

600M



0000046460

THIS AMENDMENT:

Passed as amended by _____

Not Offered _____

Withdrawn
RECEIVED

2003 FEB 11 P 2:09

COMMISSIONER MUNDELL PROPOSED AMENDMENT # 1

AZ CORP COMMISSION
DOCUMENT CONTROL

TIME/DATE PREPARED: Monday, February 10, 2003

COMPANY: Sun City Water Co.

AGENDA ITEM NO. U-1

DOCKET NO. W-01656A-98-0577 et al.

OPEN MEETING DATE: February 12, 2003

Page 25, Line 23: INSERT new Conclusion of Law No. 7:

"7. In accordance with the most recent ruling by the Superior Court of Arizona, Maricopa County, in Sun City Taxpayers Association, Inc. et al. v. Recreation Centers of Sun City, Inc., et al., Case No. CV2001-006415, Minute Entry, November 21, 2001, the Agreement between the Recreation Centers and Arizona-American does not constitute a "transfer" of vested water rights but, instead, is a water-for-water exchange contract, pursuant to A.R.S. §45-1001. As stated in the Court's decision, "[a] relinquishment, conveyance or transfer of RCSC's [Recreation Center] groundwater rights does not occur" because, if CAP water becomes unavailable, the Recreation Centers can immediately resume pumping of groundwater. Id. at 3."

Arizona Corporation Commission

DOCKETED

FEB 11 2003

DOCKETED BY	<i>CAP</i>
-------------	------------