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ORIGINAL

MEMORANDUM

305m

TO: Docket Control

FROM: Ernest G. Johnson
Director
Utilities Division

DATE: March 20, 2006

RE: Arizona Water Company Request for Additional Time to Comply with a Filing Requirement. (Docket No. W-01445A-04-0729)

Decision No. 68119, effective September 9, 2005, approved the application of Arizona Water Company ("Arizona Water") for an extension of its Certificate of Convenience and Necessity for its Oracle system. The Decision ordered Arizona Water to file a copy of the developer's Certificate of Assured Water Supply and Approval to Construct within 365 days of the effective date of the Decision.

On February 24, 2006, Arizona Water filed the Certificate of Assured Water Supply for the extension area along with a request for additional time to comply with the requirement to file the Approval to Construct. The developer of the Rancho Reserve project, for which the extension was requested, will not be ready to proceed with development until 2007.

Arizona water is requesting an additional 365 days, until September 9, 2007, to file a copy of the developer's Approval to Construct. Staff has reviewed the applicable Decision and the request for a time extension and has no objection to a 365-day extension to file the Approval to Construct.

EGJ:LAJ

Arizona Corporation Commission
DOCKETED
MAR 20 2006

AZ CORP COMMISSION
DOCUMENT CONTROL

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Jeff Hatch-Miller - Chairman
William A. Mundell
Marc Spitzer
Mike Gleason
Kristin K. Mayes

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IN THE MATTER OF THE APPLICATION
OF ARIZONA WATER COMPANY FOR AN
EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY AT
ORACLE, PINAL COUNTY, ARIZONA

DOCKET NO. W-01445A-04-0729

REQUEST FOR ADDITIONAL TIME TO
COMPLY WITH FILING REQUIREMENT

On September 9, 2005 the Commission entered Decision No. 68119 in the above-captioned docket. Decision No. 68119 approved the Company's application for an extension of its Certificate of Convenience and Necessity for its Oracle system. It also contained the following ordering paragraph:

IT IS FURTHER ORDERED that Arizona Water Company shall file in Docket Control a copy of the developer's Approval to Construct for the facilities required to serve the Rancho Coronado development portion of the extension area and a copy of the Rancho Coronado developer's Certificate of Assured Water Supply within 365 days of the effective Date of this Decision.

A copy of the Certificate of Assured Water Supply for the Rancho Reserve (formally known as Rancho Coronado) development is attached hereto as Exhibit A.

1 Notwithstanding the filing of the Certificate of Assured Water Supply with
2 this Request, the Developer of the Rancho Reserve project has informed the Company
3 that, due to unexpected delays in planning for its development, it will not be ready to
4 proceed with development until 2007. For this reason, the Company requests that it be
5 given an additional 365 days, until September 9, 2007 to file a copy of the Developer's
6 Approval to Construct. This request should not prejudice any other party, as the
7 Company was the only applicant for a Certificate of Convenience and Necessity for the
8 Rancho Reserve development.

9
10 RESPECTFULLY SUBMITTED this 24th day of February, 2006.

11 ARIZONA WATER COMPANY

12
13
14 By: 
15 Robert W. Geake
16 Vice President and General Counsel
17 ARIZONA WATER COMPANY
18 Post Office Box 29006
19 Phoenix, Arizona 85038-9006

20 Original and thirteen (13) copies of the foregoing filed the 24th day of February, 2006
21 with:

22 Docket Control Division
23 Arizona Corporation Commission
24 1200 West Washington Street
25 Phoenix, Arizona 85007

26 A copy of the foregoing was mailed this 24th day February, 2006 to:

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

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

By: *D. W. Gabe*

ARIZONA DEPARTMENT OF WATER RESOURCES

Office of Assured and Adequate Water Supply

500 North Third Street, Phoenix, Arizona 85004

Telephone 602 417-2465

Fax 602 417-2467



Janet Napolitano
Governor

Herbert R. Guenther
Director

September 23, 2005

VIA CERTIFIED MAIL

Dale Armstrong, Clear Creek Associates
Court Ave., Suite 101
Tucson, AZ 85701

Re: Certificate of Assured Water Supply
Coronado Reserve Lots 1-260 (excluding lots 86-88, 90-95, 97-105)
DWR File No. 27-401640.0000

Dear Mr. Armstrong:

The Department of Water Resources has determined that the criteria for an Assured Water Supply pursuant to A.R.S. § 45-576 and A.A.C. R12-15-701 *et seq.* have been met, and therefore the Director has decided to Issue Assured Water Supply Certificate No 27-401640.0000. Arizona Water Company, Oracle will provide water supply to the lots. The source of supply will be groundwater. Eased on current information, the Department has determined that the subdivision's total projected demand is 129.7 acre-feet per year for 242 lots, and the groundwater allowance for the 100-year period is 1037.6 acre-feet. The Certificate is attached. The Department suggests you record your Certificate of Assured Water Supply in the appropriate county recorders office. This will provide you with a permanent public record of the Certificate.

This determination is applicable only to the person or entity specified on the Certificate and for the plat reviewed by the Department. Information used in evaluating this application is available for review in the Department's files. Please contact us if questions arise.

Pursuant to A.R.S. § 41-1092.03, the Department is notifying you that the Director's determination and decision to issue the Certificate is an appealable agency action. You are entitled to appeal this action. If you wish to appeal this action, you must file a written appeal within thirty (30) days from receipt of this letter. I am providing you with a summary of the appeal process and an appeal form, should you elect to pursue this option.

Sincerely,

Douglas W. Durham, Manager
Office of Assured and Adequate Water Supply

DD/pma
Enclosures

Celebrating 25 Years

EXHIBIT A

Page 2

Subdivision Name: Coronado Reserve Lots 1-260 (excluding lots 86-88, 90-95, 97-105)

File Number: 27-401640.0000

Cliff Neal

CAGR

P.O. Box 43020

Phoenix, AZ 85080-3020

Karen Modesto, Hydrology Division

Phoenix AMA Division

**STATE OF ARIZONA
DEPARTMENT OF WATER RESOURCES
CERTIFICATE OF ASSURED WATER SUPPLY**

This is to certify that

Oracle Highlands LLC, an Arizona limited liability company

has met the requirements of A.R.S. §§ 45-576, 45-579, and the applicable regulations, and

By powers vested in the Director of the Arizona Department of Water Resources by the State of Arizona, and subject to the conditions contained in the applicable regulations,

Is issued this Certificate of Assured Water Supply for

**Coronado Reserve: Lots 1-260 (excluding lots 86-88, 90-95, 97-105)
Section 2 & 3, Township 10 South, Range 15 East
GSRB&M Pinal County, Tucson Active Management Area**

Sufficient water of adequate quality will be continuously available to satisfy the water demand of the referenced subdivision for at least one hundred years. The referenced subdivision consists of 242 lots as described in the preliminary plat on file with the Department, and has an estimated water demand of 129.7 acre-feet per year. The subdivision will be served groundwater by Arizona Water Company, Oracle.

This Certificate is invalid as to any entity not named above. A subsequent owner of the referenced property may apply for a new certificate pursuant to A.A.C. R12-15-708, within 90 days of the change of ownership. This Certificate may be assigned pursuant to A.R.S. § 45-579.

Certificate Number: 27-401640.0000

RESOURCES

Director 

9-23-2005
Date