



BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

JEFF HATCH-MILLER - Chairman 2005 APR 28 P 3: 18  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
PALO VERDE UTILITIES COMPANY FOR AN  
EXTENSION OF ITS EXISTING CERTIFICATE OF  
CONVENIENCE AND NECESSITY.

) DOCKET NO. SW-03575A-04-0767

IN THE MATTER OF THE APPLICATION OF SANTA  
CRUZ WATER COMPANY FOR AN EXTENSION OF  
ITS EXISTING CERTIFICATE OF CONVENIENCE  
AND NECESSITY.

) DOCKET NO. W-03578A-04-0767  
) STAFF'S MOTION FOR  
) SUBSTITUTION OF LEGAL  
) DESCRIPTION AND AMENDED  
) MAP

Utilities' Division Staff ("Staff") of the Arizona Corporation Commission ("Commission") hereby requests that a substitute legal description and amended map (see attached) be used in place of the original legal description and map that were attached to the Staff Report in this case. The substitution of the original legal description would be for clarification purposes only. The original legal description could be interpreted in two different ways. The substitute legal description only has one interpretation. The original map needed to be amended because it was based on an incorrect interpretation of the original legal description. A portion of the original legal description is now based on township and range instead of Maricopa Town Site. The original map was also changed to

Arizona Corporation Commission  
**DOCKETED**

APR 28 2005

DOCKETED BY [Signature]

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...

1 reflect the above clarification. The substitute legal description and amended map are attached. Palo  
2 Verde Utilities Company and Santa Cruz Water Company do not oppose this request by Staff.

3 RESPECTFULLY SUBMITTED this 28<sup>th</sup> day of April, 2005.

4  
5 *David Ronald*

6 David M. Ronald  
7 Attorney, Legal Division  
8 Arizona Corporation Commission  
9 1200 West Washington Street  
10 Phoenix, Arizona 85007  
11 (602) 542-3402

12 The original and thirteen copies  
13 of the foregoing were filed this  
14 28<sup>th</sup> day of April, 2005 with:

15 Docket Control  
16 Arizona Corporation Commission  
17 1200 West Washington Street  
18 Phoenix, Arizona 85007

19 Copy of the foregoing were mailed this  
20 28<sup>th</sup> day of April, 2005 to:

21 Raymond S. Heyman, Esq.  
22 Michael W. Patten, Esq.  
23 One Arizona Center  
24 400 East Van Buren Street  
25 Suite 800  
26 Phoenix, Arizona 85004

27 Christopher Kempley, Chief Counsel  
28 Legal Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Lyn Farmer, Chief Hearing Officer  
Hearing Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

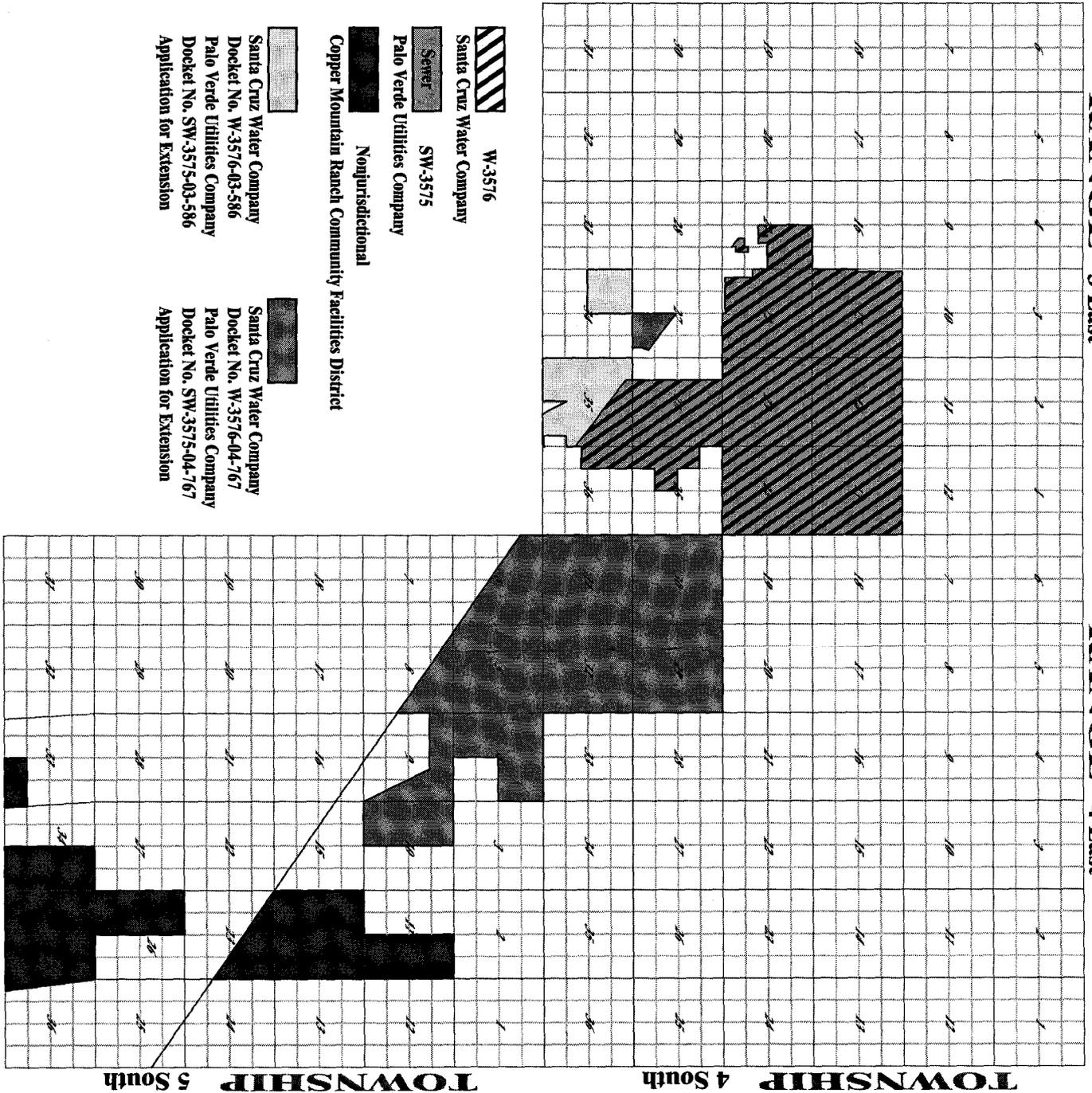
Ernest Johnson, Director  
Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

27 *Angela L. Bennett*  
28 Angela L. Bennett secretary to  
David M. Ronald

# COUNTY Pinal

RANGE 3 East

RANGE 4 East



TOWNSHIP 4 South

TOWNSHIP 5 South

**EXHIBIT "3"**  
**(SUBSTITUTED)**  
**LEGAL DESCRIPTION**

LEGAL DESCRIPTION FOR PORTION OF EXPANSION EAST OF CURRENT SERVICE AREA:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 4 EAST, GILA & SALT RIVER BASE & MERIDIAN, PINAL COUNTY, ARIZONA, SAID NORTHWEST CORNER OF SAID SECTION 30 BEING THE TRUE POINT OF BEGINNING;

THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 30 AND CONTINUING EASTERLY ALONG THE NORTH LINE OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 4 EAST, TO THE NORTHEAST CORNER OF SAID SECTION 29;

THENCE SOUTHERLY ALONG THE EASTERLY LINES OF SAID SECTION 29 AND SECTION 32, TOWNSHIP 4 SOUTH, RANGE 4 EAST, TO THE SOUTHEASTERLY CORNER OF SAID SECTION 32;

THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 4, TOWNSHIP 5 SOUTH, RANGE 4 EAST, TO THE NORTHEAST CORNER OF SAID SECTION 4;

THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID SECTION 4 TO THE EAST QUARTER CORNER THEREOF;

THENCE WESTERLY ALONG THE EAST-WEST MIDSECTION LINE OF SAID SECTION 4 TO THE CENTER OF SAID SECTION 4;

THENCE SOUTHERLY ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 4 TO THE SOUTH QUARTER CORNER THEREOF;

THENCE EASTERLY ALONG THE COMMON EAST-WEST SECTION LINE BETWEEN SAID SECTION 4 AND SECTION 9, TOWNSHIP 5 SOUTH, RANGE 4 EAST TO THE SOUTHEASTERLY CORNER OF SAID SECTION 4;

THENCE CONTINUING EASTERLY ALONG THE NORTH LINE OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 4 EAST TO THE NORTH QUARTER CORNER OF SAID SECTION 10;

THENCE SOUTHERLY ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 10 TO THE SOUTH QUARTER CORNER OF SAID SECTION 10;

THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 10 TO THE SOUTHWEST CORNER OF SAID SECTION 10;

THENCE NORTHWESTERLY ALONG A LINE DESCRIBED AS FOLLOWS:  
BEGINNING AT THE COMMON SOUTHERLY SECTION CORNER BETWEEN  
THE AFOREMENTIONED SECTIONS 9 AND 10, THENCE NORTHWESTERLY  
ON A LINE TOWARDS THE NORTH QUARTER CORNER OF SAID SECTION 9  
TO A POINT, SAID POINT BEING DESCRIBED AS THE INTERSECTION OF SAID  
NORTHWESTERLY LINE AND AN EAST-WEST LINE LYING 1397.53 FEET  
SOUTH, AND PARALLEL TO THE NORTH LINE OF SAID SECTION 9;

THENCE WESTERLY ALONG THE LINE WHICH LIES 1397.53 FEET  
SOUTHERLY OF THE NORTH LINE OF SECTION 9 TO THE WEST LINE OF  
SAID SECTION 9;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 9 TO THE  
INTERSECTION OF THE WEST LINE OF SAID SECTION 9 AND THE  
NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;

THENCE NORTHWESTERLY ALONG THE UNION PACIFIC RAILROAD RIGHT-  
OF-WAY TO THE INTERSECTION OF SAID RAILROAD RIGHT-OF-WAY AND  
THE WEST LINE OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 4 EAST;

THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 6 TO THE  
NORTHWEST CORNER THEREOF;

THENCE CONTINUING NORTHERLY ALONG THE WEST LINES OF SECTIONS  
31 AND 30, TOWNSHIP 4 SOUTH, RANGE 4 EAST, TO THE NORTHWEST  
CORNER OF SAID SECTION 30 AND THE TRUE POINT OF BEGINNING.

**LEGAL DESCRIPTION FOR PORTION OF EXPANSION SOUTH OF THE  
UNION PACIFIC RAILROAD:**

THAT PORTION OF SECTION 26 AND SECTION 27, TOWNSHIP 4 SOUTH,  
RANGE 3 EAST, GILA & SALT RIVER BASE AND MERIDAN, PINAL COUNTY,  
ARIZONA, DESCRIBED AS FOLLOWS:

THE SOUTHWEST QUARTER OF SAID SECTION 26 AND THE SOUTHEAST  
QUARTER OF SAID SECTION 27 LYING SOUTHERLY OF THE SOUTHERLY  
RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; EXCEPT THAT  
PORTION OF SAID SOUTHWEST QUARTER OF SECTION 26 AND THE  
SOUTHEAST QUARTER OF SECTION 27 LYING WITHIN THE FOLLOWING  
DESCRIBED PARCEL:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 26,  
TOWNSHIP 4 SOUTH, RANGE 3 EAST, FROM WHICH THE SOUTHWEST  
CORNER OF SAID SECTION 26 BEARS S89°05'38"W A DISTANCE OF 2635.13  
FEET;

THENCE S89°05'38"W ALONG THE SOUTH LINE OF THE SOUTHWEST  
QUARTER OF SAID SECTION 26 TO THE INTERSECTION OF THE SOUTH LINE  
OF THE SOUTHWEST QUARTER OF SAID SECTION 26 WITH THE SOUTHERLY  
RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD A DISTANCE OF  
1811.49 FEET;

THENCE N53°52'12"W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO A POINT 30 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 26 A DISTANCE OF 49.81 FEET AND THE POINT OF BEGINNING;

THENCE S89°05'38"W AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 26 TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 THAT BEARS N00°03'29"E A DISTANCE OF 30.00 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 27 A DISTANCE OF 783.38 FEET;

THENCE S89°05'38"W AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 26 A DISTANCE OF 0.23 FEET;

THENCE N89°51'46"W AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27 A DISTANCE OF 569.55 FEET;

THENCE N24°43'54"W ALONG THE WEST LINE OF THE SANTA ROSA WASH EASEMENT RECORDED IN FEE NUMBER 2003-008603 A DISTANCE OF 121.99 FEET;

THENCE N00°47'54"W ALONG THE WEST LINE OF SAID EASEMENT A DISTANCE OF 428.42 FEET;

THENCE N20°03'27"E ALONG THE WEST LINE OF SAID EASEMENT TO THE INTERSECTION OF THE WEST LINE OF SAID EASEMENT WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD A DISTANCE OF 421.29 FEET;

THENCE S53°52'12"E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD TO THE INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 A DISTANCE OF 597.88 FEET;

THENCE S53°52'12"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 969.05 FEET TO THE POINT OF BEGINNING.