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BEFORE THE ARIZONA CORPORATION COMMISSION

MARC SPITZER  
CHAIRMAN

WILLIAM A. MUNDELL  
COMMISSIONER

JEFF HATCH-MILLER  
COMMISSIONER

MIKE GLEASON  
COMMISSIONER

KRISTIN K. MAYES  
COMMISSIONER

Arizona Corporation Commission

DOCKETED

AUG 12 2004

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AZ CORP COMMISSION  
DOCUMENT CONTROL

2004 AUG 12 P 3:00

RECEIVED

In the Matter of the Application of Red Rock  
Utilities, LLC for a Certificate of Convenience  
and Necessity to Provide Water and Waste  
Water

Docket No. WS-04245A-04-0184

AMENDMENT TO  
APPLICATION FOR A  
CERTIFICATE OF  
CONVENIENCE AND  
NECESSITY TO PROVIDE  
WATER AND WASTEWATER TO  
CORRECT LEGAL  
DESCRIPTIONS AND MAPS  
(EXHIBITS "A" THROUGH "D")

Red Rock Utilities, LLC (the "Applicant") is the applicant for a Certificate of Convenience and Necessity ("CC&N") for certain lands located adjacent to the community of Red Rock, Arizona, in Pinal County. The Applicant filed its CC&N Application with the Arizona Corporation Commission ("ACC") on March 10, 2004. The CC&N Application is currently set for hearing before the ACC on September 2, 2004, at 10:30 a.m. at the ACC's Tucson offices, Room 222, 400 West Congress Street, Tucson, Arizona 85701.

1 The Applicant submits this Amendment to its CC&N Application for the sole  
2 purpose of correcting the legal descriptions and maps which were Exhibits "A" through  
3 "D" to the original Application as follows:

4 Exhibit "A": Legal Description of Water CC&N Area.  
5 Exhibit "B": Legal Description of Wastewater CC&N Area.  
6 Exhibit "C": Map of Water CC&N Area.  
7 Exhibit "D": Map of Wastewater CC&N Area.

8 The corrections being made are as follows:

9 Exhibit "A", the Legal Description of Water CC&N Area, is being amended to  
10 limit the area of the Water CC&N Area.

11 Exhibit "B", Legal Description of Wastewater CC&N Area, is being amended to  
12 add the word "Wastewater" to the caption.

13 Exhibit "C", Map of Water CC&N Area, is being amended to conform with the  
14 new Legal Description of the Water CC&N Area.

15 Exhibit "D", Map of Wastewater CC&N Area, is being amended to add the  
16 word "Wastewater" to the caption.

17 The revised legal descriptions and maps clarify the proposed Water and  
18 Wastewater CC&N Areas. The Applicant respectfully requests that the ACC replace  
19 Exhibits "A" through "D" of the original CC&N Application with the attached corrected  
20 Exhibits "A" through "D", and that the Applicant's CC&N application be amended as  
21 proposed herein and be considered and approved at the ACC's September 2, 2004 hearing.

22 RESPECTFULLY SUBMITTED this 12th day of August, 2004.

23 LEWIS AND ROCA LLP



24 Mary Beth Savel  
25 Michael McNulty  
26 Thomas H. Campbell  
40 N. Central Avenue  
Phoenix, Arizona 85004

Attorneys for Red Rock Utilities, LLC

1 ORIGINAL AND thirteen (13) copies  
2 of the foregoing hand-delivered  
3 this 12th day of August, 2004, to:

4 Arizona Corporation Commission  
5 Utilities Division – Docket Control  
6 1200 W. Washington Street  
7 Phoenix, Arizona 85007

8 COPY of the foregoing hand-delivered  
9 this 12th day of August, 2004,  
10 to:

11 Lyn Farmer, Chief Administrative Law Judge  
12 Hearing Division  
13 Arizona Corporation Commission  
14 1200 W. Washington Street  
15 Phoenix, Arizona 85007

16 Jane L. Rodda, Administrative Law Judge  
17 Hearing Division  
18 Arizona Corporation Commission  
19 1200 W. Washington Street  
20 Phoenix, Arizona 85007

21 David Ronald, Esq.  
22 Legal Division  
23 Arizona Corporation Commission  
24 1200 W. Washington Street  
25 Phoenix, Arizona 85007

26 Ernest Johnson  
Director, Utilities Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

Mr. James Fisher  
Executive Consultant, Utilities Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

24  
25 *Betty J. Griffin*  
26 \_\_\_\_\_

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF WATER CC&N AREA**



**LEGAL DESCRIPTION  
RED ROCK UTILITIES L.L.C.  
WATER C.C. & N. AREA**

**Section 4:**

The Southwest Quarter of Section 4, Township 10 South, Range 10 East, Gila and Salt River Meridian, Pinal County, Arizona, lying Easterly of the Easterly right-of-way line of Interstate 10 and the Union Pacific Railroad right-of-way; and

That portion of the Southwest quarter of the Southwest quarter of Section 4, Township 10 South, Range 10 East, Gila and Salt River Meridian, Pinal County, Arizona, described as follows:

BEGINNING at the Southwest corner of said Section 4;

Thence North 00° 32' West, along the West boundary of said Section 4, a distance of 679.90 feet;

Thence North 76° 49' East, a distance of 710.30 feet to a point on the Southwesterly boundary of that certain highway known as Interstate 10 as presently located;

Thence Southeasterly along the Southwesterly boundary of said Interstate 10 following the curves and tangents thereof, a distance of 820.00 feet, more or less, to the point of the intersection of the Southwesterly boundary of Interstate 10, with the Northerly boundary of that certain road known as Sasco Road as presently located;

Thence South 66° 50' West along the Northerly boundary of Sasco Road, a distance of 185.00 feet, more or less, to the point of intersection of the Northerly boundary of Sasco Road with the South boundary of said Section 4;

Thence South 89° 51' West along the South boundary of said Section 4, a distance of 810.00 feet, more or less, to the Southwest corner of said Section 4 and the POINT OF BEGINNING.



**Section 5:**

The Southeast Quarter of Section 5, Township 10 South, Range 10 East, Gila and Salt River Meridian, Pinal County, Arizona, except any portion lying within the right-of-way of Interstate 10; and

**EXCEPTING** that portion described as follows:

**BEGINNING** at the Southeast corner of said Section 5;

Thence Westerly along the Southern boundary of said Section 5, a distance of 512.29 feet;

Thence Northerly and parallel to the Eastern boundary of said Section 5, a distance of 16 feet;

Thence Easterly and parallel to the Southern boundary of said Section 5, a distance of 512.29 feet;

Thence Southerly along the Eastern boundary of said Section 5, a distance of 16 feet to the **POINT OF BEGINNING**;

**And ALSO EXCEPTING** that portion of said Southeast Quarter lying north of and easterly of the following described line;

**Commencing** at the  $\frac{3}{4}$  inch pipe being the Southeast corner of said Section 5;

Thence North 00° 00' 00" East, along the East line of the Southeast quarter of said Section 5, a distance of 931.43 feet to the **TRUE POINT OF BEGINNING**, said point being 1,751.75 feet South of a 2 inch open pipe which is the East quarter corner of said Section 5;

Thence South 88° 59' 52" West, a distance of 182.65 feet;

Thence North 06° 07' 46" West, a distance of 440.59 feet;

Thence North 00° 38' 48" West, a distance of 60.00 feet;

Thence North 89° 21' 46" West, a distance of 46.00 feet;

Thence North 01° 50' 17" West, a distance of 133.96 feet;

Thence North 16° 24' 02" West, a distance of 258.25 feet;



<sup>Inc.</sup>  
Thence North 22° 35' 44" West, a distance of 960.32 feet to the POINT OF TERMINUS on the North line of the Southeast Quarter of said Section 5.

**Section 8:**

All of Section 8, Township 10 South, Range 10 East, Gila and Salt River Meridian, Pinal County, Arizona, Except the South One-Half of the Southwest Quarter thereof.

**EXCEPTING** any portion lying within the following described tract;

BEGINNING at the Northeast corner of said Section 8;

THENCE West along the North boundary line of said Section 8, a distance of 512 feet to a point;

THENCE South parallel with the East boundary line of said Section 8, a distance of 512 feet to a point;

THENCE East 512 feet to a point on the East boundary line of said Section 8;

THENCE North a distance of 512 feet to the POINT OF BEGINNING.

**And ALSO EXCEPTING** any portion lying within the following described tract;  
The West 132 feet of the East 644 feet of the North 512 feet of Section 8, Township 10 South, Range 10 East of the Gila and Salt River Base Meridian, Pinal County, Arizona.

**Section 9:**

All of Section 9, Township 10 South, Range 10 East of the Gila and Salt River Meridian, Pinal County, Arizona, Except any portion thereof within right-of-way of Interstate 10 and the Union Pacific Railroad;

**EXCEPT** that portion described as follows:

Commencing at the Northwest corner of said Section 9;

Thence South 00° 10' 52" West along the West line of said Section 9, a distance of 431.07 feet to the intersection of the West line of said Section 9 and a line parallel to and 50.00 feet Southerly of the centerline of Sasco Road as it now exists;

Thence North 67° 19' 22" East, parallel to and 50.00 feet Southerly of the centerline of Sasco Road, a distance of 771.10 feet to the TRUE POINT OF BEGINNING;



Thence continue North 67° 19' 22" East, a distance of 200.00 feet;

Thence South 22° 40' 38" East, a distance of 150.00 feet;

Thence South 67° 19' 22" West, a distance of 200.00 feet;

Thence North 22° 40' 38" West, a distance of 150.00 feet to the TRUE POINT OF BEGINNING;

**And ALSO EXCEPTING** that portion described as follows:

Commencing at the Northwest corner of said Section 9;

Thence South 00° 10' 52" West along the West line of said Section 9, a distance of 431.07 feet to the intersection of the West line of said Section 9 and a line parallel to and 50.00 feet Southerly of the centerline of Sasco Road as it now exists;

Thence North 67° 19' 22" East, parallel to and 50.00 feet Southerly of the centerline of Sasco Road, a distance of 671.10 feet to the TRUE POINT OF BEGINNING;

Thence continue North 67° 19' 22" East, a distance of 100.00 feet;

Thence South 22° 40' 38" East, a distance of 150.00 feet;

Thence South 67° 19' 22" West, a distance of 100.00 feet;

Thence North 22° 40' 38" West, a distance of 150.00 feet to the TRUE POINT OF BEGINNING;

**And ALSO EXCEPTING** that portion described as follows:

Commencing at the Northwest corner of said Section 9;

Thence South 00° 10' 52" West along the West line of said Section 9, a distance of 431.07 feet to the intersection of the West line of said Section 9 and a line parallel to and 50.00 feet Southerly of the centerline of Sasco Road as it now exists;

Thence North 67° 19' 22" East parallel to and 50.00 feet Southerly of the centerline of Sasco Road, a distance of 971.10 feet to the TRUE POINT OF BEGINNING;

Thence continue North 67° 19' 22" East, 115.75 feet to a point on the westerly line of the Interstate 10 Red Rock Interchange right-of-way, being on a non-tangent curve, concave



Westerly, the center of said curve bears South 75° 44' 03" West, a distance of 1045.92 feet;

Thence Southerly along said right-of-way line and the arc of said curve, through a central angle of 07° 17' 12", a distance of 133.02 feet to a point of non-tangency;

Thence South 67° 19' 22" West, a distance of 42.99 feet;

Thence South 22° 19' 22" West, a distance of 28.28 feet;

Thence south 67° 19' 22" West, a distance of 25.00 feet;

Thence North 22° 40' 38" West, a distance of 150.00 feet to the TRUE POINT OF BEGINNING.

And **ALSO EXCEPTING** the following described parcel:

**COMMENCING** at the Southeast corner of the Southeast quarter of said Section 9;

**THENCE** North 89° 56' 53" West along the South line of said Southeast quarter a distance of 58.87 feet to a point on the West right of way line of Interstate 10 and the **POINT OF BEGINNING**;

**THENCE** continue North 89° 56' 53" West, along said South line, a distance of 1,700.25 feet to the East line of an El Paso natural gas easement;

**THENCE** North 37°51'09" West along said East line a distance of 1,365.93 feet;

**THENCE** North 54°47'04" East a distance of 1,444.28 feet to said West right of way line;

**THENCE** South 35°22'56" East along said right of way line a distance of 856.29 feet;

**THENCE** South 35°22'45" East along said right of way line a distance of 1,494.12 feet to the **POINT OF BEGINNING**.

**Section 10:**

The west one-half of the Southwest Quarter (SW ¼) of Section 10, Township 10 South, Range 10 East, Gila and Salt River Meridian, Pinal County, Arizona. Except any portion thereof within right-of-way of Interstate 10 and the Union Pacific Railroad.

**The  
WLB  
Group**  
Inc.

See ATTACHMENT "B" for reference.

Prepared By:

THE WLB GROUP, INC.

Jack A. Buchanan  
JAB:



**EXHIBIT "B"**

**LEGAL DESCRIPTION OF WASTEWATER CC&N AREA**

August 3, 2004

WLB No. 100050-A001-1002

W:\LEGALS\100050\CC&N Area.doc



**LEGAL DESCRIPTION  
RED ROCK UTILITIES L.L.C.  
WASTEWATER CC& N AREA**

The Southwest Quarter of Section 4, Township 10 South, Range 10 East, Gila and Salt River Base and Meridian, Pinal County, Arizona.

The Southeast Quarter of Section 5, Township 10 South, Range 10 East, Gila and Salt River Base and Meridian, Pinal County, Arizona,

All of Section 8, Township 10 South, Range 10 East, Gila and Salt River Base and Meridian, Pinal County, Arizona, except the South One-Half of the Southwest Quarter thereof.

All of Section 9, Township 10 South, Range 10 East, Gila and Salt River Base and Meridian, Pinal County, Arizona.

The West one-half (W 1/2) of the Southwest Quarter (SW 1/4) of Section 10, Township 10 South, Range 10 East, Gila and Salt River Base and Meridian, Pinal County, Arizona.

See ATTACHMENT "A" for reference.

Prepared By:

THE WLB GROUP, INC.

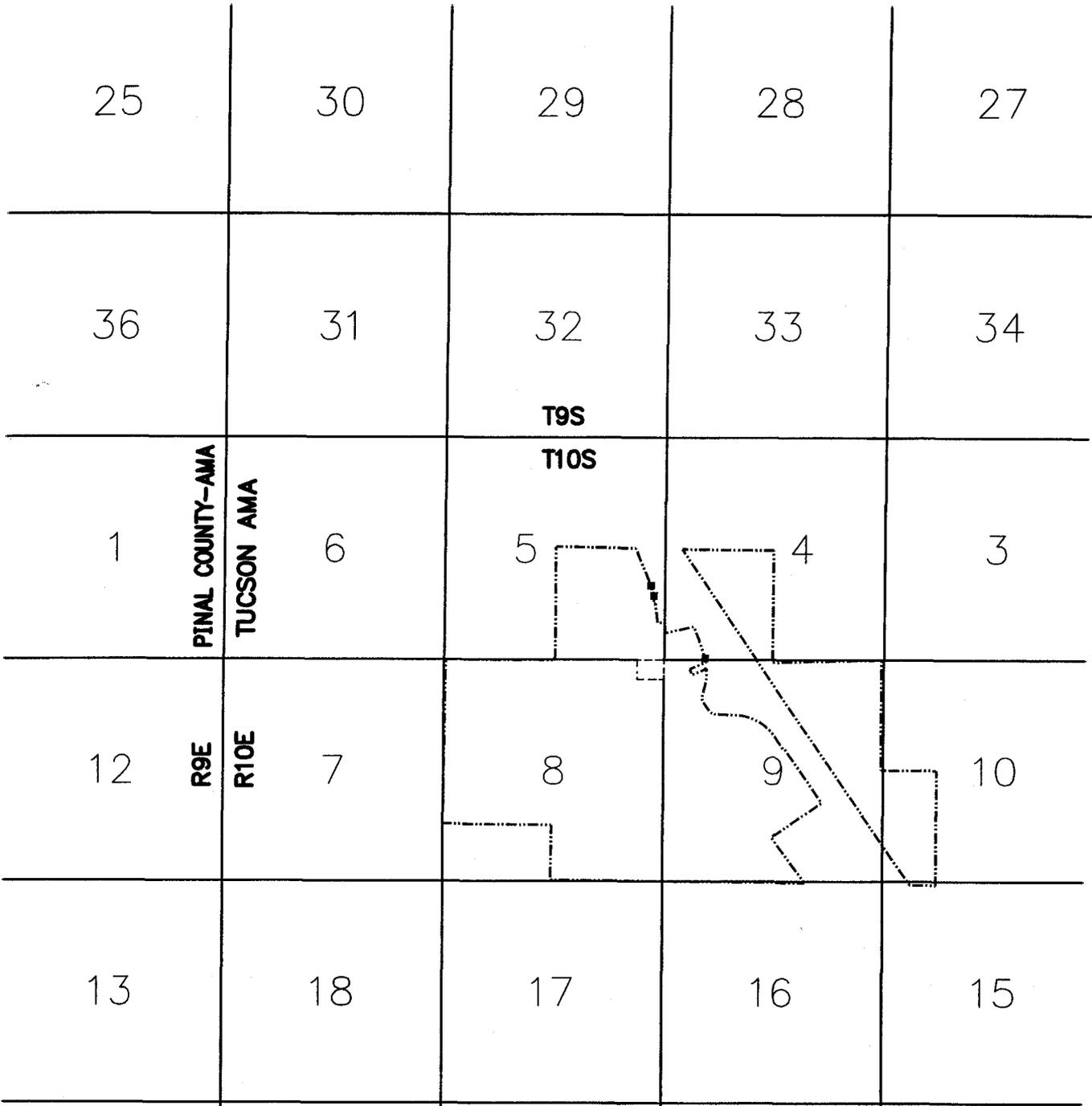


Jack A. Buchanan

JAB:

**EXHIBIT "C"**

**MAP OF WATER CC&N AREA**



**RED ROCK VILLAGE**  
**Requested Water CC & N Area**

**ATTACHMENT "B"**

Not to Scale

 **Red Rock Utilities LLC,**  
**Requested Water CC & N Area**

The  
 WLB  
 Group

**WLB**



WLB No. 100050-B-001

**EXHIBIT "D"**

**MAP OF WASTEWATER CC&N AREA**

ATTACHMENT "A"

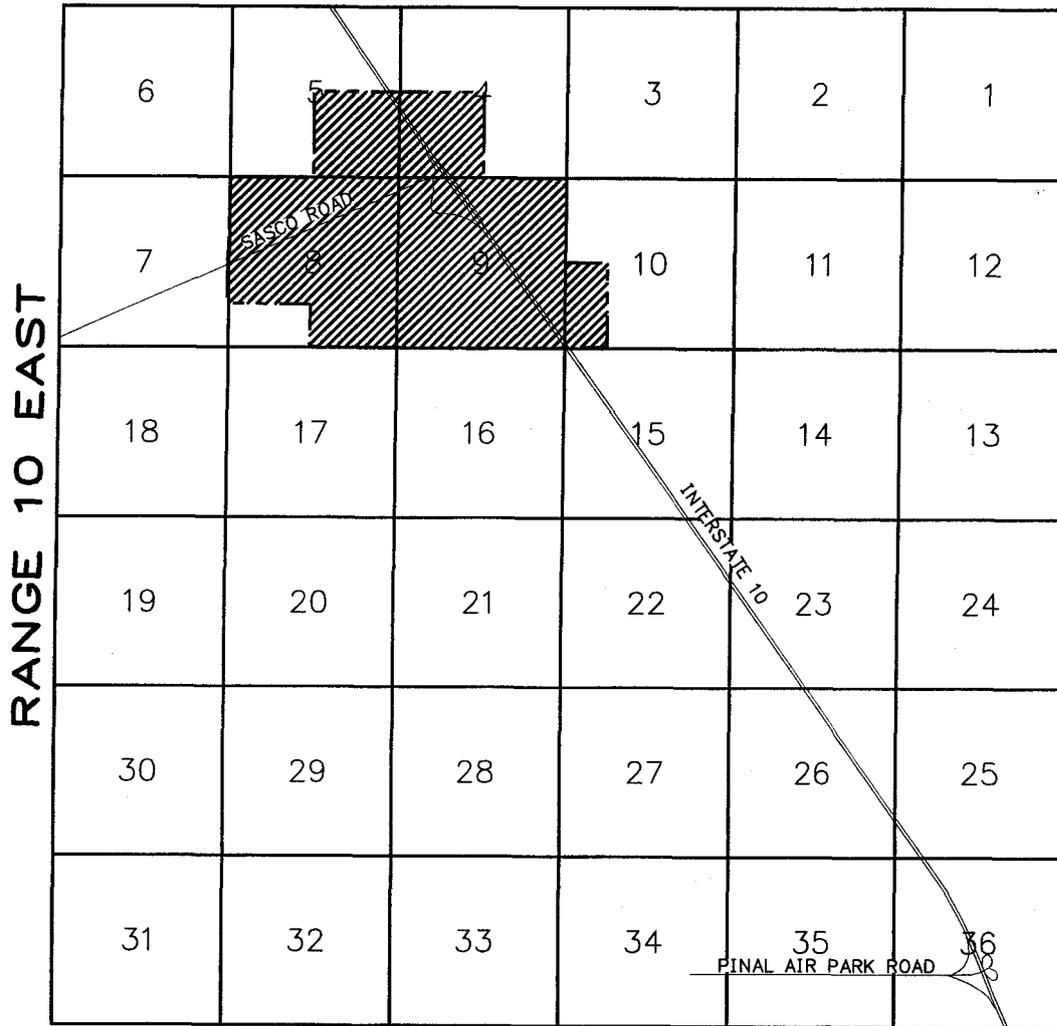
PINAL  
COUNTY

4,5,8,9,10  
SECTION

10 SOUTH  
TOWNSHIP

10 EAST  
RANGE

TOWNSHIP 10 SOUTH



Legal Description:

SOUTHWEST QUARTER SECTION 4,  
SOUTHEAST QUARTER SECTION 5,  
ALL OF SECTION 8 EXCEPT THE SOUTH ONE HALF OF THE SOUTHWEST QUARTER,  
ALL OF SECTION 9,  
WEST ONE-HALF OF THE SOUTHWEST QUARTER OF SECTION 10



 Red Rock Utilities LLC,  
Requested Wastewater  
CC & N Area