

# **DEFENDANTS' PRE-HEARING BRIEF IN OPPOSITION TO ORDER TO SHOW CAUSE**

## **INDEX OF EXHIBITS**

January 03, 2011

- Exhibit 1 Letter from ADEQ (Dorothy Hains, P.E.) to the District (Swayze McCrain[sic], President) dated July 31, 1996
- Exhibit 2 Letter from Swayze E. McCraine to District (Lee Cochran and Jim Guth), dated November 27, 2000
- Exhibit 3 Inscription Canyon Ranch Development Agreement between Harvard Inscription Canyon Ranch Partners, L.L.C., Williamson Valley Investors II, L.L.C. and Yavapai County, dated October 25, 1999
- Exhibit 4 Plaintiffs' Public Reports
- Exhibit 5 Meeting Notes of the District (Jennifer Bartos) with Pivotal (Jason Williamson), dated April 03, 2002
- Exhibit 6 ADEQ email exchange between Matthew Hodge and Kathleen Carson, re: Inscription Canyon, dated August 26, 2002
- Exhibit 7 Email message from ADEQ (Michele Robertson) to District (Douglas C. Nelson), Re: ICRSD – ERUs, dated May 10, 2006
- Exhibit 8 Letter from Aqua Engineering, Inc. (Eric Sahm) to ADEQ (Taly Gilama, Project Manager) dated December 19, 2008
- Exhibit 9 Fann Environmental LLC letter to District, re: Chemistry Evaluation of Wastewater, Cursory Looks at Expansion Alternatives, dated September 06, 2006
- Exhibit 10 Civiltec Engineering, Calculation for Talking Rock Ranch Compound (April 4, 2007) *Talking Rock Ranch Compound Average Daily Wastewater Flow Estimate and Calculation for Talking Rock Ranch Compound (TRRC) Average Daily Flow (ADF) Estimate*
- Exhibit 11 Paul Hendricks, EUSI, "ICR Sanitary District and Wastewater Treatment Facility Expert Opinion Report (November 16, 2010)
- Exhibit 12 Email from District (Jennifer Bartos) to Harvard (Doug Zuber), dated June 04, 2002

- Exhibit 13      Email message from District (John Freeman) to SWI (Greg Barry), dated February 23, 2006
- Exhibit 14      Letter from District (Charles Turney) to Whispering Canyon (Tim Emberlin), dated November 14, 2006
- Exhibit 15      District Board Minutes of December 14, 2006
- Exhibit 16      Letter from Yavapai County to District (January 10, 2010) District Board
- Exhibit 17      Minutes, August 10, 2006
- Exhibit 18      Letter from Whispering Canyon's Engineer (Scott Lyon) to District, dated August 11, 2006. Letter from SWI (Richard Aldridge) to District (Dayne Taylor), Re: Capacity Assurance Forms for the ICRSD WWTP, dated October 11, 2006
- Exhibit 19      Affidavit of Craig L. Krumwiede (February 17, 2010)
- Exhibit 20      Letter from District to Plaintiffs, December 29, 2009 (excluding all attachments)
- Exhibit 21      *Arizona's Open Meeting Law* (revised May 2001), printed from Arizona Attorney General's Office website, Chapter 7 of *Arizona Agency Handbook* (excerpts), cover page and p. 7-39, Form 7.12
- Exhibit 22      Public Notice – Regular Meeting of the I.C.R. Sanitary District (January 13, 2010)