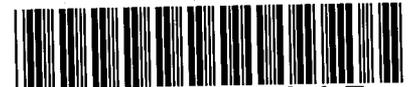


ORIGINAL



0000046213

TACNA WATER MANAGEMENT COMMISSION  
RECEIVED DOCKET #W-01344A-04-0815

2993 S ARIZONA AVE

YUMA, AZ 85364

PH 928-341-9885

FX 928-341-0180

2006 APR -3 1 P 4: 04

AZ CORP COMMISSION  
DOCUMENT CONTROL

Docket Control  
Arizona Corporation commission  
1200 W. Washington  
Phoenix Az 85007

Re: DOCKET NO. W-01344A-04-0815 Franchise with Yuma County

Tacna Water Management Company is submitting our Franchise agreement with Yuma County  
(Attached).

Sincerely

Don Kelland  
Tacna Water Management Company

OFFICE OF THE  
BOARD OF SUPERVISORS  
198 Main Street  
Yuma, Arizona 85364

DAVID R. GARCIA  
COUNTY ADMINISTRATOR



LENORE LOROÑA STUART  
DISTRICT 1  
RUSSELL McCLOUD  
DISTRICT 2  
CASEY PROCHASKA  
DISTRICT 3  
MARCO A. (TONY) REYES  
DISTRICT 4  
GREGORY S. (GREG) FERGUSON  
DISTRICT 5

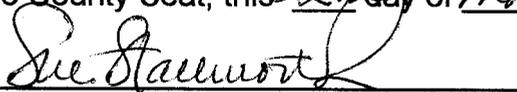
STATE OF ARIZONA)

SS.

COUNTY OF YUMA)

I, Sue Stallworth, Clerk of the Board of Supervisors, do hereby certify that I am required by law to maintain custody of the official records of the Yuma County Board of Supervisors, and that the attached is a true and correct copy of the Resolution No. 06-25 adopted by the Board of Supervisors at its meeting held March 20, 2006.

In Witness Whereof, I have hereunto set my hand and affixed the Official Seal of the Board of Supervisors. Done at Yuma, the County Seat, this 22<sup>nd</sup> day of March, 2006



SUE STALLWORTH,  
Clerk of the Board





## **YUMA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION NO. 06-225**

**A RESOLUTION GRANTING A PUBLIC SERVICE FRANCHISE TO TACNA WATER MANAGEMENT COMPANY TO DISTRIBUTE WATER FOR DOMESTIC AND COMMERCIAL PURPOSES.**

**WHEREAS:** Tacna Water Management Company, Inc. has made an application for a Franchise to hereinafter provide water for domestic purposes and commercial consumers to that area of Yuma County described in Exhibit A, attached hereto and made a part of, and

**WHEREAS:** This Board has provided the notice required by A.R.S. § 40-283(E) of its intention to grant this franchise;

**WHEREAS:** This Board finds that the granting of the proposed franchise is in the best interest of the County;

**NOW, THEREFORE, BE IT RESOLVED,** the Yuma County Board of Supervisors does hereby grant a franchise to the Tacna Water Management Company, Inc., to provide water for domestic purposes and commercial consumers in the expanded service area described above.

**FURTHER, BE IT RESOLVED,** that said franchise includes a license for the use the public highways, roads, alleys and thoroughfares of said franchise territory lying outside the limits of any incorporated city or town, except State Highways, in pursuit of said franchise.

**PROVIDED THAT** this franchise and license, issued to the Tacna Water Management Company, Inc., referred to hereinafter as the franchisee, is granted subject to following six (6) conditions:

1. The franchisee shall bear all expenses relating to its use of Yuma County's public roads, highways, rights-of-way, or public easements, and shall bear all expenses, including damage and compensation for any alteration of the direction, surface, grade or alignment of a county road, made for the purpose of this franchise.
2. In the future, the Board of Supervisors may impose restrictions and limitations upon or make other changes regarding the use of any county road, highway, right-of-way, or other public way of Yuma County as such Board deems best for the public safety and welfare. Should any such restriction, limitation, or change occasion a need to relocate equipment or property of franchisee, the franchisee shall relocate at its own expense any such equipment or property.

3. The franchisee shall comply with all federal, state, and local law relating to the operation of its business within Yuma County and shall obtain from the County of Yuma any and all permits or approvals required of such franchisee for the construction, operation, or maintenance of any of its facilities under this franchise. In particular, the franchisee shall obtain a "Permit to Use County Right Of Way" from the County Engineer prior to any work, rework, or maintenance activities within the County public right of way.
4. As provided by ARS Section 40-283(B), the Board of Supervisors may at any time hereafter, impose restrictions and limitations upon the use of the public ways, as the Board deems best for the public safety or welfare.
5. The franchisee shall hold harmless and free of all liability the County of Yuma from any and all claims or suits against the County of Yuma relating in any manner to the franchisee's use of said public ways under this franchise and license.
6. This franchise and license shall continue for a term of twenty-five (25) years from the date of the granting of the same, except that the Board of Supervisors may revoke the same at any time if it determines that such revocation is in the best interest of the County.

Adopted this 20th day of March, 2006

  
\_\_\_\_\_  
CASEY PROCHASKA, Chairman  
Yuma County Board of Supervisors  
Yuma County, Arizona

ATTEST:

  
\_\_\_\_\_  
SUE STALLWORTH  
Clerk of the Board

Approved as to form:

  
\_\_\_\_\_  
Edward P. Feheley  
Deputy County Attorney

EXHIBIT A

PUBLIC SERVICE FRANCHISE AREA REQUESTED BY  
TACNA WATER MANAGEMENT COMPANY

Township 8 South, Range 17 West

Section 21: SE $\frac{1}{4}$  of SE $\frac{1}{4}$

Section 22: S $\frac{1}{2}$

Section 24: All except the SE $\frac{1}{4}$

Section 25: All new Tacna Townships

Section 26: SE $\frac{1}{4}$

Section 27: All

Section 28: E $\frac{1}{2}$  of NE $\frac{1}{4}$

Section 34: All

Section 35: W $\frac{1}{2}$ , except what is already certificated to Mohawk Utility Company Citrus  
City Area

Township 8 South, Range 16 West

Section 28: W $\frac{1}{2}$  of SW $\frac{1}{4}$

Section 33: NW $\frac{1}{4}$

Township 9 South, Range 17 West

Section 9: SE $\frac{1}{4}$

Section 10: S $\frac{1}{2}$

Gila and Salt River Meridian, Yuma County, Arizona,