

ORIGINAL



0000052283

RECEIVED

18

2006 MAY -1 P 1:27

April 28, 2006

AZ CORP COMMISSION
DOCUMENT CONTROL

COMMISSIONERS

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

RE: Docket No. W-01445A-06-0199,
Docket No. SW-03575A-05-0926,
Docket No. W-03576A-05-0926

On April 27th, we had the enclosed Motion to Intervene delivered to your office to be filed with the Arizona Corporation Commission. We failed to list our address as needed. Our address is 8501 N. Scottsdale Road, Suite 260, Scottsdale, AZ 85253.

We apologize for any inconvenience this may have caused.

**ANDERSON & BARNES 580, LLP, an Arizona
limited partnership**

By *Brad Clough*
**Brad Clough, Secretary of Hinton Financial
Services, Inc., a Colorado corporation, its
Partner**

Enclosure

cc with Enclosure: Lyn Farmer, Esq.
Chief Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Christopher C. Kempley
Chief Counsel, Legal Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Ernest G. Johnson, Esq.
Director, Utilities Division
Arizona Corporation Commission

1200 West Washington
Phoenix, Arizona 85007

Robert W. Geake, Esq
Arizona Water Company
3805 North Black Canyon Highway
Phoenix, Arizona 85015

Steven A. Hirsch, Esq.
Rodney W. Ott, Esq.
Bryan Cave LLP
Two North Central Avenue, Suite 2200
Phoenix, Arizona 85004

Michael W. Patten, Esq.
Roshka, DeWulf & Patten
One Arizona Center
400 East Van Buren, Suite 800
Phoenix, Arizona 85004

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 Jeff Hatch-Miller, Chairman

4 William A. Mundell

5 Marc Spitzer

6 Mike Gleason

7 Kristin K. Mayes

8 IN THE MATTER OF THE APPLICATION OF
9 ARIZONA WATER COMPANY, AN ARIZONA
10 CORPORATION, TO EXEND ITS EXISTING
11 CERTIFICATE OF CONVENIENCE AND
12 NECESSITY IN THE CITY OF CASA GRANDE
13 AND IN PINAL COUNTY, ARIZONA

Docket No. W-01445A-06-0199

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

Docket No. SW-03575A-05-0926

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

Docket No. W-03576A-05-0926

22 **MOTION TO INTERVENE**

23 **ANDERSON & BARNES 580, LLP, an Arizona limited partnership ("Land Owner")**
24 respectfully moves to intervene in these proceedings.

25 **I. DESCRIPTION OF LAND OWNER'S INTEREST.**

26 The Application filed by Arizona Water Company ("AWC") in Docket No. W-01445A-06-
27 0199 covers a vast area of approximately 108 square miles ("AWC Extension Area"). Land
Owner owns certain real property located within the AWC Extension Area. Land Owner's
property is approximately 580 acres, and a legal description of Land Owner's property is attached

1 as Exhibit "A". Land Owner is planning a master planned community consisting of 580 acres and
2 2,030 lots. Land Owner has invested substantial funds in this project. Because Land Owner's
3 property is located within the AWC Extension Area, Land Owner will be directly and substantially
4 affected by these proceedings.

5 **II. CONCLUSION.**

6 Land Owner respectfully requests that it be granted intervention in this matter under
7 A.A.C. R14-3-105. Service of all correspondence, documents or pleadings should be made to the
8 address listed below.

9 RESPECTFULLY submitted this 27 day of April 2006.

10

11

**ANDERSON & BARNES 580, LLP, an Arizona limited
partnership**

12

By Brad Clough
Brad Clough, Secretary of Hinton Financial Services,
Inc., a Colorado corporation, its Partner

13

14

15 Original and 17 copies of the foregoing
16 filed this _____ day of _____ 2006 with:

16

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

19

20 Copy of the foregoing hand-delivered/mailed
this _____ day of _____ 2006 to:

21

Lyn Farmer, Esq.
Chief Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

22

23 Christopher C. Kempley
24 Chief Counsel, Legal Division
25 Arizona Corporation Commission
26 1200 West Washington
27 Phoenix, Arizona 85007

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

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

Robert W. Geake, Esq
Arizona Water Company
3805 North Black Canyon Highway
Phoenix, Arizona 85015

Steven A. Hirsch, Esq.
Rodney W. Ott, Esq.
Bryan Cave LLP
Two North Central Avenue, Suite 2200
Phoenix, Arizona 85004

Michael W. Patten, Esq.
Roshka, DeWulf & Patten
One Arizona Center
400 East Van Buren, Suite 800
Phoenix, Arizona 85004

By _____

Exhibit "A"

Legal Description of Property

PARCEL NO. 1:

The North half of Section 10, Township 6 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT BEGINNING at the common corner of Section 3, 4, 9 and 10, Township 6 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

thence south 89 degrees 58 minutes 948.82 feet to a point on the center line of Barnes Road;

thence South 00 degrees 02 minutes East 1320.91 feet;

thence North 89 degrees 58 minutes West 948.82 feet to a point in the center of Anderson Road;

thence North 00 degrees 02 minutes West 1320.91 feet to the POINT OF BEGINNING;
and

EXCEPT commencing at the Northwest corner of said Section 10;

thence South 89 degrees 58 minutes 00 seconds East 948.82 feet;

thence South 00 degrees 06 minutes 17 minutes East 33.00 feet to the POINT OF BEGINNING;

thence continuing South 00 degrees 06 minutes 17 minutes East 1287.91 feet;

thence South 89 degrees 58 minutes 00 seconds East 437.18 feet;

thence North 00 degrees 16 minutes 17 seconds West 1287.91 feet;

thence North 89 degrees 58 minutes 00 seconds West 437.18 feet to the POINT OF BEGINNING.

PARCEL 2:

The South half of Section, 10 Township 6 south, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT the South half of the Southwest quarter of the Southwest quarter of said Section 10; and

EXCEPT an undivided one-half interest in all oil, gas and mineral rights as reserved in Docket 151, Page 487.