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Docket No  
W-02064A-04-0270  
W-04254A-04-0270  
DECISION 67583

ORIGINAL

RECEIVED

BOND FOR UTILITY USERS

2005 MAY -4 P 4: 23

BOND NO. 251825

KNOW ALL MEN BY THESE PRESENTS: That we, MONTEZUMA RIMROCK WATER COMPANY LLC as Principal, and AMERICAN CONTRACTORS INDEMNITY COMPANY as Surety are jointly and severally bound unto the users of

Principal in the sum of \$30,000.00, lawful money of the United States of America, to be paid as hereinafter provided for which payment will and truly to be made, we bind ourselves, and each of our successors and assigns, jointly and severally be these presents.

THE CONDITIONS OF THIS OBLIGATION ARE THAT: Whereas, the above bounden Principal has contracted with the users of the Principal for the furnishing of water service,

NOW THEREFORE, if the said Principal, or any assigns of his fails to provide water services so furnished, the said Surety will pay the same to the users of the Principal with the consent of the Arizona Corporation Commission as Trustee, an amount not exceeding the sum herein above specified.

THE BOND SHALL REMAIN IN FULL FORCE and effect until cancelled by mutual agreement of the Arizona Corporation Commission, the Principal and the Surety. The Surety's liability shall be terminated and bond cancelled upon written notice of the cancellation by the Surety to the Principal with a copy to the Arizona Corporation Commission no less than thirty days prior to the cancellation date. Notice to the Principal shall be by certified mail in a sealed envelope with the postage prepaid. Proof of notice to the Principal shall be made available to the Arizona Corporation Commission upon request. IN WITNESS Whereof, we have caused these presents to be executed this 1st day of May, 2005.

MONTEZUMA RIMROCK WATER COMPANY LLC  
(Principal)

BY: \_\_\_\_\_

AMERICAN CONTRACTORS INDEMNITY COMPANY  
(Surety)

*M.J. Hopper*  
M.J. Hopper, Attorney-in-fact

Attest:

\_\_\_\_\_  
Witness

Arizona Corporation Commission  
DOCKETED

MAY 04 2005

DOCKETED BY KJ

# American Contractors Indemnity Company

9841 Airport Blvd., 9<sup>th</sup> Floor Los Angeles, California 90045



## POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That American Contractors Indemnity Company of the State of California, a California corporation, does hereby appoint,

**Jean Paulus, Lynn Macci, Peter Wall or M. J. Hopper of Glendale, Arizona**

its true and lawful Attorney(s)-in-Fact, with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an Amount not to exceed \$ \*\*\*3,000,000.00\*\*\*Dollars. This Power of Attorney shall expire without further action on March 18, 2007.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of AMERICAN CONTRACTORS INDEMNITY COMPANY at a meeting duly called and held on the 6<sup>th</sup> day of December, 1990.

*"RESOLVED that the Chief Executive Officer, President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have the power and authority*

- 1. To appoint Attorney(s)-in-Fact and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and,*
- 2. To remove, at any time, any such Attorney-in-Fact and revoke the authority given.*

*RESOLVED FURTHER, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."*

IN WITNESS WHEREOF, American Contractors Indemnity Company has caused its seal to be affixed hereto and executed by its Chief Executive Officer on the 15<sup>th</sup> day of December, 2003.



AMERICAN CONTRACTORS INDEMNITY COMPANY

By: \_\_\_\_\_

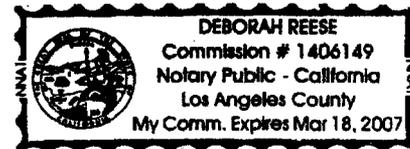
*Robert F. Thomas*  
Robert F. Thomas, Chief Executive Officer

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

On this 15<sup>th</sup> day of December 2003, before me, Deborah Reese, a notary public, personally appeared Robert F. Thomas, Chief Executive Officer of American Contractors Indemnity Company, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seal of said corporation thereto by authority of his office.

WITNESS my hand and official seal.

*Deborah Reese*  
\_\_\_\_\_  
Signature of Notary  
My Commission expires March 18, 2007



I, Jeannie J. Kim, Corporate Secretary of American Contractors Indemnity Company, do hereby certify that the Power of Attorney and the resolution adopted by the Board of Directors of said Company as set forth above, are true and correct transcripts thereof and that neither the said Power of Attorney nor the resolution have been revoked and they are now in full force and effect.

IN WITNESS HEREOF, I have hereunto set my hand this 1st day of May, 2005.

Bond No. 251825

*Jeannie J. Kim*  
\_\_\_\_\_  
Jeannie J. Kim, Corporate Secretary

Agency No. #9050