

**RESOLUTION NO. 4146-1306**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE CITY OF PRESCOTT TO ENTER INTO COMPREHENSIVE AGREEMENT NO. 1 WITH THE TOWN OF PRESCOTT VALLEY, SALT RIVER VALLEY WATER USERS' ASSOCIATION, AND THE SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT, FOR MONITORING AND MODELING OF SURFACE AND GROUND WATERS IN THE BIG CHINO SUB-BASIN AND UPPER VERDE RIVER, AND RECOGNITION OF CERTAIN WATER RIGHTS, AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE**

**RECITALS:**

WHEREAS, the City of Prescott, the Town of Prescott Valley, the Salt River Valley Water Users' Association, and the Salt River Project Agricultural Improvement and Power District ("the parties"), entered into an Agreement In Principle on February 11, 2010, to create a cooperative and productive framework to address and resolve issues pertaining to the Big Chino Sub-Basin, the Prescott Active Management Area, and other matters of mutual interest; and

WHEREAS, the City of Prescott and Town of Prescott Valley entered into an Intergovernmental Agreement for the Sale of Water and Cost Participation on December 7, 2004, pertaining to purchase and development of the Big Chino Water Ranch Project as an additional source of water for municipal and industrial purposes within the City and Town; and

WHEREAS, the City of Prescott and Town of Prescott Valley subsequently entered into a Supplemental Intergovernmental Agreement on June 22, 2010, clarifying and memorializing the authorities, procedures, and responsibilities of Prescott and Prescott Valley for administration of the Big Chino Water Ranch Project, which Agreement provides for the sharing of Project costs according to their Intergovernmental Agreement dated December 7, 2004; and

WHEREAS, as specifically contemplated by the Agreement in Principle of February 11, 2010, the parties do now wish to enter into a new agreement for monitoring and modeling of surface and ground waters in the Big Chino Sub-basin and Upper Verde River, and to recognize certain water rights of each party arising from the Prescott Active Management Area; and

WHEREAS, at their meetings of September 10, 2012, the Salt River Valley Water Users' Association, and the Salt River Project Agricultural Improvement and Power District, approved the above described new agreement for monitoring, modeling, and recognition of certain water rights; and

WHEREAS, it is determined that said agreement for monitoring, modeling, and recognition of certain water rights is in the public interest of the citizens of Prescott.

**ENACTMENTS:**

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:


Section 1. THAT the City of Prescott hereby approves Comprehensive Agreement No. 1 with the Town of Prescott Valley, Salt River Valley Water Users' Association, and the Salt River Project Agricultural Improvement and Power District, for monitoring and modeling of surface and ground waters in the Big Chino Sub-basin and Upper Verde River, and recognition of certain water rights, attached hereto as Exhibit "A."

Section 2. THAT the Mayor and staff are hereby authorized to execute the attached Comprehensive Agreement No. 1 and to take any and all steps deemed necessary to accomplish the above.

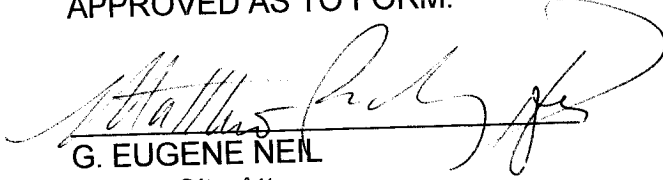
PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Prescott this 19th day September, 2012.

  
MARLIN D. KUYKENDALL, Mayor

ATTEST:

  
LYNN MULHALL  
City Clerk

APPROVED AS TO FORM:

  
G. EUGENE NEIL  
Interim City Attorney