

**APPLICATION (INCLUDING ATTACHMENTS) FOR
INDEPENDENT REDISTRICTING COMMISSION**

Answer all items in print or type. Attach additional sheets as needed to answer completely.

Full Name Mark Thomas Murphy

Spouse's Name (if applicable) _____

City Tucson **Zip** 85704

County of Residence Pima **Resident of Arizona Since** 2010

Employer NV5, Inc. **Title** Senior Water Resources Scientist

Office Address 1 West Deer Valley Road, Suite 305 **Office Phone** 623.433.8561

City Phoenix **State** Arizona **Zip** 85027

Education: Include name(s) of institution(s) and year diploma(s) or degree(s) received.

University of California, Santa Cruz B.S. 1977

University of New Mexico M.S. 1985

Johns Hopkins University, Ph. D 1990

List **all** political activities for **at least** the past ten years. Include dates of service and indicate **all** offices held in any organization. (Use attachment if necessary.)

Volunteer (no offices held),
Regina Romero for City Council, 2011, 2015; Regina Romero for Mayor 2019; Jonathon Rothschild for Mayor, 2011, 2015; Victoria Steele for AZ House 2014; Victoria Steele for US Congress 2016

Delegate,
County of Benton, State of Washington Democratic Convention, 1996

List **all** professional and occupational memberships for **at least** the past ten years. Include dates of service and indicate **all** offices held in any organization. Please include honors, awards and other forms of recognition. (Use attachment if necessary.)

Member, 2013 to 2014, U.S. Environmental Protection Agency Science Advisory Board (SAB) Panel for the Review of EPA's Water Body Connectivity Report

Technical Advisory Board, 2007-2009, Arizona Hydrology (Journal)

Member, Arizona Hydrological Society, 2000 to present

Corporate Board Member, 2001- 2002, Arizona Hydrological Society

Member, 2014 to present, AZ Water Arizona section of the American Water Works Association (AWWA) and the Arizona member association of the Water Environment Federation (WEF)

List **all** civic and community service activities for **at least** the past ten years. Include dates of service and indicate **all** offices held in any organization. Please include honors, awards and other forms of recognition. (Use attachment if necessary.)

Board Member, Watershed Management Group,

Member, 2011 to 2017, City of Tucson Citizen's Water Advisory Board

Chair, 2017 to 2019, City of Tucson Citizen's Water Advisory Board

Member, 2019 to present, Advisory Board, Pima County Regional Flood Control District

Supervisor, Board of Supervisors, Ciudad Soil and Water Conservation District, Albuquerque, New Mexico, 2008-2010

ATTACH A **STATEMENT OF INTEREST** explaining why you are interested in serving on the independent redistricting commission.

ATTACH A **RESUME** OR **BIOGRAPHICAL STATEMENT**.

Applications that do not include the required resume or biographical statement, and a statement of interest, will be considered incomplete and will NOT be considered for nomination.

COMPLETELY ANSWER ALL OF THE FOLLOWING QUESTIONS:

1. Are you committed to applying the provisions of the Arizona Constitution, Article IV, Part 2, Section 1 in an honest, independent and impartial fashion, and to upholding public confidence in the integrity of the redistricting process? Yes No ()
2. Will your employment and/or personal circumstances permit you to attend meetings of the Independent Redistricting Commission in their entirety? Yes No ()
3. Are you a registered Arizona voter? Yes No ()
4. Have you been continuously registered for at least the past three years with the same political party or as unaffiliated with a political party? Yes No () If no, attach explanation.

Indicate political registration for the past three years: DEMOCRAT

5. During the past three years, have you:
 - a. been appointed to, elected to, or a candidate for any other public office, including precinct committeeman or committeewoman, but not including school board member or officer? Yes () No
 - b. served as an officer of a political party or as an officer of a candidate's campaign committee? Yes () No
 - c. served as a registered paid lobbyist? Yes () No

If your answer to any part of this question is "Yes," attach an explanation.

6. Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee to the Independent Redistricting Commission? Yes () No If your answer is "Yes," attach an explanation.
7. Are you now an officer, director, or majority stockholder, or otherwise engaged in the management, of any business enterprise? Yes () No

If your answer is "Yes," give details by attachment, including the name of the enterprise, the nature of the business, the title and description of your position, the nature of your duties, and the term of your service.
8. Have you filed your state or federal income tax returns for all years you were legally required to file them? Yes No () If your answer is "No," explain by attachment.
9. Have you paid all state, federal and local taxes when due? Yes No () If your answer is "No," explain by attachment.

10. Have you ever violated a court order including but not limited to an order for payment of child or spousal support? Yes () No () If your answer is "Yes," explain by attachment.
11. Have you ever been expelled, terminated, or suspended from any employment or school or course of learning on account of plagiarism, cheating, or any other "cause" that might reflect in any way on your integrity? Yes () No () If your answer is "Yes," explain by attachment.
12. Are you, in any jurisdiction, currently charged with or have you ever been arrested for, convicted of, or pleaded guilty to any felony, misdemeanor (excluding civil traffic violations), or violation of the Uniform Code of Military Justice? Yes () No () If your answer is "Yes," explain by attachment.
13. If you performed military service, please indicate the date and type of discharge. If other than honorable discharge, explain by attachment.
14. List and describe by attachment any litigation involving an allegation of fraud in which you are or were a defendant.
15. In the past year, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, or terminated by an employer as a result of your alleged consumption of alcohol, prescription drugs, or use of illegal drugs? Yes () No () If your answer is "Yes," explain by attachment the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.
16. Have you failed to vote in any general election held during the past eight years? Yes () No () If your answer is "Yes," explain by attachment.
17. Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? Yes () No () If your answer is "Yes," state the date you were requested to submit to such a test, type of test requested, the name of the entity requesting that you submit to the test, the outcome of your refusal and the reason you refused to submit to such a test.
18. Within the last five years, have you ever been formally reprimanded, demoted, disciplined, placed on probation, suspended or terminated by an employer? Yes () No () If your answer is "Yes," state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.
19. Has a judgment or finding that you failed to comply with the substantive requirements of any business or contractual arrangement, including but not limited to bankruptcy proceedings, ever been entered against you? Yes () No () If your answer is "Yes," explain by attachment.
20. List by attachment all elected or appointed offices that you have held and/or for which you have been a candidate, and the dates.
21. Provide any additional information relative to your application or qualifications you would like to bring to our attention at this time.

BY SIGNATURE OF THIS APPLICATION:

If appointed to the Independent Redistricting Commission I understand I will be ineligible for Arizona public office or for registration as a paid lobbyist during my term on the Independent Redistricting Commission and for three years thereafter, pursuant to the Arizona Constitution, Article IV, Part 2, Section 1.

I have reviewed the constitutional requirements governing the Independent Redistricting Commission and attest that I meet those requirements.

I authorize investigation of all of my responses to this application and further authorize the references listed in the confidential section of this Application to give you any and all information concerning my qualifications they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing information to you.

I understand that the Commission which reviews my application may or may not conduct an interview, and may make its decision based on my responses to this Application and any due diligence.

The statements contained in this application are true and correct to the best of my knowledge.

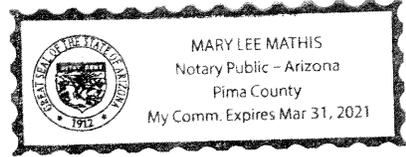
SIGNATURE *[Handwritten Signature]* DATE 8/18/20

State of Arizona)
County of PIMA) ss.

Subscribed and sworn to before me this 18 day of AUGUST, 2020, by MARK T. MURPHY.

[Handwritten Signature]
Notary Public

My Commission Expires: 03/31/2021



OPTIONAL SECTION

The Commission on Appellate Court Appointments strives for diversity in its appointments. Therefore, in this optional section, we ask you to consider providing us with information that will help us evaluate our progress in achieving this goal.

RACE/ETHNICITY: WHITE (Not Hispanic) () NATIVE AMERICAN
() HISPANIC () ASIAN/PACIFIC ISLANDER
() BLACK () Other: _____

GENDER: MALE () FEMALE

Explanations

Question #12: On March 17th 2004. I was arrested by the Albuquerque (NM) police on a charge of Driving Under the Influence of Alcohol. I pled guilty and was put on probation for a year.

Question #20: Appointments,

Member, 2011 to 2017, City of Tucson Citizen's Water Advisory Board by the Mayor

Member, 2019 to present, Advisory Board, Pima County Regional Flood Control District by the Pima County Board of Supervisors

Supervisor, 2008-2010, Ciudad Soil and Water Conservation District, Albuquerque, New Mexico by the District Board of Supervisors



Dr. Mark T. Murphy
52 02 North Genematas Drive
Tucson, AZ 85704

8/16/20

Ms. Blanca Moreno, JNC Administrator
Commission on Appellate Court Appointments
Arizona Supreme Court
1501 W. Washington St., Suite 221
Phoenix, AZ 85007

Dear Ms. Moreno:

This letter is my statement of interest and attached is the application form for appointment to the Arizona Independent Redistricting Commission (Redistricting Commission). I believe that I meet all requirements detailed on the Commission on Appellate Court Appointments webpage.

American philosopher, Richard Rorty once wrote,

“We should not let speculation about a totally changed system, and a totally different way of thinking about human life and affairs, replace step-by-step reform of the system we presently have.”

- Achieving Our Country

My interest in the work of the Redistricting Commission is based upon my respect for Professor Rorty's kind of thinking. Only through slow, incremental steps can we ever achieve the country that the drafters of the Constitution envisioned, themselves eminent pragmatist who recognized that democracy is a constantly improving process and not a static ideal. Nothing shows this so much as the decadal redistribution of Congressional representation, a never-ending process that reflects change and aspires to improved justice.

As I understand it, the process of forming each U.S. Congress lined out by the Constitution is clearly stated in the Apportionment Clause of Article I, Section 2, as revised by Court decisions and subsequent congressional acts. I am familiar with the various criteria historically placed upon the process including, geographic efficiency, avoiding pairing of incumbents, preservation of distinct neighborhoods and cultural affinity, and maintaining competitiveness.

I consider the duty of crafting Congressional districts to be a deeply ethical process, rooted in the most just traditions of American democracy. Simply stated, if I were appointed, I would consider this work to be a most profound public service. Although Congress has taken its hits in public opinion over the years, I still revere the institution. This maybe because I have an intuitive respect for the drafters of the Constitution and the unique deliberative body they imagined. We owe it to them to keep their vision in mind.

Primarily, the exclusion of cultural bias and special economic interests is the goal, despite the current remoteness to that target. We live in disturbing times, times in which many traditions of our democracy are questioned. By committing to a fair redistricting process, and to a process that stands stalwart against coercion and ‘the lesser angels of our nature,’ the Commission can resist the anti-democratic forces that threaten the vision of the Congressional drafters. This would be the principle I would follow.

Although I have never held office, I have pursued interests in our democratic process for most of my life. In high school, I took college-level courses at the George Washington University in Washington DC. I also volunteered in the mailroom of Senator Alan Cranston (D-CA). At that time, a number of critical issues were before Congress, including the Cooper-Church Amendment limiting the scope of the Vietnam War. Over the years since then, I worked on many election campaigns. When I lived in Washington State, I was selected as a representative to the State Presidential Nominating Convention by the Benton County Democratic Party.

When I lived in New Mexico, between 2007 and 2010, I was employed by the New Mexico Interstate Stream Commission and managed the State’s responsibilities under the Canadian River Compact, shared with Texas and Oklahoma. This was a highly sensitive position as I also administered a water rights settlement in the upper river basin. After returning to Arizona in 2010, I continued to advise the Eastern New Mexico Water Utility Authority on their federal support through the Bureau of Reclamation, working directly with the offices of the former Congressman Tom Udall and that of former Senator Jeff Bingaman.

Back in Arizona and from 2011 to last year, I was Mayor Jonathon Rothchild’s representative to the Tucson Water, Citizen’s Water Advisory Committee. This position required an unbiased resolution of numerous political issues about utility operations and public finances. My even-handed attitude convinced my fellow appointees to select me to be chair. Over this same period, I have teamed with my colleague, Professor G. Scott Davis in a class on environmental ethics at the University of Richmond. Many of my public sector projects have informed my lectures in the class, which I have repeated five times.

One of these projects was my appointment to the U.S. EPA Science Advisory Board and my review of the 2014 Obama-era Clean Water Rule. This service is another example of my inability to be swayed by political pressure. I felt that the Rule was flawed and voted in opposition, despite my dedicated support of the Clean Water Act. I was one of only two members of the subcommittee to oppose it. If I feel that a decision is wrong or unfair, I will stand my ground.

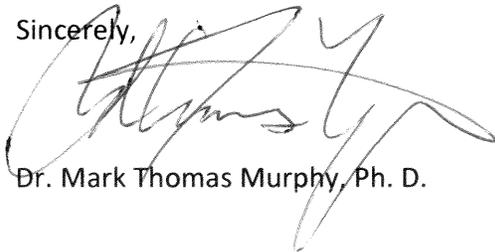
My most recent public service experience was serving on the Arizona Department of Environmental Quality (ADEQ), Clean Water Act Section- 404 Permit Program Assumption, Technical Working Group. The State had been directed by the Governor to investigate assuming

authority for enforcement of this controversial EPA/U.S. Army Corps of Engineers permitting program.

We met for about five months discussing the implications of the assumption, responsibilities, and financial requirements, giving our advice to ADEQ. Our group, including individuals from both the environmental activist and resource utilization worlds, decided assumption was not a wise move and I wrote the 'minority opinion' for this path. In the end, ADEQ was convinced by our arguments and the assumption campaign was vacated. I'd like to think that this result indicates my resolve to follow my judgement when the public interest is at stake, in the face of political resistance.

I hope this statement of interest has given you a good summary of my background and record for dedicated public service and deep commitment to honest government. I am excited about the possibility of contributing to the next ten years of Congressional representation of Arizona. I am passionate about my adopted home and I hope that the Commission on Appellate Court Appointments will recognize and use that passion. In any case, good luck with your important search for candidates.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Thomas Murphy', written over a horizontal line.

Dr. Mark Thomas Murphy, Ph. D.

Mark Murphy, PH.D., RG Senior Water Resource Scientist

Dr. Murphy has more than 35 years of experience managing and contributing to multidisciplinary water resources investigations. He has a broad range of experience in surface water management, hydrological and geomorphological studies and regulatory permitting. Recent projects have involved Clean Water Act and storm water planning for Southwestern municipalities, designing green infrastructure rain water re-use and the restoration of stream and riparian habitat. In 2013-14, Dr. Murphy served on the EPA Science Advisory Board reviewing the revised definition of Waters of the US under the Clean Water Act. Dr. Murphy is a member of the City of Tucson, Citizen's Water Advisory Committee where he chairs the Technical Planning & Policy Subcommittee.

Project Experience

UTE RESERVOIR WATERSHED-BASED WATER QUALITY PLAN

CANADIAN RIVER SOIL AND WATER CONSERVATION DISTRICT | QUAY AND HARDING COUNTIES, NM

Using CWA Section 319 (h) funding, Dr. Murphy completed a watershed loading model, assessment and a system best management practices for an impaired reach of the Canadian River entering Ute Reservoir in eastern New Mexico. The challenge was the size of the watershed (over 3,800 square miles), primarily made of rangeland. By working with a few innovative ranchers employing state-of-the-art grazing BMPs, a plan was constructed that met widespread acceptance in both the ranching and regulatory communities.

PECK'S LAKE/VERDE RIVER QUALITY MONITORING AND TMDL MODELING, PHELPS DODGE MINING | CLARKDALE, ARIZONA

Dr. Murphy led an investigation of lake and stream water quality along the Upper Verde River watershed and is participating in the Arizona DEQ Total Maximum Daily Load assessment of the Upper Verde.

DROUGHT MANAGEMENT PLAN, UTE RESERVOIR

EASTERN NEW MEXICO WATER UTILITY AUTHORITY | CLOVIS NM

Under a Bureau of Reclamation, Water Conservation grant, Dr. Murphy directed the preparation of a drought management plan for a water supply reservoir in eastern New Mexico. The plan employed a rule curve set to reservoir level triggers that initiated pumpage variations in the water supply pipeline.

BUCKEYE TOWN LAKE FEASIBILITY STUDY

Town of BUCKEYE, ARIZONA | BUCKEYE, ARIZONA

Dr. Murphy led the water quality modeling and data assessment tasks to evaluate the feasibility of a constructed town lake. This effort included prescription of lake design parameters to control eutrophication and the infestation of nuisance plants, characterization of the influent water quality, and the evaluation of constructed pretreatment wetlands.

WATER RESOURCES | ENVIRONMENTAL

Tucson, AZ

mark.murphy@NV5.com

520.638.7270

EDUCATION

PH.D., Geology, Johns Hopkins University

MS, Geology, University of New Mexico

BS, Earth Science, University of California, Santa Cruz

EXPERIENCE

35 years

REGISTRATIONS

Registered Professional Geologist, AZ #33753

TRAINING

MSHA Certified

PATENTS

Murphy, M.T., Buel, J.L., Stottlemire, J.A., Tixier, J.S., 1992, Vitrified Underground Structures: U.S. Patent Number 5,114,277

Project Experience

UTE RESERVOIR SHORELINE MANAGEMENT PLAN

INTERSTATE STREAM COMMISSION | SANTA FE, NM

Dr. Murphy negotiated a shoreline management plan for the reservoir that balanced water supply, recreational, habitat conservation and regional land development goals. Dr. Murphy also oversaw the construction of water quality protective infrastructure under a shoreline encroachment agreement with a subdivision developer.

EAGLE NEST LAKE SHORTAGE SHARING AGREEMENT

INTERSTATE STREAM COMMISSION | SANTA FE, NM

As the manager of Eagle Nest Lake for the Interstate Stream Commission, Dr. Murphy provided technical support and facilitation to the water users. The water users agreed to the basics of a settlement, key to which is an agreement that the users will equally share shortages. The settlement also resolves all outstanding litigation and conflicting legal positions over water amounts and priorities of deliveries. Specifically, Dr. Murphy administered operation of the dam, calls on irrigation allocations and construction of storage and delivery improvements

UTE RESERVOIR WATER QUALITY PLAN AND MONITORING

EASTERN NEW MEXICO WATER UTILITY AUTHORITY | CLOVIS, NM

Dr. Murphy has been providing specialized technical support to ENMWUA for matters regarding Ute Reservoir including source water protection, water quality, hydrology and environmental science. At Ute Reservoir, NV5 conducted water quality monitoring including data acquisition, biannual sampling, laboratory analysis, and prepare a written report.

INTEGRATED STORMWATER MANAGEMENT SYSTEM

CITY OF SIERRA VISTA | SIERRA VISTA, CA

In support of Watershed Management Group and the City of Sierra Vista, Dr. Murphy leads NV5 staff in the development of a comprehensive stormwater management system which focuses on using Green Infrastructure to use stormwater from the site-level to the river-basin scale. The framework will be based upon detailed investigation of City-wide stormwater management plans, programs and infrastructure, water quality and regulatory challenges.

STORM WATER HARVESTING & FLOOD CONTROL PROJECT

COCHISE COUNTY | PALOMINAS, AZ

Dr. Murphy assisted in the design for a flood retention and storm water recharge facility in western Cochise County near the village of Palominas. Dr. Murphy was responsible for both a site selection and detail site characterization investigation, using all site geology, soils, geomorphology and hydrogeology, including an exploratory drilling and testing (infiltrometer) campaign. In addition, he used rainfall/runoff regression curves to estimate the rechargeable yield of the watershed.

ARIZONA SYCAMORE HABITAT PRESERVATION PLAN

CONFIDENTIAL CLIENT | SIERRA COUNTY, NM

In support of a mine permitting action, Dr. Murphy provided geomorphology and surface water hydrology in the development of a management plan for the cottonwood-willow riparian community along Las Animas Creek in south central New Mexico. The gallery forest is significant as the furthest eastern occurrence of Arizona sycamores, *Platanus wrightii*. Impacts to the creek from roads and channel diversions have put the trees at risk and the project supplied management options for preserving this unique ecological and human resource.

SPUR CROSS RANCH CONSERVATION AREA MANAGEMENT PLAN

MARICOPA COUNTY | CAVE CREEK, AZ

Dr. Murphy directed an aquatic and riparian habitat evaluation that will support a recreational management plan for the County Parks & Recreation Department and the Town of Cave Creek. This 2155-acre, Upper-Sonoran, desert-scrub wilderness includes one of the few perennial streams in northern Maricopa County. The evaluation addressed impacts to the in-stream and terrestrial communities from recreational use, off-site livestock grazing and several, closed precious-metal mines.

SAN TIMOTEO CREEK RESTORATION STUDY

INLAND EMPIRE RESOURCE CONSERVATION DISTRICT | REDLANDS, CA

Dr. Murphy was retained to assist the Inland Empire Resource Conservation District for a geomorphic assessment of the stability of a dissected alluvial fan adjacent to San Timoteo Creek. Dr. Murphy completed an applied morphological evaluation of the creek and a section of bank instability and prepared a mitigation plan.