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AZ CORP COMMISSION  
DOCUMENT CONTROL

Arizona Corporation Commission  
**DOCKETED**

W-02074A-03-0608

FEB 22 2005

DOCKETED BY	<i>RJ</i>
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## NEW APPLICATION

COYOTE TRAILS

A-1

<p><b>ARIZONA CORPORATION COMMISSION</b></p> <p><b>APPLICATION FOR AN EXTENSION OF CERTIFICATE OF CONVENIENCE AND NECESSITY</b></p> <p><b><u>WATER AND/OR SEWER</u></b></p>	<p><b>RECEIVED</b></p> <p>2003 AUG 26 P 12:25</p> <p>AZ CORP COMMISSION DOCUMENT CONTROL</p>
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**General Information:**

W-02074A-03-0608

The attached forms have been prepared by the Utilities Division of the Arizona Corporation Commission to assist Applicants filing for an extension to the area covered by an existing Certificate of Convenience and Necessity. The information required in this application corresponds to the provisions of Arizona Revised Statutes Section 40-101 et. seq., and the Arizona Administrative Code R14-2-402.C/R14-2-602.B.

Use of the attached form is suggested, unless, a formal pleading format is used by an attorney. The information requested in this application must be included within the pleading.

Attachment "A" is a sample of a transmittal letter addressed to the Utilities Division Docket Control Center. Please add information to the letter indicating the purpose and reasons for the application. This format should be used unless you are using a Company letterhead. Place this letter at the beginning of the application. Keep this instruction sheet for your information. Do not attach it to the application.

**Instructions:**

1. Complete the forms accurately and attach all required documents. This will expedite the processing of the application.
2. Complete all the items that apply to your utility. If an item requested does not apply, mark it "Not applicable" or "N/A". If you do not complete an item, processing of your application could be delayed.
3. If the space provided is insufficient, put the information on a separate sheet of paper and label it clearly.
4. If an item is to be filed at a later date, mark the item "to be late filed by" and give the date by which it will be filed.

ccnext.doc 04/00

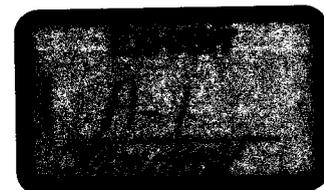


Exhibit  
A-1  
Admitted

**RE: COYOTE TRAILS APPLICATION PACKAGE**

This application has been submitted without the Certificate of Assured Water Supply from the State Dept. of Water Resources and without the Approval to Construct from the Maricopa County Environmental Service Dept. We are in the process of obtaining both of these outstanding items. The Approval to Construct should be obtained and submitted to you by the end of August 2003. The Certificate of Assured Water Supply should be obtained and submitted to you by the end of September 2003.

# ARIZONA CORPORATION COMMISSION

## APPLICATION FOR AN EXTENSION OF CERTIFICATE OF CONVENIENCE AND NECESSITY

### WATER AND/OR SEWER

A. The name, address and telephone number of the Applicant is:

Beardsley Water Company  
P.O. Box 1020  
Apache Junction, AZ 85217 (480) 677-6080

B. The name, address and telephone number of management contact is:

First National Management, Inc.  
P.O. Box 1020  
Apache Junction, AZ 85217 (480) 677-6080

C. List the name, address and telephone number of the operator certified by the Arizona Department of Environmental Quality:

Mr. Joseph V. Fiano  
Water Treatment Operations, Inc.  
14615 N. Fountain Hills Blvd. (480) 837-6438  
Fountain Hills, Ariz. 85268

D. List the name, address and telephone number of the attorney for the Applicant:

Timothy W. Barton (Gust, Rosenfeld Law Firm)  
201 N. Central  
Phx. Ariz 85073 (602) 257-7431

E. Attach the following documents that apply to you:

1. Certificate of Good Standing (if corporation) **Attached**

2. Corporate Resolution Authorizing this application (if required by the corporation's Articles of Incorporation) **Attached**

F. Attach a legal description of the area requested by either **CADASTRAL** (quarter section description) or **Metes and Bounds** survey. References to parcels and docket numbers will not be accepted.

G. Attach a detailed map using the form provided as attachment B. Shade and outline the area requested. Also indicate the present certificated area by using different colors.

H. Attach a current balance sheet and profit and loss statement.

I. Provide the following information:

1. Indicate the estimated number of customers, by class, to be served in the new area in each of the next five years:

**Residential:**

First Year 40 Second Year 70 Third Year \_\_\_\_\_ Fourth Year \_\_\_\_\_  
Fifth Year \_\_\_\_\_

**Commercial:** NONE

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_ Fourth Year \_\_\_\_\_  
Fifth Year \_\_\_\_\_

**Industrial:** NONE

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_ Fourth Year \_\_\_\_\_  
Fifth Year \_\_\_\_\_

**Irrigation:** NONE

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_ Fourth Year \_\_\_\_\_  
Fifth Year \_\_\_\_\_

Other: (specify) NONE

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_ Fourth Year \_\_\_\_\_

Fifth Year \_\_\_\_\_

2. (WATER ONLY) Indicate the projected annual water consumption, in gallons, for each of the customer classes in the new area for each of the next five years:

**Residential:**

First Year 3,000,000 Gall Second Year 9,000,000 Gall Third Year \_\_\_\_\_

Fourth Year \_\_\_\_\_ Fifth Year \_\_\_\_\_

**Commercial:** NONE

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_

Fourth Year \_\_\_\_\_ Fifth Year \_\_\_\_\_

**Industrial:** NONE

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_

Fourth Year \_\_\_\_\_ Fifth Year \_\_\_\_\_

**Irrigation:** NONE

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_

Fourth Year \_\_\_\_\_ Fifth Year \_\_\_\_\_

3. Indicate the total estimated annual operating revenue from the new area for each of the next five years:

First Year \$ 12,000 Second Year \$ 21,000 Third Year \$ 22,050

Fourth Year \$ 23,152 Fifth Year \$ 24,309

- Complete Attachment "D" (Water Use Data Sheet) for the past 13 months

4. Indicate the total estimated annual operating expenses attributable to the new area for each of the next five years:

First Year \$4800 Second Year \$8400 Third Year \$8820  
Fourth Year \$9,261 Fifth Year \$9,724

J. Total estimated cost to construct utility facilities to serve customers in the requested area:

\$ 259,000

K. Explain method of financing utility facilities (see paragraph 8 of instructions)

Subdivision Developer will provide  
funds to construct utility facilities.

L. Estimated starting and completion date of construction of utility facilities:

Starting date 2-1-03 Completion date 4-1-03

M. Attach the following permits:

1. Franchise from either the City or County for the area requested.
2. Arizona Department of Environmental Quality or designee's approval to construct facilities.
3. Arizona State Land Department approval. (If you are including any State land in your requested area this approval is needed.) N/A, Private Land.
4. U.S. Forest Service approval. (If you are including any U.S. Forest Service land in your requested area this approval is needed.) N/A, Private Land.

5. **(WATER ONLY)** If the area requested is within an Active Management Area, attach a copy of, either the utility's Designation of an Assured Water Supply, or the developer's Certificate of 100 Year Assured Water Supply issued by the Arizona Department of Water Resources.

- If the area requested is outside an Active Management Area, attach the developer's Adequacy Statement issued by the Arizona Department of Water Resources if applied for by the developer.

- If the area requested is outside an Active Management Area and the developer does not obtain an Adequacy Statement, provide sufficient detailed information to prove that adequate water exists to provide water to the area requested.

Fred T. Wilkinson  
 (Signature of Authorized Representative)

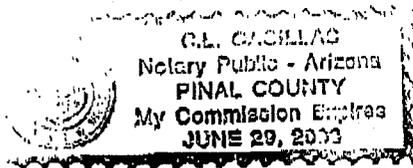
Fred T. Wilkinson  
 (Print or Type Name Here)

Agent  
 (Title)

SUBSCRIBED AND SWORN to before me this 24<sup>th</sup> day of June, 2002

C. J. Casillas  
 NOTARY PUBLIC

My Commission Expires 6/29/2003



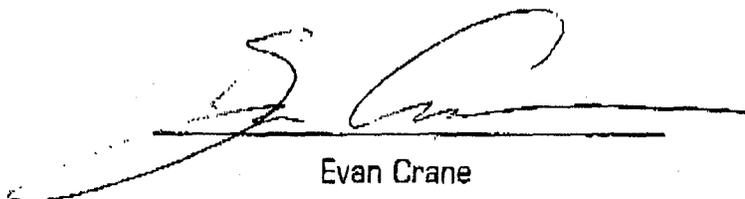
ccnext.doc 04/00

Beardsley Water Company  
P.O. Box 1020  
Apache Junction, Az. 85217

6-15-02

Docket Control  
Arizona Corporation Commission  
1200 W. Washington St.  
Phoenix, Arizona

Attached is an application by Beardsley Water Company for an extension of a Certificate of Convenience and Necessity. The purpose of this application is to extend Beardsley Water Company's CCN area to include the vicinity of Patton Rd. and 259<sup>th</sup> Avenue, Maricopa County, Arizona.



Evan Crane

**PUBLIC NOTICE OF AN APPLICATION FOR AN  
EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY  
BY BEARDSLEY WATER COMPANY**

Beardsley Water Company has filed with the Arizona Corporation Commission ("Commission") an application for authority for an extension of its Certificate of Convenience and Necessity to provide water service. Our records indicate that you are either currently a customer of Beardsley Water Company or are a property owner in the proposed extension area. If the application is granted, Beardsley Water Company would be the exclusive provider of water service to the proposed area. Beardsley Water Company will be required by the Commission to provide this service under the rates and charges and terms and conditions established by the Commission. The granting of the application would not necessarily prohibit an individual from providing service to themselves from individually owned facilities on their property. The application is available for inspection during regular business hours at the offices of the Commission in Phoenix at 1200 West Washington Street and, in care of Beardsley Water Company, at 7127 E. Saguaro Drive, Suite 102, Scottsdale, Ariz.

The Commission will hold a hearing on this matter. As a property owner, or customer, you may be entitled to intervene in the proceeding. If you do not want to intervene, you may appear at the hearing and make a statement on your own behalf. You may contact the Commission at the address and telephone number listed below for the date and time of the hearing and for more information on intervention. You may receive any further notice of the proceeding unless requested by you.

If you have any questions or concerns about this application or have any objections to its approval, or wish to make a statement in support of it, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

**COUNTY OF MARICOPA**  
*State of Arizona*

**Office of the Clerk**  
Board of Supervisors

*State of Arizona* ) ss.  
*County of Maricopa* )

*I, Norma Risch, Deputy Clerk of the Board of Supervisors, do hereby certify that the attached is a true and correct excerpt from the minutes of the meeting of the Board of Supervisors held on September 18, 2002:*

**BEARDSLEY WATER COMPANY PUBLIC SERVICE FRANCHISE - APPROVED**

*(Attached)*

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the County of Maricopa. Done at Phoenix, the County Seat, on the following day:  
September 27, 2002

Evan Crane  
Department of Transportation  
File



*Norma Risch*  
Deputy Clerk of the Board of Supervisors

**BEARDLSEY WATER COMPANY PUBLIC SERVICE FRANCHISE - APPROVED**

This was the time scheduled for hearing on the application filed by Beardsley Water Company, for a public utility franchise to construct, maintain and operate water lines, etc., for a period of 25 years or for a period of one year after the franchised area or a portion thereof is annexed by a municipality, whichever is shorter, for the transmission and delivery of water for domestic use along, upon, under and across public highways, roads, alleys and thoroughfares (excepting State highways) within that portion of Maricopa County, Arizona, known and described as follows, to-wit:

**Parcel No. 1:** That portion of the west one-third of the west two-thirds of the Southwest quarter of Section 30, Township 5 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the Southwest corner of said Section 30;  
Thence North 00 degrees 03 minutes 49 seconds east along the west line of said Section 30, a distance of 1269.00 feet;  
Thence South 37 degrees 32 minutes 57 seconds east, a distance of 689.62 feet;  
Thence South 09 degrees 00 minutes 00 seconds east, a distance of 156.00 feet;  
Thence South 28 degrees 54 minutes 00 seconds east, a distance of 284.00 feet to a point on the east line of said west one-third of the west two-thirds of the southwest quarter of Section 30;  
Thence South 00 degrees 03 minutes 43 seconds west along said east line, a distance of 320.00 feet to the southeast corner of said west one-third of the west two-thirds of the southwest quarter of Section 30;  
Thence North 89 degrees 57 minutes 17 seconds west along the south line of said Section 30, a distance of 583.00 feet to the POINT OF BEGINNING.

EXCEPT the oil, gas and mineral rights, as set forth in instrument recorded in Book 418 of Deeds, Page 588, records of Maricopa County, Arizona.

**Parcel No. 2:** The west one-third of the west two-thirds of the southwest quarter of Section 30, Township 5 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT that portion thereof, described as follows:

BEGINNING at the southwest corner of said Section 30;  
Thence north 00 degrees 03 minutes 49 seconds east along the west line of said Section 30, a distance of 1269.00 feet;  
Thence south 37 degrees 32 minutes 57 seconds east, a distance of 689.62 feet;  
Thence south 09 degrees 00 minutes 00 seconds east, a distance of 156.00 feet;  
Thence south 28 degrees 54 minutes 00 seconds east, a distance of 284.00 feet to a point on the east line of said west one-third of the west two-thirds of the southwest quarter of Section 30;  
Thence south 00 degrees 03 minutes 43 seconds west along said east line, a distance of 320.00 feet to the southeast corner of said west one-third of the west two-thirds of the southwest quarter of Section 30;  
Thence north 89 degrees 57 minutes 17 seconds west along the south line of said Section 30, a distance of 583.00 feet to the POINT OF BEGINNING;

EXCEPT the oil, gas and mineral rights as set forth in instrument recorded in Book 418 of Deeds, Page 588, records of Maricopa County, Arizona.

**Parcel No. 3:** The east half of the west two-thirds of the west two-thirds of the southwest quarter of Section 30, Township 5 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the south 373.57 feet thereof; and

EXCEPT the oil, gas and mineral rights, as set forth in instrument recorded in Book 418 of Deeds, Page 588, records of Maricopa County, Arizona.

**Parcel No. 4:** The east one-third of the west two-thirds of the southwest quarter of Section 30, Township 5 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the South 373.57 feet thereof; and

EXCEPT the oil, gas, and mineral rights, as set forth in instrument recorded in Book 418 of Deeds, Page 588, records of Maricopa County, Arizona.

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to grant the said franchise as applied for and to impose such restrictions and limitations upon said applicant as to the use of such public highways, roads, alleys and thoroughfares as may be deemed best for the public safety and welfare and to include in such franchise the statutory provisions set forth in Title 40, Chapter 2, Article 4, A.R.S., 1956, requiring the grantee of said franchise to pay such expenses, damages and compensations, if any, as may result from the use and operation of said franchise and as in said statute specified.



**CORPORATE RESOLUTION**

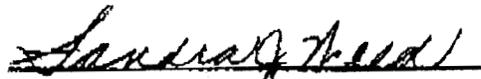
I, Sandra J. Weed, Secretary of Beardsley Water Company, an Arizona corporation, do hereby certify that the following is a true and correct copy of the resolution unanimously adopted by the Board of Directors of this corporation, a quorum of its members being present at a regular business meeting held in the city of Phoenix, Arizona, on May 7, 2002, and that this resolution has not been revoked by any subsequent action of the Board of Directors, remaining in full force and effect:

RESOLVED, that Beardsley Water Company (BWCO) is hereby authorized, empowered, and directed to prepare, execute, and perform the applicable documents that Central Arizona Groundwater Replenishment District (CAGR) requires from BWCO, as a water provider, in order for the subdivision known as Peak View Ranch to qualify for enrollment as member lands in CAGR; and

FURTHER RESOLVED, that Fred T. Wilkinson, President of First National Management, Inc., agent of BWCO, is hereby authorized and directed to perform any necessary act to complete the purpose of this resolution; and

FURTHER RESOLVED, that the actions taken by Fred T. Wilkinson, acting on behalf of the agent of BWCO, in executing applications, declarations, and agreements relating to the enrollment of Peak View Ranch as member lands of CAGR, are hereby approved and ratified.

Witness my hand and the seal of this corporation on this 8th day of May, 2002.

  
Sandra J. Weed

# STATE OF ARIZONA



## Office of the CORPORATION COMMISSION

### CERTIFICATE OF GOOD STANDING

To all to whom these presents shall come, greeting:

I, Brian C. McNeil, Executive Secretary of the Arizona Corporation Commission, do hereby certify that

**\*\*\*BEARDSLEY WATER COMPANY, INC.\*\*\***

a domestic corporation organized under the laws of the state of Arizona, did incorporate on November 20, 1973.

I further certify that according to the records of the Arizona Corporation Commission, as of the date set forth hereunder, the said corporation is not administratively dissolved for failure to comply with the provisions of the Arizona Business Corporation Act; that its most recent Annual Report, subject to the provisions of A.R.S. 10-122, 10-123, 10-125 & 10-1222, has been delivered to the Arizona Corporation Commission for filing; and that the said corporation has not filed Articles of Dissolution as of the date of this certificate.

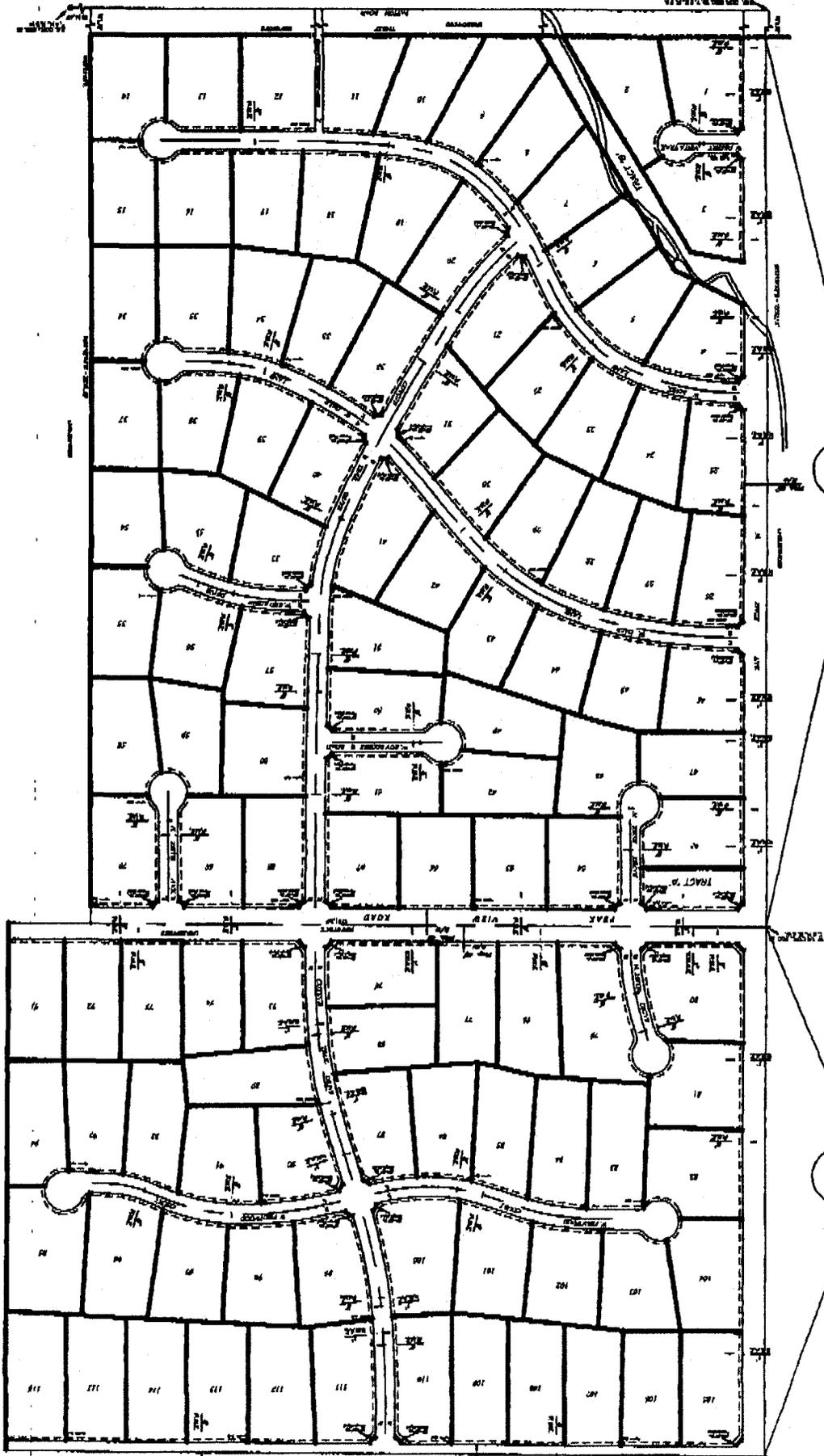
This certificate relates only to the legal existence of the above named entity as of the date issued. This certificate is not to be construed as an endorsement, recommendation, or notice of approval of the entity's condition or business activities and practices.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Arizona Corporation Commission. Done at Phoenix, the Capitol, this 7th Day of May, 2002, A. D.



*Brian C. McNeil*  
EXECUTIVE SECRETARY

BY: *Leanne Curtis*



Montfort Investments  
 8818 N. Highland  
 Scottsdale, AZ 85253  
 APN 503-32-0130

Montfort Investments  
 8918 N. Highland  
 Scottsdale, AZ 85253  
 APN 503-32-0131

Walter Hedinger  
 4815 E. Main St  
 Mesa, AZ 85205  
 APN 503-32-0132

W.M. Podurski  
 3101 N. Central Ave.  
 Phx, AZ 85012

Orzly Construction Inc.  
 4410 Union Hill  
 Glendale, AZ 85308  
 APN 503-32-286

COPIES AVAILABLE

**EXHIBIT "A" LEGAL DESCRIPTION**

The Southeast quarter of the Northeast quarter of Section 29, Township 5 North, Range 3 West of the Gila and Salt River Base Meridian, Maricopa County, Arizona.

Excepting all uranium, thorium, or other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value pursuant to the provisions of the Act of August 1, 1946 (60 Stat. 755) as set forth in the Patent on said land.

**CORPORATE RESOLUTION**

I. Sandra J. Weed, Secretary of Beardsley Water Company, an Arizona corporation, do hereby certify that the following is a true and correct copy of the resolution unanimously adopted by the Board of Directors of this corporation, a quorum of its members being present at a regular business meeting held in the city of Phoenix, Arizona, on May 7, 2002, and that this resolution has not been revoked by any subsequent action of the Board of Directors, remaining in full force and effect:

RESOLVED, that Beardsley Water Company (BWCO) is hereby authorized, empowered, and directed to prepare, execute, and perform the applicable documents that Central Arizona Groundwater Replenishment District (CAGR) requires from BWCO, as a water provider, in order for the subdivision known as Peak View Ranch to qualify for enrollment as member lands in CAGR; and

FURTHER RESOLVED, that Fred T. Wilkinson, President of First National Management, Inc., agent of BWCO, is hereby authorized and directed to perform any necessary act to complete the purpose of this resolution; and

FURTHER RESOLVED, that the actions taken by Fred T. Wilkinson, acting on behalf of the agent of BWCO, in executing applications, declarations, and agreements relating to the enrollment of Peak View Ranch as member lands of CAGR, are hereby approved and ratified.

Witness my hand and the seal of this corporation on this 8th day of May, 2002.

  
Sandra J. Weed

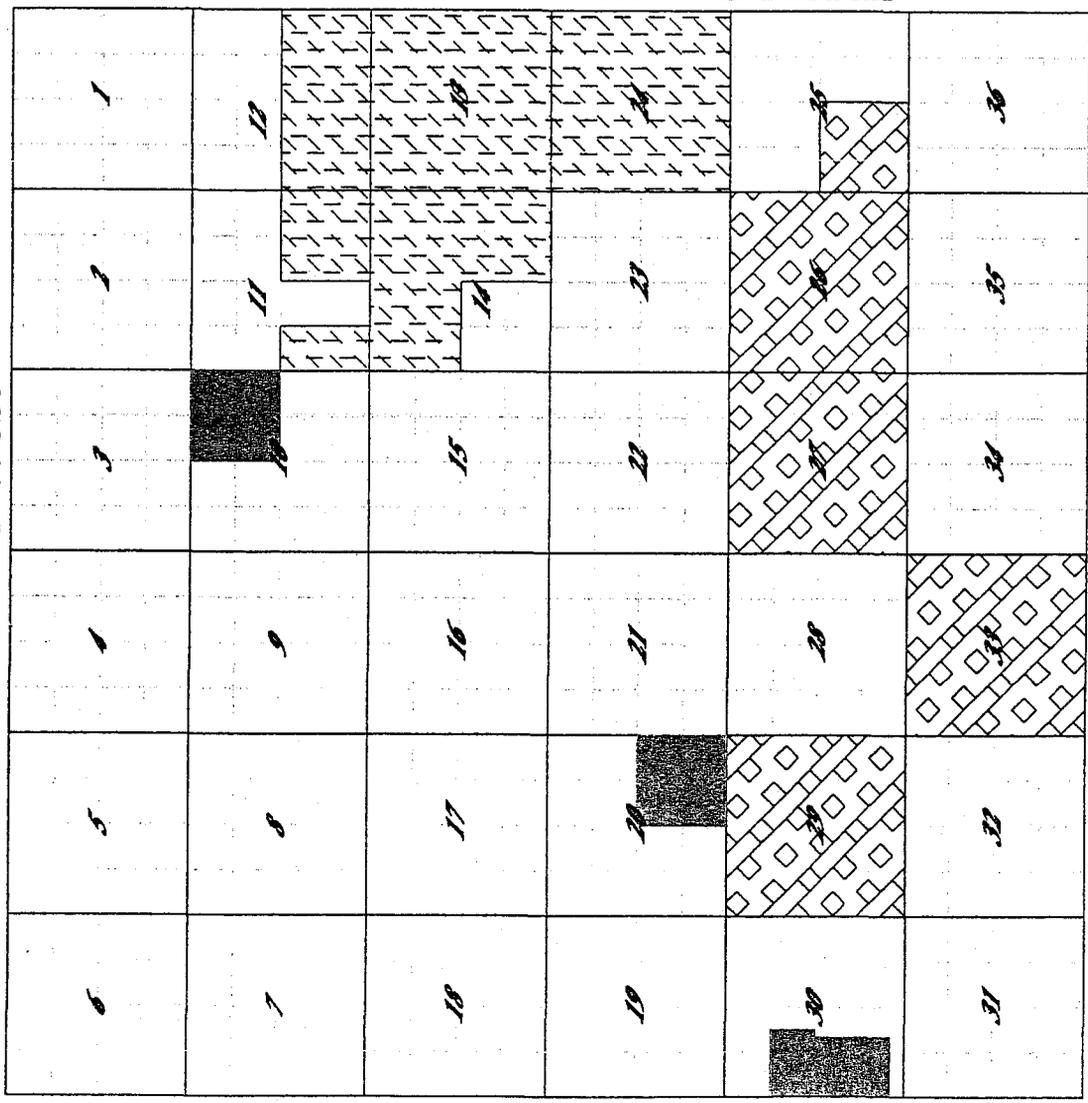
A-2

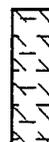
Map No. 42

# COUNTY: Maricopa

## RANGE 3 West

## TOWNSHIP 5 North



 W-2074 (2)  
 Beardsley Water Company, Inc.  
 W-1157 (2)  
 West End Water Company

  
 Beardsley Water Company, Inc.  
 Docket No. W-2074-03-608  
 Application for Extension

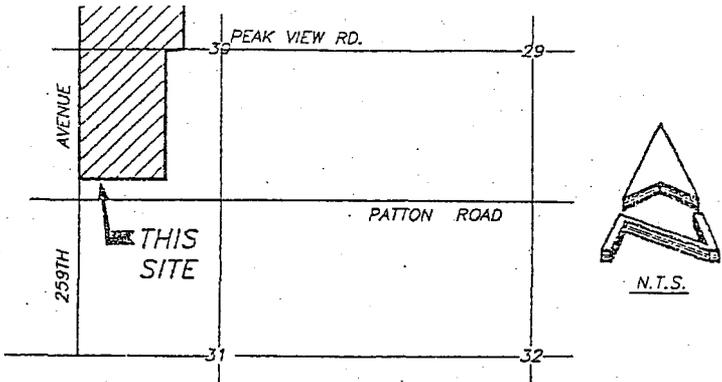
  
 Signal Peak Water Company, Inc.  
 Docket No. W-2109-04-183  
 Application for Extension

  
 Beardsley Water Company, Inc.  
 Docket No. W-2074-04-241  
 Application for Extension

EXHIBIT  
 A-2  
*Admitted*

Exhibit  
 A-2  
 Admitted

EXHIBIT  
A-3  
Admitted



Vicinity Map

LEGAL DESCRIPTION

THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, ALSO KNOWN AS G.L.O. LOT 2, AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;  
EXCEPT THE EAST 660 FEET;

TOGETHER WITH

THE EAST HALF OF THE WEST TWO-THIRDS OF THE WEST TWO-THIRDS OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;  
EXCEPT THE SOUTH 406.57 FEET;

TOGETHER WITH

THE EAST THIRD OF THE WEST TWO-THIRDS OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;  
EXCEPT THE SOUTH 406.57;

TOGETHER WITH

THE WEST THIRD OF THE WEST TWO-THIRDS OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;  
EXCEPT THE SOUTH 406.57 FEET.



SALLQUIST & DRUMMOND, P.C.  
ATTORNEYS AT LAW  
TEMPE OFFICE  
4500 S. LAKESHORE DRIVE  
SUITE 339  
TEMPE, ARIZONA 85282

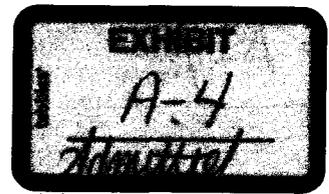


Exhibit  
A-4  
Admitted

RICHARD L. SALLQUIST  
E-MAIL [dick@sd-law.com](mailto:dick@sd-law.com)

PHONE (602) 224-9222  
FACSIMILE (480) 345-0412

November 1, 2004

Colleen Ryan  
Arizona Corporation Commission  
Docket Control  
1200 W. Washington  
Phoenix, AZ 85007

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Re: Beardsley Water Company; Docket No. W-02074A-03-0608

Dear Ms. Ryan

Enclosed please find 15 copies of the Affidavit of Publication in the subject docket. In the event you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard L. Sallquist". The signature is fluid and cursive.

Richard L. Sallquist  
For the Firm

Enclosures

cc: Fred T. Wilkinson  
Tammy Ott

~ SINCE 1914 ~

1505 N. Central Avenue, Suite 200, Phoenix, Arizona 85004-1725  
Telephone (602) 417-9900 / Fax (602) 417-9910

STEPHANIE SAWYER  
SALLQUIST & DRUMMOND, P.L.L.C.  
2525 E ARIZONA BILTMORE CIR #117  
PHOENIX, AZ 85016

RR#: 736756

number 602/542-3931, E-mail  
YMcFarlin@cc.state.az.us. Requests  
should be made as early as possible  
to allow time to arrange the  
accommodation.  
10/18/04

RR- 736756#

**AFFIDAVIT OF PUBLICATION**

Reference #: 34002.00000  
Notice Type: MN Miscellaneous Notice  
Ad Description: BEARDSLEY WATER COMPANY EXTENSION OF CERT.  
OF CONVENIENCE AND NECESSITY

**PUBLIC NOTICE OF THE HEARING  
FOR BEARDSLEY WATER  
COMPANY FOR AN EXTENSION OF  
ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY  
DOCKET NO. W-02074A-03-0608**  
On August 26, 2003, Beardsley Water  
Company ("Applicant") filed an  
application for an extension of its  
CC&N in various parts of Maricopa  
County, Arizona.

The application is available for  
inspection during regular business  
hours at the offices of the Commission  
in Phoenix, at 1200 West Washington  
Street, Phoenix, Arizona and at the  
Applicant's office, c/o First National  
Management, Inc. 3830 S. De Niza  
Road, Apache Junction, Arizona  
85219.

The Commission will hold a hearing  
on this matter commencing on  
November 4, 2004 at 9:30 a.m., at the  
Commission's offices, 1200 West  
Washington Street, Phoenix, Arizona.  
Public comments will be taken on the  
first day of the hearing.

The law provides for an open public  
hearing at which, under appropriate  
circumstances, interested parties may  
intervene. Intervention shall be  
permitted to any person entitled by  
law to intervene and having a direct  
and substantial interest in the matter.  
Persons desiring to intervene must file  
a written motion to intervene with the  
Commission, which motion should be  
sent to Applicant or its counsel and to  
all parties of record, and which, at the  
minimum, shall contain the following:  
1. The name, address, and telephone  
number of the proposed intervenor  
and of any party upon whom service  
of documents is to be made if different  
than the intervenor.

2. A short statement of the proposed  
intervenor's interest in the proceeding  
(e.g., a customer of Applicant, a  
shareholder of Applicant, a  
competitor, etc.).

3. A statement certifying that a copy of  
the motion to intervene has been  
mailed to the Applicant or its counsel  
and to all parties of record in the case.  
The granting of motions to intervene  
shall be governed by A.A.C. R14-3-  
105, except that all motions to  
intervene must be filed on or before  
October 29, 2004. The granting of  
intervention, among other things,  
entitles a party to present sworn  
evidence at hearing and to cross-  
examine other witnesses. However,  
failure to intervene will not preclude  
any customer from appearing at the  
hearing and making a statement on  
such customer's own behalf.

If you have any questions or concerns  
about this application or have any  
objections to its approval, or wish to  
make a statement in support of it, you  
may write the Consumer Services  
Section of the Commission at 1200  
West Washington Street, Phoenix,  
Arizona 85007 or call 1-800-222-7000  
or appear at the hearing and make  
comment.

The Commission does not  
discriminate on the basis of disability  
in admission to its public meetings.  
Persons with a disability may request  
a reasonable accommodation such as  
a sign language interpreter, as well as  
request this document in an  
alternative format, by contacting the  
ADA Coordinator, voice phone

I, WENDY COOPER, am authorized by the publisher as agent to make this  
affidavit. Under oath, I state that the following is true and correct.

THE RECORD REPORTER is a newspaper of general circulation published  
Monday, Wednesday and Friday except legal holidays, in the County of Maricopa,  
State of Arizona. The copy hereto attached is a true copy of the advertisement as  
published on the following dates:

10/18/04

*Wendy Cooper*

Subscribed and sworn to before me on the 18th day of October, 2004

*Diane M. Heuel*



EXHIBIT  
A-5  
Admitted

Exhibit  
A-5  
Admitted

**COUNTY OF MARICOPA**  
State of Arizona

**Office of the Clerk**  
Board of Supervisors

State of Arizona            ) ss.  
County of Maricopa        )

I, Norma Risch, Deputy Clerk of the Board of Supervisors, do hereby certify that the attached is a true and correct excerpt from the minutes of the meeting of the Board of Supervisors held on September 18, 2002:

BEARDSLEY WATER COMPANY PUBLIC SERVICE FRANCHISE - APPROVED

(Attached)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the County of Maricopa. Done at Phoenix, the County Seat, on the following day:  
September 27, 2002

Evan Crane  
Department of Transportation  
File



*Norma Risch*  
Deputy Clerk of the Board of Supervisors

**BEARDLSEY WATER COMPANY PUBLIC SERVICE FRANCHISE - APPROVED**

This was the time scheduled for hearing on the application filed by Beardsley Water Company. for a public utility franchise to construct, maintain and operate water lines, etc., for a period of 25 years or for a period of one year after the franchised area or a portion thereof is annexed by a municipality, whichever is shorter, for the transmission and delivery of water for domestic use along, upon, under and across public highways, roads, alleys and thoroughfares (excepting State highways) within that portion of Maricopa County, Arizona, known and described as follows, to-wit:

**Parcel No. 1:** That portion of the west one-third of the west two-thirds of the Southwest quarter of Section 30, Township 5 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the Southwest corner of said Section 30;  
Thence North 00 degrees 03 minutes 49 seconds east along the west line of said Section 30, a distance of 1269.00 feet;  
Thence South 37 degrees 32 minutes 57 seconds east, a distance of 689.62 feet;  
Thence South 09 degrees 00 minutes 00 seconds east, a distance of 156.00 feet;  
Thence South 28 degrees 54 minutes 00 seconds east, a distance of 284.00 feet to a point on the east line of said west one-third of the west two-thirds of the southwest quarter of Section 30;  
Thence South 00 degrees 03 minutes 43 seconds west along said east line, a distance of 320.00 feet to the southeast corner of said west one-third of the west two-thirds of the southwest quarter of Section 30;  
Thence North 89 degrees 57 minutes 17 seconds west along the south line of said Section 30, a distance of 583.00 feet to the POINT OF BEGINNING.

EXCEPT the oil, gas and mineral rights, as set forth in instrument recorded in Book 418 of Deeds, Page 588, records of Maricopa County, Arizona.

**Parcel No. 2:** The west one-third of the west two-thirds of the southwest quarter of Section 30, Township 5 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT that portion thereof, described as follows:

BEGINNING at the southwest corner of said Section 30;  
Thence north 00 degrees 03 minutes 49 seconds east along the west line of said Section 30, a distance of 1269.00 feet;  
Thence south 37 degrees 32 minutes 57 seconds east, a distance of 689.62 feet;  
Thence south 09 degrees 00 minutes 00 seconds east, a distance of 156.00 feet;  
Thence south 28 degrees 54 minutes 00 seconds east, a distance of 284.00 feet to a point on the east line of said west one-third of the west two-thirds of the southwest quarter of Section 30;  
Thence south 00 degrees 03 minutes 43 seconds west along said east line, a distance of 320.00 feet to the southeast corner of said west one-third of the west two-thirds of the southwest quarter of Section 30;  
Thence north 89 degrees 57 minutes 17 seconds west along the south line of said Section 30, a distance of 583.00 feet to the POINT OF BEGINNING;

EXCEPT the oil, gas and mineral rights as set forth in instrument recorded in Book 418 of Deeds, Page 588, records of Maricopa County, Arizona.

**Parcel No. 3:** The east half of the west two-thirds of the west two-thirds of the southwest quarter of Section 30, Township 5 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the south 373.57 feet thereof; and

EXCEPT the oil, gas and mineral rights, as set forth in instrument recorded in Book 418 of Deeds, Page 588, records of Maricopa County, Arizona.

**Parcel No. 4:** The east one-third of the west two-thirds of the southwest quarter of Section 30, Township 5 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the South 373.57 feet thereof; and

EXCEPT the oil, gas, and mineral rights, as set forth in instrument recorded in Book 418 of Deeds, Page 588, records of Maricopa County, Arizona.

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to grant the said franchise as applied for and to impose such restrictions and limitations upon said applicant as to the use of such public highways, roads, alleys and thoroughfares as may be deemed best for the public safety and welfare and to include in such franchise the statutory provisions set forth in Title 40, Chapter 2, Article 4, A.R.S., 1956, requiring the grantee of said franchise to pay such expenses, damages and compensations, if any, as may result from the use and operation of said franchise and as in said statute specified.

SALLQUIST & DRUMMOND, P.C.  
ATTORNEYS AT LAW  
2525 EAST ARIZONA BILTMORE CIRCLE  
SUITE A-117  
PHOENIX, ARIZONA 85016-2129

EXHIBIT  
A-6  
Admitted

Exhibit  
A-6  
Admitted

RICHARD L. SALLQUIST

PHONE (602) 224-9222  
FACSIMILE (602) 224-9366  
E-MAIL dick@sd-law.com

June 30, 2004

Judge Marc Stern  
Hearing Division  
Arizona Corporation Commission  
1200 W. Washington  
Phoenix, AZ 85007

Re: Beardsley Water Company; Certificate of Convenience and Necessity Application;  
Docket No. W-02074A-04-0241; Late Filed Exhibits.

Dear Judge Stern:

At the June 22, 2004 hearing on this matter, you requested that the Company provide as late filed exhibits copies of Maricopa County Environmental Services Department Compliance Status Reports for the four Public Water Systems ("PWS's") presently operated by the Company.

Attached please find said reports indicating Substantial Compliance for the following;

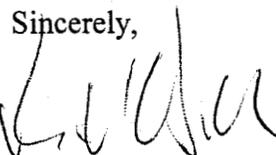
PWS #07-007 - Beardsley 1

PWS #07-509 - Beardsley 2

PWS #07-511 - Beardsley 3

PWS #07-517 - Beardsley 4 (Patton Place Estates)

In the event you have further questions in this regard, please do not hesitate to call.

Sincerely,  
  
Richard L. Sallquist  
For the Firm

cc: Docket Control (15 copies)  
Jason Gelman  
Jim Fisher  
Dorothy Hains  
Ted Wilkinson

80002-00000.9



ENVIRONMENTAL SERVICES DEPARTMENT  
WATER AND WASTE MANAGEMENT DIVISION  
DRINKING WATER PROGRAM  
MEMORANDUM

PUBLIC WATER SYSTEM COMPLIANCE STATUS REPORT

TO: Arizona Corporation Commission  
Utilities Engineering  
Fax: (602) 542-2129

FROM: John Kolman R.S.  
Drinking Water/Solid Waste Programs Manager

DATE: May 4, 2004

SUBJECT: REQUEST FOR COMPLIANCE STATUS INFORMATION RECEIVED

COMPLIANCE STATUS INFORMATION HAS BEEN REQUESTED FOR THE FOLLOWING WATER COMPANY:

System Name: Beardsley Water Company

PWS ID#: 07-007

Assigned Monitoring Dates - Initial: 1/1/93. Phase II: 1/1/93. Phase V: 1/1/96.

Does the water system have a Certified Operator? Yes

Does the system have major physical/plant (treatment) deficiencies? No  
Please describe: \_\_\_\_\_

Date of last inspection: November 26, 2003

Does the system have major O & M deficiencies? No  
Please describe: \_\_\_\_\_

Does the system have water quality monitoring/reporting deficiencies? Minor  
Please describe: System needs to submit to this Department for review and approval a microbiological site sampling plan (MSSP) which includes disinfection monitoring. The water system needs to submit a disinfection byproduct monitoring plan for review and approval.

Is enforcement action pending? No

Overall Public Water System Compliance Status? Substantial Compliance

Number of Service Connections: 146. Population Served: 438.  
Type of System: Community. Number of POE's: 2. Surface Water: N/A.

Date of compliance review: May 4, 2004. By: Doug Taylor R.S. Initials: DT  
Phone: (602) 506-6631



ENVIRONMENTAL SERVICES DEPARTMENT  
WATER AND WASTE MANAGEMENT DIVISION  
DRINKING WATER PROGRAM  
MEMORANDUM

PUBLIC WATER SYSTEM COMPLIANCE STATUS REPORT

TO: Arizona Corporation Commission  
Utilities Engineering  
Fax (602) 542-2129

FROM: John Kolman, P.S.  
Drinking Water Program Manager

DATE: May 13, 2004

SUBJECT: REQUEST FOR COMPLIANCE STATUS INFORMATION RECEIVED 4/16/04

COMPLIANCE STATUS INFORMATION HAS BEEN REQUESTED FOR THE FOLLOWING  
WATER COMPANY:

System Name Beardsley Water Co.

PWS ID#: 07-509

Assigned Monitoring Dates - Initial: 1-1-00 . Phase II: 1-1-00 . Phase V: 1-1-00 .

Does the water system have a Certified Operator? Yes

Does the system have major physical/plant (treatment) deficiencies? N/A  
Please describe: \_\_\_\_\_

Date of last inspection: 11-29-01

Does the system have major O & M deficiencies? Minor only  
Please describe: \_\_\_\_\_

Does the system have water quality monitoring/reporting deficiencies? Minor only  
Please describe: System has not submitted required Microbiological Site Sampling Plan.

General Public Water System Compliance Status? Substantial compliance

Number of Service Connections: 24 . Population Served: 70

Type of System: Community . Number of POE's: 1 . Surface Water: no

Date of compliance review: May 13, 2004 . By: Jenny Young, R.S. Initials: JY

Phone: (602) 506-0462



ENVIRONMENTAL SERVICES DEPARTMENT  
WATER AND WASTE MANAGEMENT DIVISION  
DRINKING WATER PROGRAM  
MEMORANDUM

PUBLIC WATER SYSTEM COMPLIANCE STATUS REPORT

TO: Brad Morton  
Arizona Corporation Commission

FROM: John Kolman R.S.  
Drinking Water Program Manager

DATE: 05/04/04

SUBJECT: REQUEST FOR COMPLIANCE STATUS INFORMATION RECEIVED

COMPLIANCE STATUS INFORMATION HAS BEEN REQUESTED FOR THE FOLLOWING WATER COMPANY:

System Name: Beardsley Water Company #3  
PWS ID#: 07-511  
Assigned Monitoring Dates - Initial: 1/1/01 Phase II: 1/1/01 Phase V: 1/1/01

Does the water system have a Certified Operator? yes Joe Flano (480) 837-6438

Does the system have major physical/plant (treatment) deficiencies? no  
Please describe:

Date of last inspection: 07/09/02

Does the system have major O & M deficiencies? No  
Please describe: minor: pull weeds; install vacuum breaker on spigot; install sign

Does the system have water quality monitoring/reporting deficiencies? No  
Please describe:

General Public Water System Compliance Status? Compliant

Number of Service Connections: 26 Population Served: 60  
Type of System: Community Number of POE's: 1 Surface Water: 0

Date of compliance review: May 4, 2004 By: Mike Mallette Initials: MM  
Phone: (602) 506-6644

*MM* *MM*



ENVIRONMENTAL SERVICES DEPARTMENT  
WATER AND WASTE MANAGEMENT DIVISION  
DRINKING WATER PROGRAM  
MEMORANDUM

PUBLIC WATER SYSTEM COMPLIANCE STATUS REPORT

TO: Arizona Corporation Commission  
Utilities Engineering  
Fax: (602) 542-2129

FROM: John Kolman R.S.  
Drinking Water/Solid Waste Programs Manager

DATE: May 4, 2004

SUBJECT: REQUEST FOR COMPLIANCE STATUS INFORMATION RECEIVED

COMPLIANCE STATUS INFORMATION HAS BEEN REQUESTED FOR THE FOLLOWING WATER COMPANY:

System Name: Beardsley Water Company #4

PWS ID#: 07-517

Assigned Monitoring Dates - Initial: 1/1/04. Phase II: 1/1/04. Phase V: 1/1/04.

Does the water system have a Certified Operator? Yes

Does the system have major physical/plant (treatment) deficiencies? No

Please describe: \_\_\_\_\_

Date of last inspection: September 29, 2003

Does the system have major O & M deficiencies? Minor

Please describe: \_\_\_\_\_

Does the system have water quality monitoring/reporting deficiencies? Minor

Please describe: System needs to initiate lead and copper monitoring and four consecutive quarters of radiochemical monitoring as stated in the NSA dated 10/1/02. System needs to inform MCESD about population and service connection changes. System needs to update MSSP to include TTHM/HAAS. System needs to report monthly total coliform properly.

Is enforcement action pending? No

Overall Public Water System Compliance Status? Substantial Compliance

Number of Service Connections: 83. Population Served: 249.

Type of System: Community. Number of POE's: 1. Surface Water: N/A.

Date of compliance review: May 4, 2004. By: Doug Taylor R.S. Initials: DT

Phone: (602) 506-6631

