged, the Parties agree as follows:

1. Grant of License – Licensor hereby grants to Licensee, and its employees, representatives and contractors a non-exclusive license (hereinafter the "License") to enter upon the Property from time to time to conduct the activities described in Recitals C above strictly in accordance with the terms thereof. In the event underground piping is required as provided for in Recital C, the same shall not be installed unless and until Licensee obtains Licensor's prior written consent to the location and plans and specifications for such piping. Licensee may not conduct any other remediation activity, other than the removal and transmission of free product from the Property to Licensee's property via underground piping, without the express written permission from Licensor. This License shall commence on March 22, 2000, and shall end on March 21, 2002, unless the Parties mutually agree in writing to extend the term of the License. Notwithstanding the foregoing, Licensor reserves the right to terminate the License: (i) for reasonable cause (not limited solely to breach by Licensee) upon not less than 60 days notice to Licensee, and (ii) in the event of the prospective or actual sale or lease of the Property, not less than 30 days notice to Licensee. Prior to the expiration or earlier termination of the License, Licensee shall, at its sole cost and expense, (a) cause any excavations to be returned to the original grade, (b) remove all equipment placed on the Property by Licensee, its employees, representatives and contractors, (c) fill and level all ditches, and depressions, if any, caused by the closure of the Licensee's excavation operations on the Property and (d) remove all debris resulting therefrom.

2. Compliance with Laws – Licensee shall conduct all operations which are subject of this License in compliance with all federal, state, and municipal statutes and ordinances, and with all regulations, orders, and directives of appropriate governmental agencies, as such statutes, ordinances, regulations, orders and directives now or may hereafter exist or provide.

3. Permits – Licensee, at no cost or expense to Licensor, shall obtain any and all governmental permits and approvals which may be necessary for it to conduct any work or activities under this License Agreement. Licensor shall cooperate with Licensee, at no cost to Licensor, in Licensee's activities to obtain all necessary government permits and permissions.

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4. Liens and Claims – Licensee will not permit any mechanics', materialmen's, or similar liens or claims to stand against the Property for labor or material furnished in connection with any work performed by Licensee, its employees, representatives or contractors under this License Agreement. Upon notice of any such lien or claim delivered to Licensee by Licensor, Licensee shall, at its sole expense, within seven (7) days after such notice, record a discharge bond, releasing the lien or claim of record.

5. Underground Storage Tank (UST) Site Closure Letter – Licensee shall deliver to Licensor a UST site closure letter with respect to the Property when and if obtained from the Arizona Department of Environmental Quality ("ADEQ"). Within fifteen (15) days of the commencement date of this License Agreement, Licensee shall provide to Licensor a list of all ADEQ personnel with whom Licensee, its contractors or subcontractors are working on this Property.

6. Cooperation – Licensee agrees to coordinate its activities with Licensor to minimize any inconvenience or impairment of access or use of the Property by Licensor, prospective purchasers, lessees or business invitees to the Property. Upon Licensor's request, Licensee must move any well or associated equipment, including piping, that interferes with the building of any structure, the laying of any utility lines, or any other activity associated with the development, sale or lease of the Property. Licensee shall provide to Licensor, within fifteen (15) calendar days of generation, receipt, or mailing, a copy of all notices, reports, letters and other documents that are associated with the subject drilling, monitoring, sampling, or free-product removal and that are generated by licensee, received by Licensee from other governmental agencies, or mailed by Licensee to governmental agencies.

7. Licensee's Liability Insurance – License shall cause Environmental Engineering Consultants (EEC), Licensee's contractor, to obtain and keep in force during the term of this License Agreement a policy of commercial general liability insurance written on an occurrence basis insuring EEC against any liability arising out of the use or occupancy of the Property pursuant to this License Agreement. Such insurance shall be primary and not contributing with any insurance maintained by Licensor, shall have a combined single limit of liability of $1,000,000 and shall name Licensee and Licensor as an additional insured. The limits of said insurance shall not, however, limit the liability of Licensee hereunder. Said insurance shall include contractual liability coverage covering all indemnification obligations of Licensee hereunder. On or prior to the commencement date of this License Agreement, Licensee shall cause EEC to deliver to Licensor a certificate evidencing the existence and amount of such insurance, and showing Licensee and Licensor as an additional insureds thereunder. Such certificate shall state explicitly that such

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insurance shall not be cancelable or subject to reduction of coverage or other material modification except upon at least sixty (60) days advance written notice by the insured to Licensor.

8. Indemnity – Licensee shall indemnify, defend and hold harmless Licensor from and against any and all claims, including, but not limited to, environmental damages, other damages and/or losses arising from the use of the Property by Licensee, its employees, representatives or contractors, or from any activity, work, or thing done, permitted, or suffered by Licensee, its employees, representatives or contractors in or about the Property, and shall further indemnify, defend and hold harmless Licensor from and against any and all claims arising from any breach or default in the performance of any obligation on Licensee's part to be performed under the terms of this License Agreement or arising from any negligence of Licensee, its employees, representatives or contractors, and from and against all costs, attorneys' fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon. Licensee, as a material part of the consideration to Licensor, hereby assumes all risk of damage to property or injury to persons, in, upon or about the Property arising from any entry onto, or operations conducted on, the Property by Licensee, its employees, representatives or contractors and Licensee hereby waives all claims in respect thereof against Licensor.

9. Severability – In case any one or more of the provisions contained in this Agreement shall be invalid, illegal or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired thereby.

10. Notices – Any notice provided for herein or otherwise required to be given hereunder shall be deemed received upon receipt after mailing by certified United States mail, return receipt requested, postage prepaid, or by facsimile machine, with transmission and receipt confirmed, or upon personal delivery or delivery by nationally recognized overnight delivery service, addressed as follows:

To Licensor: Ms. Victoria Alpert
1348 N. Dorado Boulevard (85715)
P.O. Box 30746
Tucson, Arizona 85751
Facsimile: (520) 721-1511

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To Licensee: Mr. Michael Katcher
c/o Engineering and Environmental Consultants, Inc.
4625 E. Fort Lowell Road
Suite 200
Tucson, Arizona 85712
Attn: Mike Murray
Facsimile: (520) 321-0333

The person to whom and the place to which notices are mailed may be changed by either party by providing written notice of same to the other.

11. Real Covenant – The rights and obligations under this License Agreement shall run with the Property and the Licensee Property as real covenants and equitable servitudes and shall be binding upon all persons and entities having or acquiring any right, title or interest in the Property or the Licensee Property and shall inure to the benefit of each such person and their respective succesors in interest. Notwithstanding anything herein to the contrary, the transfer of the Licensee Property shall not affect the obligations under this Agreement of the Licensee named herein.

12. Entire Agreement – This License Agreement represents the full, complete and entire agreement between the parties with respect to the subject matter hereof.

13. Governing Law – This Agreement stall be construed and interpreted and governed by and in accordance with the local law of the State of Arizona without reference to any choice of law, rules or policies which may refer the resolution of any dispute arising hereunder to the laws of any other jurisdiction.

14. Counterparts – This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute one and the same Agreement.

15. Future Fees – Licensee shall reimburse Licensor for any and all claims, demands, damages, liabilities, fines, penalties, judgments, professional fees or costs (including attorneys' fees) incurred by the Licensor after the date hereof associated with the implementation, enforcement, modification or termination of this License Agreement.

16. License Fee – Licensee shall pay Licensor the sum of $150.00 per month as consideration for the grant of the License. Such fee shall be paid on the first day of each month during the term of this License Agreement. If Licensor does not receive

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such sum by the tenth day of any month, Licensee shall pay such sum plus a ten percent (10%) late fee for that month.

17. Incorporation of Recitals – The parties hereby affirm the truth and accuracy of the Recitals to this License Agreement and incorporate the same herein by this reference.

IN WITNESS WHEREOF, the Parties have executed this License Agreement by their duly authorized representative on the date first above written.

LICENSOR

Victoria Ann Alpert
Victoria Ann Alpert, Trustee
Date: 4-27-00

Deanna J. Myerson
Deanna J. Myerson
Date: 4/24/00

LICENSEE

Michael O Katcher
Michael O. Katcher, Co-Trustee of the Katcher Family Trust
Date: Mar 27, 2000

Mary M. Katcher
Mary M. Katcher, Co-Trustee of the Katcher Family Trust
Date: Mar. 27, 2000

Michael Katcher
Michael O. Katcher
Date: Mar. 27, 2000

Mary M Katcher
Mary Katcher
Date: Mar. 27, 2000

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IN WITNESS WHEREOF, the Licensor has caused this License Agreement to be executed this ____ day of _____, 2000.

_____,
a(n) _____

By: _____
Its: _____

STATE of Arizona)
) ss.
County of Erie)

The foregoing instrument was acknowledged before me this 17th day of April, 2000, by Victoria Ann Alpert, as Trustee of the V. A. Myerson Trust.

Lois J. Setter
Notary Public

My Commission Expires:

11-11-2002

32839.01

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IN WITNESS WHEREOF, the Licensor has caused this License Agreement to be executed this ____ day of _____, 2000.

_____,
a(n) _____

By: _____
Its: _____

STATE of Arizona)
) ss.
County of _____)

The foregoing instrument was acknowledged before me this 24th day of April, 2000, by Deanna J. Myerson, an unmarried woman.

Lori J. Setter
Notary Public

My Commission Expires:

11-11-2002

56839.01

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MAY 1 8 2000
GROUNDWATER MGT

IN WITNESS WHEREOF, the Licensor has caused this License Agreement to be executed this ____ day of _____, 2000.

a(n) _____

By: _____
Its: _____

STATE of _____)
) ss.
County of _____)

The foregoing instrument was acknowledged before me this 27 day of March, 2000, by Michael O. Katcher, as Co-Trustee of the Katcher Family Trust, dated January 1, 1989.

RICHARD PETKAU NOTARY PUBLIC My appt. expires May 31, 2004 SASKATCHEWAN

Notary Public

My Commission Expires:

R3839.01

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GROUNDWATER MGT

IN WITNESS WHEREOF, the Licensor has caused this License Agreement to be executed this ____ day of _____, 2000.

a(n) _____

By: _____
Its: _____

STATE of _____)
) ss.
County of _____)

The foregoing instrument was acknowledged before me this 27 day of March, 2000, by Mary M. Katcher, as Co-Trustee of the Katcher Family Trust, dated January 1, 1989.

RICHARD PETKAU
NOTARY PUBLIC
My appt. expires May 31, 2004
SASKATCHEWAN

_____
Notary Public

My Commission Expires:

_____

88839.01

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MAY 18 2000
GROUNDWATER MGT

IN WITNESS WHEREOF, the Licensor has caused this License Agreement to be executed this ____ day of _____, 2000.

_____

_____,

a(n) _____

By: _____

Its: _____

STATE of _____)
) ss.
County of _____)

The foregoing instrument was acknowledged before me this 21 day of MARCH, 2000, by Michael O. Katcher, individually.

RICHARD PETKAU NOTARY PUBLIC My appt. expires May 31, 2004 SASKATCHEWAN

_____
Notary Public

My Commission Expires:

_____

28039.01

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MAY 18 2000
GROUNDWATER MGT

IN WITNESS WHEREOF, the Licensor has caused this License Agreement to be executed this ____ day of _____, 2000.

_____

a(n) _____

By: _____
Its: _____

STATE of _____)
) ss.
County of _____)

The foregoing instrument was acknowledged before me this 27 day of MARCH, 2000, by MARY Katcher, individually.

RICHARD PETKAU NOTARY PUBLIC My appt. expires May 31, 2004 SASKATCHEWAN

_____ Notary Public

My Commission Expires:

_____

3889.01

EXHIBIT 1

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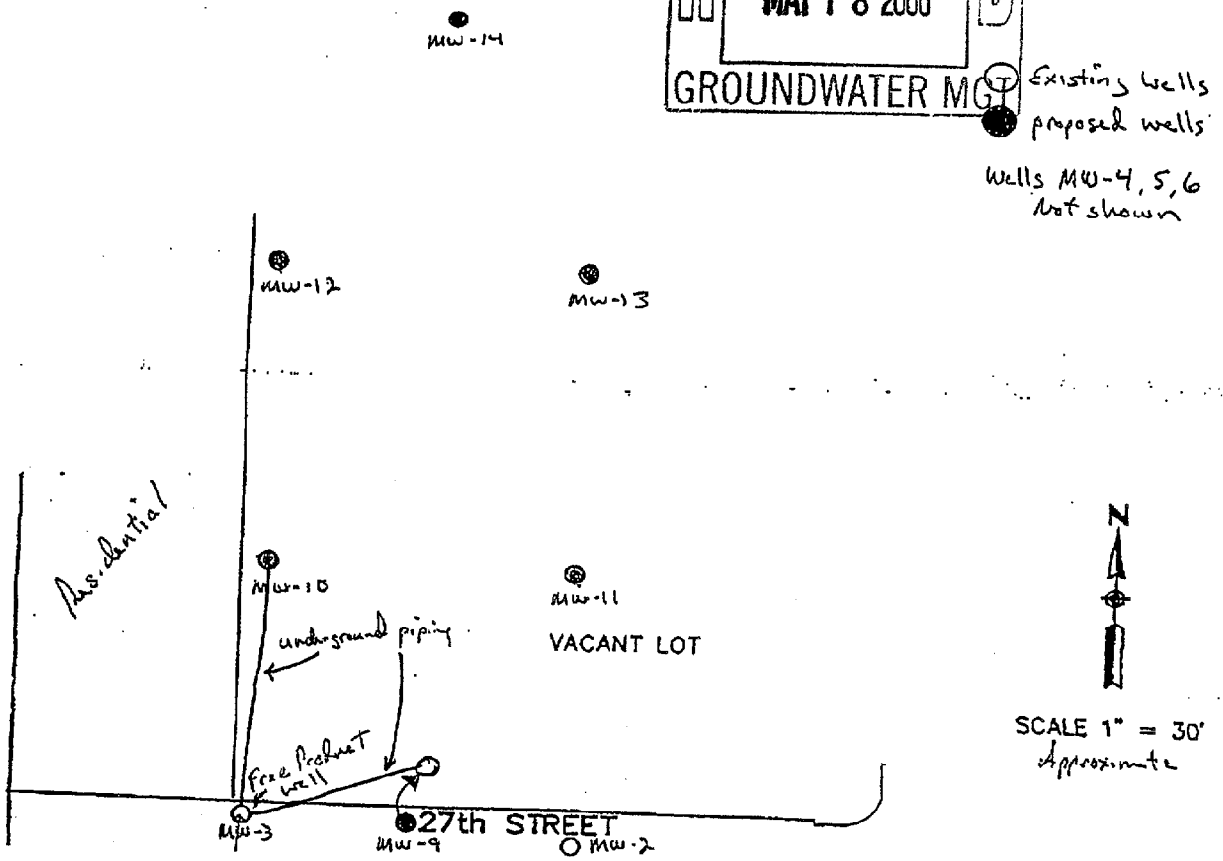

EXHIBIT 2

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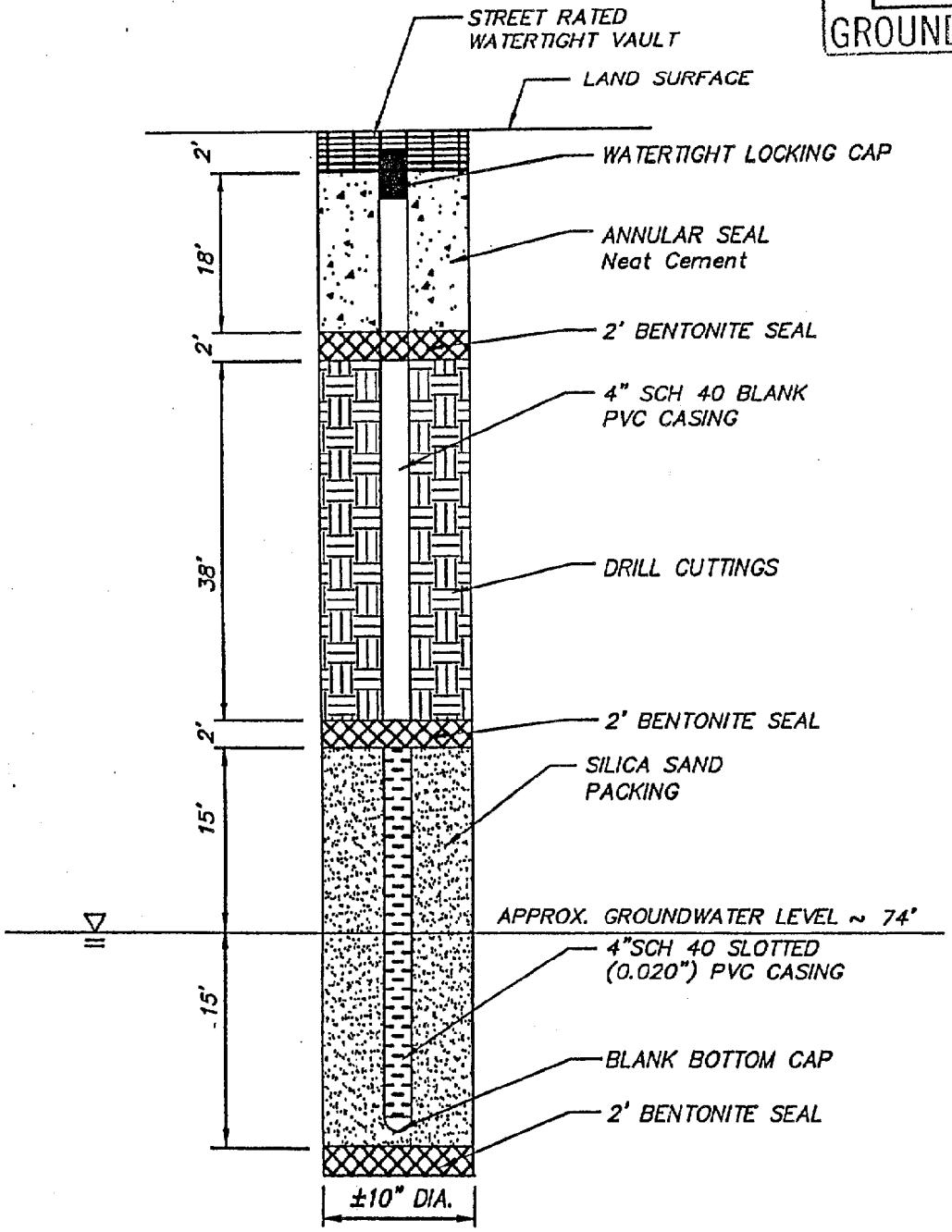
GROUNDWATER MGT



ENVIRONMENTAL ENGINEERING CONSULTANTS, INC.
4625 E. FT. LOWELL RD. • SUITE 200 • TUCSON, ARIZONA • 85712

DESIGNED BY	JTM
DRAWN BY	WJC
CHKD BY (DESIGN)	JJH
DATE	6-97
SCALE HORIZ.	1" = 20'
VERT.	N/A

MONITORING WELL SCHEMATIC
KATCHER PROPERTY
1700 S. 6th AVE.
TUCSON, ARIZONA

1785MW1.DWG

PLT SCALE 1" = 20'

ARIZONA DEPARTMENT OF WATER RESOURCES
Hydrology Division
500 North Third Street, Phoenix, Arizona 85004
Telephone 602-417-2448
Fax 602-417-2425

May 23, 2000

JANE DEE HULL
Governor

Mr. Michael Katcher
347 Pauls Crescent
Osler, Saskatchawan, Canada SOK3A0

Re: Notice of Intent to Drill Five Monitor Wells
Registration Numbers 55-581291 through 55-581295

Dear Mr. Katcher:

The Arizona Department of Water Resources received your request dated May 18, 2000 for construction of five monitor wells to be located in Pima County.

The Department has reviewed the above referenced application to determine if the application meets the substantive requirements of A.R.S. §45-596(D) and A.A.C. R12-15-820. Pursuant to A.R.S. §41-1075, the Department has determined that additional information is required and is being requested through Geomechanics Southwest.

The following information must be submitted before the Department can complete its review.

- A variance request to use thermoplastic casing with a watertight cap in lieu of steel

Failure to submit the information requested within 62 days may result in the denial of the application. The Department's substantive review time frame is suspended until all of the requested information is provided.

If you have any questions, please contact Bruce Hammett of my staff at 602-417-2400 extension 7301.

Sincerely,

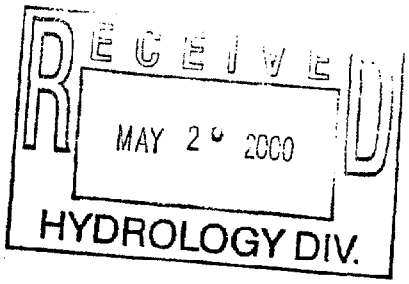
Frank Corkhill
Technical Support Section Supervisor

FC/BH/mr
503050

Geomechanics Southwest, Inc.
"GeoEnvironmental Exploration and Well Construction"

ADWR Lic. No. 498
AROC Lic. No. 079441, Class. A-04

May 24, 2000



Arizona Department of Water Resources
Hydrology Division
500 North 3rd Street
Phoenix, Arizona 85004

ATTN: Mr. Greg Wallace
Chief Hydrologist

RE: Request for Variance, Monitor Wells
Pima County, Arizona
Registration Numbers 55-581291 through 55-581295

Mr. Wallace:

Geomechanics Southwest, Inc., hereby submits this request for a construction variance relating to a notice of intent to drill five monitor wells, identified by the above referenced registration numbers. The purpose of these wells will be to evaluate potential groundwater contamination.

We are requesting the following construction variance from the provisions of section R12-15-811., "Minimum well construction requirements":

Sub-section B.1 , Surface Seal

* Thermoplastic (PVC) inner casing (riser) with a locking watertight cap will be used in lieu of steel surface casing. The riser will comply with ASTM Standard Guide D5092, Section 6.5.

Sub-section I. , Completion at the Surface

* The wells will be completed below the land surface in a flush-to-ground, vandalproof, traffic-rated vault per ASTM Standard Guide D5092, Section 8.9.2.3.

Your prompt attention to this matter would be greatly appreciated. Please contact me personally if you have any questions or need additional information or assistance.

Respectfully submitted by,

GEOMECHANICS SOUTHWEST, INC.

Timm Porter
Operations Manager / Tucson

TDP/tp
Copies (1) addressee
DWR0524M

7400 S. Nogales Highway, #4, Tucson, AZ, 85706 Ph. (520) 889-7787 FAX (520) 889-8561
1212 S. 9th Street, Phoenix, Arizona 85034 Ph. (602) 252-0559 FAX (602) 252-0721

ARIZONA DEPARTMENT OF WATER RESOURCES
Hydrology Division
500 North Third Street, Phoenix, Arizona 85004
Telephone 602-417-2448
Fax 602-417-2425

May 26, 2000

JANE DEE HULL
Governor

RITA P. PEARSON
Director

Geomechanics Southwest, Inc.
7400 S Nogales Hwy #4
Tucson, AZ 85706

Attn: Timm Porter

RE: Variance for Construction of Five Monitor Wells
Registration Numbers 55-581291 through 55-581295

Dear Mr. Porter:

The Arizona Department of Water Resources received your request dated May 26, 2000 for a construction variance for five monitor wells to be located in Pima County. The purpose of these wells will be to evaluate existing groundwater contamination.

The Arizona Department of Water Resources approves this request for the following variance:

- Thermoplastic casing with a watertight cap may be used in lieu of steel (R12-15-811.B.1).

The following *special requirements* are conditions for these variances (R12-15-821.):

- The casing shall comply with ASTM Standard Guide D5092, Section 6.5.
- The wells shall be constructed per the "Variance Granted" Notice of Intention to Drill.
- The well shall be abandoned (decommissioned) in accordance with A.A.C. R12-15-816.

If you have any questions, contact Bruce Hammett of my staff at 602-417-2400 ext. # 7301.

Sincerely,

Frank Corkhill
Technical Support Section Supervisor

FC/BH/mr
503054

ARIZONA DEPARTMENT OF WATER RESOURCES
500 North 3rd Street, Phoenix, Arizona 85004
Telephone (602) 417-2470
Fax (602) 417-2422

June 02, 2000

JANE DEE HULL
Govenor

RITA P. PEARSON
Director

MICHAEL KATCHER
347 PAULS CRESCENT
OSLER, SA S0K3A0

Registration No. 55-581293
File No. D(14-13) 24 ACB

Dear Well Owner:

Enclosed for your records is an annotated copy of the Notice of Intention to Drill a well. This is returned to you as evidence of compliance with A.R.S. §45-596. A drilling card has been mailed to your designated driller. Prior to drilling he must have it in his possession.

Since this well is being drilled as a Monitor well, or for Cathodic Protection, Grounding, Geotechnical or Piezometer purposes, our standard driller report form is also being furnished to the driller. He is required to complete it and return it to the Department within 30 days after the completion of the well. A Completion Report form is being furnished for monitor wells where pump installation is authorized. This must be completed within thirty days of installation as required by A.R.S. §45-600.

A Change of Well Information form is enclosed for your future use . If you deem it necessary to change the location of the proposed well, please notify the Department on the enclosed form. A properly amended Drilling Card will then be issued and must be in possession of the driller before drilling begins. During the drilling of a new well, if it is determined that it must be abandoned, then a Well Abandonment Completion Report must be submitted per R12-15-816.F.

Per A.R.S. §45-593, the person to whom a well is registered shall notify this Department of a change of ownership of the well and/or information pertaining to the physical characteristics of the well, in order to keep the well registration file current and accurate.

Sincerely,

Gloria Moss
Water Resource Technician
Groundwater Management Support Section

Enclosures

GROUNDWATER MANAGEMENT SUPPORT SECTION

MAIL TO: P.O. BOX 458, PHOENIX, ARIZONA 85001-0458
FOR INFORMATION: CALL MONICA ORTIZ AT (602) 417-2470

RECEIVED
MAY 18 2000
GROUNDWATER MGT

NOTICE OF INTENTION TO DRILL MONITOR/PIEZOMETER WELL

PLEASE READ GENERAL INSTRUCTIONS AND CONDITIONS ON REVERSE SIDE OF THIS FORM BEFORE COMPLETING

1. Well/land Location:

14 N/S 13 E/W 24
Township Range Section

NW ¼ SW ¼ NE ¼
10 Acre 40 Acre 160 Acre

2. Position location of the well on the land:

Latitude 32 o 12 ' 06 "

Longitude 110 o 58 ' 09 "

3. County: Pima

4. Owner of the well:

Michael Katcher
Name
347 Pauls Crescent
Mailing Address
Osler, Saskatchawan, Canada
City State Zip
SOK3AO
Telephone No. 306-239-4647

6. Owner of the Land of Wellsite:

Michael Katcher
Name
347 Pauls Crescent
Mailing Address
Osler, Saskatchawan, Canada
City State Zip
SOK3A0
Telephone No. 306-239-4647

7. Consulting firm:

EEC, Inc.
Name
Michael Murray
Contact Person

Telephone No. 520-321-4625

8. Purpose of well drilled pursuant to this notice:

Monitor X
Piezometer

9. If for deepening or modifying, list well registration number:

55-

10. Will this proposed well be associated with a permit: Yes ____ **No** X
If yes, Permit No. ____

11. Construction will start:

4 24 2000
Month Day Year

12. Period well will remain in use:

2 years Months/Years

13. For monitoring wells, is pump equipment to be installed?

Yes ____ No X

(a) If yes, design pump capacity:

(b) What use will be made of the water:

14. Drilling Firm:

ENGINEERING & ENVIRONMENTAL CONSULTANTS, INC.
4625 EAST FORT LOWELL ROAD, SUITE 200
TUCSON, ARIZONA 85712
(520) 321-4625

COMMERCIAL FEDERAL BANK
7225 NORTH ORACLE
TUCSON, ARIZONA 85704
91-506/1221

CHECK NO. 20463

PAY

Exactly Fifty and xx / 100 Dollars

DATE 5/15/00

AMOUNT $50.00

TO THE ORDER OF
Arizona Dept. of Water Resources
P.O. Box 458
Phoenix AZ 85001-0458

AUTHORIZED SIGNATURE

[redacted]

Unity Printers, Inc. 800-733-4277

Kevin Snyder

18. If construction plans have been coordinated with Arizona Department of Water Resources, who is the agency contact? ____

DWR-55-44a (Rev 1/99)

Michael Kaechele

VARIANCE CHECKLIST - HYDROLOGY

DATE RECEIVED 5/18/00
DATE TO HYDRO 5/19/00
DATE TO GMSS 5-30-00

POTENTIAL REG. Nº 55- 58129L-95

55-_____ THRU 55-_____

FRONT OF N.O.I COMPLETE/CORRECT: YES ✓ NO _____

VARIANCE (?) LETTER RECEIVED	YES _____	NO ✓
WELL DIAGRAM (?) RECEIVED	YES ✓	NO _____
SITE PLAN (?) RECEIVED	YES _____	NO _____

TYPE AND NUMBER OF WELLS:

5	MONITOR	_____	CATHODIC PROTECTION
_____	PIEZOMETER	_____	GROUNDING
_____	GEOTECHNICAL	_____	HEAT PUMP
_____	MINERAL EXPLORATION		
_____	WATER PRODUCTION	____	OTHER _____

DESCRIBE TYPE OF WELL

VARIANCE:

✓	REQUIRED	✓	GRANTED
_____	NOT REQUIRED	_____	NOT GRANTED
		_____	LETTER ISSUED

ATTENTION!!! NOTICE OF INTENT TEAM:

_____ HARD COPY OF LETTER TO FOLLOW
_____ CALL FOR PICKUP

COMMENTS: Clock stopped 5-24-00 bsb
Variance letter received 5-26-00
Okay - bsb

HB