

RESOLUTION NO. 2697

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE WATER INFRASTRUCTURE CAPACITY SHARING AND WATER DELIVERY AGREEMENT FOR THE MESA DEL CABALLO WATER SYSTEM.

WHEREAS, Payson Water Company (a Public Service Corporation not affiliated with the Town of Payson) operates the Mesa Del Caballo water system ("the Water Company"); and

WHEREAS, the Water Company is in the process of obtaining a water right to water in the C.C. Cragin Reservoir; and

WHEREAS, one step in such process is entering into an agreement with the Town of Payson to treat and deliver such water from the C.C. Cragin Reservoir to the Mesa Del Caballo system; and

WHEREAS, as part of the agreement, the Water Company would pay a portion of the capital costs associated with the Town of Payson's C.C. Cragin pipeline and treatment plant; and

WHEREAS, the Water Company would also pay a monthly delivery and treatment charge; and

WHEREAS, the Town of Payson's ability to obtain, deliver, and treat its C.C. Cragin water right would not be diminished by providing such services to the Water Company,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

Section 1. That the Water Infrastructure Capacity Sharing and Water Delivery Agreement, attached hereto as Exhibit A, is approved in substantially the form attached.

Section 2. That Kenny J. Evans, Mayor of the Town of Payson, is authorized to execute the Agreement in substantially the form attached.

Section 3. That the Town of Payson is authorized to take such other and further actions as may be necessary or appropriate to carrying out the terms and intent of this Resolution and the Agreement.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, this ____ day of December, 2012 by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

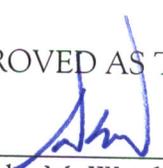
DEC 13 2012 2,3*

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk



Timothy M. Wright, Town Attorney

Exhibit A to Resolution 2697