

CESPL-RG

UNAUTHORIZED ACTIVITY REPORT FORM

South Coast Section Arizona Section North Coast Section U.S. Army Corps of Engineers

P.O. Box 532711

Los Angeles, CA 90053-2325

Phone (213) 452-3425

Fax No. (213) 452-4196 U.S. Army Corps of Engineers

3636 N. Central Ave., Suite

900

Phoenix, Arizona 85012-1939

Phone (602) 640-5385

Fax No. (602) 640-2020 U.S. Army Corps of Engineers

2151 Alessandro Drive, Suite 110

Ventura, CA 93001

Phone (805) 585-2140

Fax No. (805) 585-2154

Use this form to report any activity suspected of being in violation of Section 404 of the Clean Water Act (discharge of dredged or fill material) and/or Section 10 of the Rivers and Harbors Act. Completed reports should be sent to the address above. Upon receipt of the completed form, the Corps of Engineers will assign a case number, notify the reporting party of the case number, and determine whether or not to proceed with an investigation of the reported activity*. Please complete the report form as thoroughly as possible. Detailed information will expedite the Corps' investigation.

UNAUTHORIZED ACTIVITY CASE NUMBER: SPL-2011-1047-RJD

(Assigned by Corps of Engineers)

WAS REPORTING PARTY INFORMED OF RIGHTS UNDER THE PRIVACY ACT PRIOR TO PRESENTING INFORMATION? NO

REPORTING PARTY (IES):

Individual's Name: Thomas L. Beatty Sr.

Agency/Organization: Beatty's Guest Ranch

Address: 2173 E Miller Canyon Road

Hereford, AZ 85615-997

Telephone: (520) 378-2728

Fax: (____) _____

E-Mail: BeattyGuestRanch@wildblue.net

* These determinations will be based on the information reported on this form, current workload and staff/funding resources, and magnitude of the impacts caused by the alleged violation.

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UNAUTHORIZED ACTIVITY REPORT FORM (cont'd)

(Los Angeles District, Regulatory Division)

U.S. ARMY CORPS OF ENGINEERS

LOCATION OF ACTIVITY

State: Arizona

County: Cochise

Legal Description: Section(s) 23 Township 23 Range 20

Name of Waterway: Miller Creek/Marshall Canyon Junction

Circle example which best describes body of water:

Lake, River, Stream, Wetland, Slough, Wet meadow, Playa Lake,
Natural Pond, Dry Stream, Reservoir, Other: Junction of Miller Creek with
Marshall Creek

RESPONSIBLE PARTY(IES) (Owner of property on which unauthorized activity
is occurring):

Individual's Name: Thomas and Edith Beatty
Agency/Organization: Beatty's Guest Ranch
Address: Beatty's Guest Ranch & Orchard, LLC
2173 E Miller Canyon Road
Hereford, AZ 85615
Telephone: (520) 378-2728
Fax: none
E-Mail: BeattysGuestRanch@wildblue.net

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UNAUTHORIZED ACTIVITY REPORT FORM (cont'd)
(Los Angeles District, Regulatory Division)
U.S. ARMY CORPS OF ENGINEERS

PARTY DOING UNAUTHORIZED WORK (if different than above):

Individual's Name: Pubic Works Water System Personnel
Agency/Organization: City of Tombstone
Address: Tombstone City Hall
613 E. Allen Street
P.O. Box 339
Tombstone, AZ 85638
Telephone: (520): 457-2202
(520): 457-3562
Fax: 457-3516
E-Mail: cityhall@cityoftombstone.com

DESCRIPTION OF UNAUTHORIZED ACTIVITY:

Date Observed: from October to Present/17 Dec2011

Unauthorized activity in progress? Yes

Date unauthorized activity was completed: ON GOING

Documentation - please indicate items enclosed:

Vicinity Map: Photographs: YES
Plan view or sketch: Videotape: Cross section sketch: Other:
Aerial photograph: YES

UNAUTHORIZED ACTIVITY REPORT FORM (cont'd)
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U.S. ARMY CORPS OF ENGINEERS

Narrative description of unauthorized activity with dimensions given to indicate extent of activity. (Attach additional pages for narrative, if needed).

The City of Tombstone (COT) started work (at least early October, maybe before) on Beatty's Guest Ranch and National Forest Property, so that they could fix 65 feet of their 7 inches pipeline that was taken out by the Floods after the Monument Fire.

To do this work the COT brought in a 270D LC Track Hoe and a D6 size Dozer to work in the flooded Miller/Marshall Creeks area. They dug a 505 foot long trench up to 8 feet deep to get at their pipeline. All of the 75 foot Coronado National Forest (CNF) part was rehabbed along with 190 feet of Beatty's Guest Ranch property. However as I write this they have redug the rehab area and are flushing water down the pipe from a Big Water Truck. They also have moved pipe near the redug section.. I sure they are replacing a section of pipe and trying to clear the line of rocks etc. So now they have 2 sections of pipe to work on.

All this work/rehab and channeling has really disturbed the flooded area. See photos attached.

At this time I can not state what the COT final result will be.

I would like to return the area to much like it was before the flood, so will apply for a permit, but I need the COT to leave the area first.

There is a Wetland Area with Pond that contained the threatened Chiricahua Leopard Frog before the flood that will be our first project with AZGF and USF&W backing.

Robert J. Dummer, Project Manager, Regulatory Division, U.S. Army Corps of Engineers
3636 North Central Avenue, Suite 900
Phoenix, Arizona 85012-1939

stayed here in July after some of the Floods and was here on 5Dec2011 with a COT walk around,