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Transcript Exhibit(s)

Docket #(s): W-08034A-08-0008

Exhibit #: C1, C2, S1

Arizona Corporation Commission

DOCKETED

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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

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BEFORE THE ARIZONA CORPORATION C

Mike Gleason
Chairman
William A. Mundell
Commissioner
Jeff Hatch-Miller
Commissioner
Kristin K. Mayes
Commissioner
Gary Pierce
Commissioner

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AZ CORP COMMISSION
DOCKET CONTROL



38
D

STAFF of the Utilities division
Complainant
Vs
CIENEGA WATER CO., INC.
Respondent

DOCKET # W-02034A-08-0008

NOTICE OF FILING

STAFF of CIENEGA WATER CO., INC. , said respondent, hereby files their direct testimony of tricia walker, Corporate Accountant in the above reference matter.

RESPECTFULLY SUBMITTED this 17 day of Sept 2008


Eleanor Stephan
President
Cienega water Co. Inc.
P O Box 3518
Parker, AZ 85344

The original and thirteen [13] copies
Of the forgoing were filed this
17th day of September 2008

Arizona Corporation Commission
DOCKETED

SEP 19 2008

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

DOCKETED BY 

Foregoing mailed on 17th day of September 2008 to the above noted address

BEFORE THE ARIZONA CORPORATION COMMISSION

Mike Gleason
Chairman
William A. Mundell
Commissioner
Jeff Hatch-Miller
Commissioner
Kristin K. Mayes
Commissioner
Gary Pierce
Commissioner

STAFF of the Utilities division
Complainant

DOCKET # W-02034A-08-0008

Vs
CIENEGA WATER CO., INC.
Respondent

NOTICE OF FILING RESPONSE

DIRECT

TESTIMONY

OF

TRICIA WALKER
CORPORATE ACCOUNTANT

CIENEGA WATER COMPANY, INC.
P O BOX 3518
PARKER, AZ 85344

September 17, 2008

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EXHIBITS

- #1 AOC filed on June 12, 2008 [does not include operating manual]
- #2 Letter from ADEQ showing what is still needed to process to completion the AOC.
- #3 copy of the original sub-division plan
- #4 1965 Certificate of Approval from AZ State dept. of Health
- #5 Letter dtd 06-23-70 from AZ State dept. of Health about children under 15 years of age
- #6 Letter dtd 02-28-94 from AQ about the fact that we have been granted a fluoride exceedance
- #7 Draft of the front page of the AOC that was going to be filed but we ran out of funds
- #8 letter received from ADEQ dtd 12-17-02 that if each project was under 50,000 dollars we were exempt from the design review & the AOC
- #9 Drinking Water Compliance stating that we had no deficiencies dtd 12-02-00
- #10 Then again is 2007 we were not in compliance

DEFINITIONS

- ACC** Arizona Corporation Commission
- ADEQ** Arizona dept. of Environmental Quality
- ATC** Approval to Construct
- AOC** Approval of Construction

Direct Testimony of tricia walker
Docket No. W-02034A-08-0008
Page One

INTRODUCTION

Q. Please state your name and business address.

A. My name is tricia walker, the business address is P O Box 3518 Parker,
AZ 85344

Q. By whom are you employed and in what capacity?

A. I am employed as an outside Corporate Account by Cienega water Co.,
Inc. and have held said position since early 1991.

Q. Please describe your education and work experience.

A. Please see the attached resume summation for this information.

Q. What is the purpose of your testimony in this proceeding?

A. The purpose of my testimony is to provide pertinent information
concerning Cienega Water Co., Inc. and their response to the
complainants filed against it.

Q. How is your testimony organized?

A. This introduction is followed by a narrative about the company and
then our response to count one and count two on said complaint.

Summary Resume

PERSONAL DATA

tricia walker aka Patricia Diane Walker
10923 Captain Lane mailing....10103 Marina Loop
Parker, AZ. 85344

Single w/2 grown children (39 & 35)

My son lives here in Parker my daughter does not
3 grandchildren living in Indiana, California and here in Parker
I also am mom & grams to many of the kids here in town actually I have lost count.

I am 65% permanently disabled [use a power chair to motivate], and a member of the Sandwich Generation [I am a single baby boomer, I lived with my mom from August 1997 till July of this year, I have cared for her since my father passed in 1987 also I still give her home care, however I cannot do the physical stuff and have had to hire assistance so my grandson-son and I now live at a different location just minutes away, we just out grew mom's home [[my mom has been invalid since she was age 3 and required personal assistance]] I am raising my emotionally and physically disabled grandson - son .. Joshua Paul Shore-Saxton ... who is now 14 plus [I have had him since he was 4 ½ mo's old & as of July 2001he is legally mine by adoption] and in-between I run a small accounting business and specialize in forensic accounting. I have lived in the Parker Area since early 1975. I was a single parent and a parent in crisis during the 80's and 90's due to my children's drug and alcohol problems, but like all of the bumps in my life I got thru it and always look forward.

EDUCATION

Private School - kindergarten thru 6th grade - grade avg (I don't remember)
Bell High School - 7th thru 12th grade grad 6/64, grade avg. 3.6 accounting major
U.C.L.A. - Night class in Tax & Corp. Acct'g 1964 & 1965(monitored only) no funds for tuition
East L.A. College - General Accounting Major 1965 & 1966 (monitored only) no funds for tuition

Mt San Antonio College -

Night Classes in Advanced Accounting and Financial Analyzation 1975 & 1976

QUALIFICATIONS / EXPERIENCE & KNOWLEDGE

I have over 45 years of accounting experience, including budgets, financial statements and analytical as well as yearly audits and IRS tax returns. (Personal & Corporate) I have over 40 years experience in the use of and designing of computer programs as well as maintenance of computers. (software and hardware) I have experience in all phases of accounting, a multitude of different profit and non-profit types of business, government contracts, grants, filing for grants as well as budgeting and administrating said grants. I have experience in setting up companies and corporations. also have experience in office management, customer relations, collections, federal alcohol regulations, scales, sales and even receptionist PBX work. I am also versed in Public Utilities and have been the Corporate Accountant for a local water co. since 1991. I also do parliamentary work for several of my clients as well as several non-profit organizations in town.

Due to an injury sustained on 3/13/92 I was rendered partially disabled I went to full self-employed

status, I have had my small business ever since I was a teenager but until my injury I also held down a regular job. (types of business's I have handled: fuel & lubricants, engineering, construction, air conditioning, retail sales [jewelry-clothing-liquor-farming-restaurants-real estate-rentals-mini markets], utilities i.e. water co., non-profit organization such as churches, etc. I have also filed for and received SBA loans and Government Grants)

Community involvement:

I am a member of GFWC-AZ Washington Women's Club, Inc., and the GFWC-AZ Parker Woman's Civic Club, Inc. over 24 years of volunteer work. I am past president of our local club. Also was just installed as GFWC-AZ Southwestern district President 2008-2010. I have also chair'd the potpourri for over 18 years this is the main fund raiser for Parker Woman's Civic Club. I am a member of BPO Does in Parker and also the La Paz Regional Hospital Auxiliary. The main interest of all of these organizations is to promote the betterment of our communities, the people living in those communities. *i.e. scholarships, books for the libraries, woman's & children's rights, helping those who can't help themselves, etc. etc. etc. etc.*

Interests

I LOVE MY LORD MOST OF ALL and I try every day to give him the glory, I also enjoy working with people, singing, cooking, working with children and doing anything with the arts.

Remarks

I feel very strongly about the responsibilities and commitment of a consultant to their client as well as an employee to their employer or anyone that I may have a contract with. They should have complete loyalty to said client or employer and at all times do every task entrusted to them with pride remembering you always do the job right the first time if possible and if not sure ask questions before not after.



Relax, GOD "IS" in charge
tricia walker consulting



10103 Marina Loop - Parker, AZ 85344
Voice 928-667-3517 fax 928-667-2518
Pager 1-800-738-8345
e-mail c-2@npgcable.com
Cell phone .. 928-287-0635

45+ years experience

Forensic Auditing & Corporate Set Up
Specialize in Fuel & Non-Profit Accounting
General & Corporate Accounting
Taxes Federal & State
(individual-business-corporate-not profit)
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Desk Top Publishing



Direct Testimony of tricia walker
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Page Two

**BACKGROUND NARRATIVE
Of
CIENEGA WATER COMPANY, INC.**

In the mid 1800's a miner named Billy Mack moved into the area about 5 miles north of what is now Parker along the Colorado River. Native Americans camped in that area because of the refreshing spring waters, which were found at this Oasis.

In 1878 Billy who was a prospector and miner, took possession of this beautiful spot, built an adobe house at Cienega Springs while seeking his fortune in gold from the nearby hills.

During those years everyone enjoyed and lived on the refreshing spring waters.

Billy Mack died in the early 1920's leaving his widow owning the 80 acres.

In 1927 William F. Stephan purchased the property known as Cienega Springs for 6,000 dollars and built Billy Mack's widow a three-room house to conclude the deal. The original home had been struck by lightning and burned to the ground. The springs located on the property were still putting out the refreshing and wonderful spring water. They built a lodge/hotel and even before the bridge was built over the Colorado River the quality of the spring water was a great draw to lots of people. They came over on the ferry that traversed the river.

The sole source of the water in this Oasis is a series of shallow wells, which withdraw groundwater from an aquifer known as the Cienega Springs. Cienega Springs is locally renowned for producing water of unusually good taste, high quality and is purported, by those who use the water, to have many beneficial characteristics, in contrast to water provided in the surrounding areas, which generally pump and/or withdraw water from the Colorado River or the river's sub flow.

As the years went by the lodge and spring water popularity grew and after they built the bridge even more people visited. In the mid 1930's the Parker Dam was constructed and since Stephan had a hotel & trailer court on his

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property it became a favorite spot for construction workers to stay during their time working on the dam..

During all these years the biggest draw was "the water" from the springs.

In the mid 1960's Mr. Stephan decided that he would take part of the property and turn it into a subdivision and sell the lots as deeded property. Because of this the Cienega Water Company, Inc. [the "Company"] an Arizona Corporation was born and engaged in furnishing water utility service within an unincorporated portion of what was Yuma Co. before it became La Paz County, in the general vicinity of Parker, Arizona.

The Company was and still is extremely small. Its certificated service area contains approximately 80 acres [map of certificated service area attached]. The Company was granted a certificate of convenience and necessity in 1965.

For many of those years the majority of the people living there didn't even pay for the water they used and those that did only paid 4.00 to 6.00 per month, then 1995 the company was directed by the ADEQ that we had to install meters at each of the locations where water was being received. The Company went from un-metered water to metered water and an initial rate structure was approved. Those people living in the sub-division tried their best to get this stopped as they felt because they owned the lot they owned the water but of course this was proved to be false and they had to pay for the water they used. We then requested additional rate increase's in 1997 and 2000, both of which were approved and also grossly needed but were opposed by the people. We presently have 70 sites of which 58 are being billed for the water they use.

ADEQ issues were addressed as early as 1970, at which time we were approved as long as we had no children under the age of 15 and we were OK'd then again in 1995, 1997 and again it was brought up in 1999 narratives and to our knowledge all had been resolved except for the fluoride issue which has been bouncing around for years. We have no children under the age of 9, in-fact most of the residents using our water are 50+, several times in the past we have even our customers the equipment for fluoridation but every time they all declined.

We, the company do not have the revenue to purchase a main fluoridation system so we keep going around & around. We can provide many papers

Direct Testimony of tricia walker
Docket No. W-02034A-08-0008
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were we were approved then dis-approved then approved again and the process went on and on.

Cienega Water Co., Inc. has throughout the years always provided to the best of our ability clean, quality and great tasting water and too this day "the water" is still the major draw of the people who come and enjoy it.

We have attached for your perusal copies of some of the reports we have received showing we were good and not so good.

RESPONSE
To
Count One of the Complainant

1. Page three line 2 reflects a summation of what the ACC believes to be count #1. We were working with Sally Wolfe at the time of the replacement of water lines to bring the system up to and above code.
2. The information was sent to Ms. Wolfe in the form of the plot plan lay out of the replacement work, etc. Also it was stated in a letter from ADEQ dated 12-17-02 that an ATC or an AOC were not needed if the project cost was less than 50,000.00, which in-fact each project was. The difficulty now is that they have lumped all the individual projects together so now it is over 50,000.00.
3. Ms. Wolfe did not notify us in writing only verbally to Mrs. Stephan that an ATC or an AOC were not needed; because of this we misunderstood and assumed that the AOC was not needed.
4. We now understand that we should have done an ATC and in fact have done so. Said ATC was accepted by the ADEQ in July of this year however the Engineer who did the work and wrote the synopses of said work was not an acceptable engineer therefore we have to get a professional engineer to review and sign off before the ADEQ will finalize the AOC.
5. We have been communicating with the ACC and ADEQ and are working on all the projects that we need to do and are hoping that this all be accomplished in as timely a manner as possible.
6. As noted in Mr. Bozzo Q & A we did not get with ADEQ in the beginning because we understood that we did not need to. However, as previously stated we now know that this must be done so we are diligently working on this.

7. We are putting together a financial application to get approval to borrow the funds needed to complete this as well as be able to cover the funds previously approved on the replacement work. Also we are going to request a rate increase, and are hoping they will approve what we need.
8. The original estimate from Stanley Consultants was for 250,000.00 but to get a rate increase to cover that much money we would have to increase our base three times over. Since that just seems an impossible goal we have been following additional leads and have found a really strong possibility of bringing the cost to below 100,000.00 for both the as built and the fluoride. We are going to ask for 100,000.00 so that we will be able to cover the as built approval, the cost of the replacement and correcting the fluoride issue.

RESPONSE
To
Count Two of the Complainant

1. On page 7 beginning, line 7, Mr. Bozzo describes the exceedance of the fluoride. It also refers to the annual lead and copper monitoring which in-fact was sent in a timely manner and has been accepted by ADEQ.
2. As for the fluoride this issue has been going on as long as the company has been in existence.
3. When the company was put together in 1965 the Arizona Dept. of Health gave us a certificate of approval for the quality of the water. On said original it did state that ½" tee and valve near the kitchens for connections to de-fluoridation units. [service and maintenance of said units shall be provided by the water company]

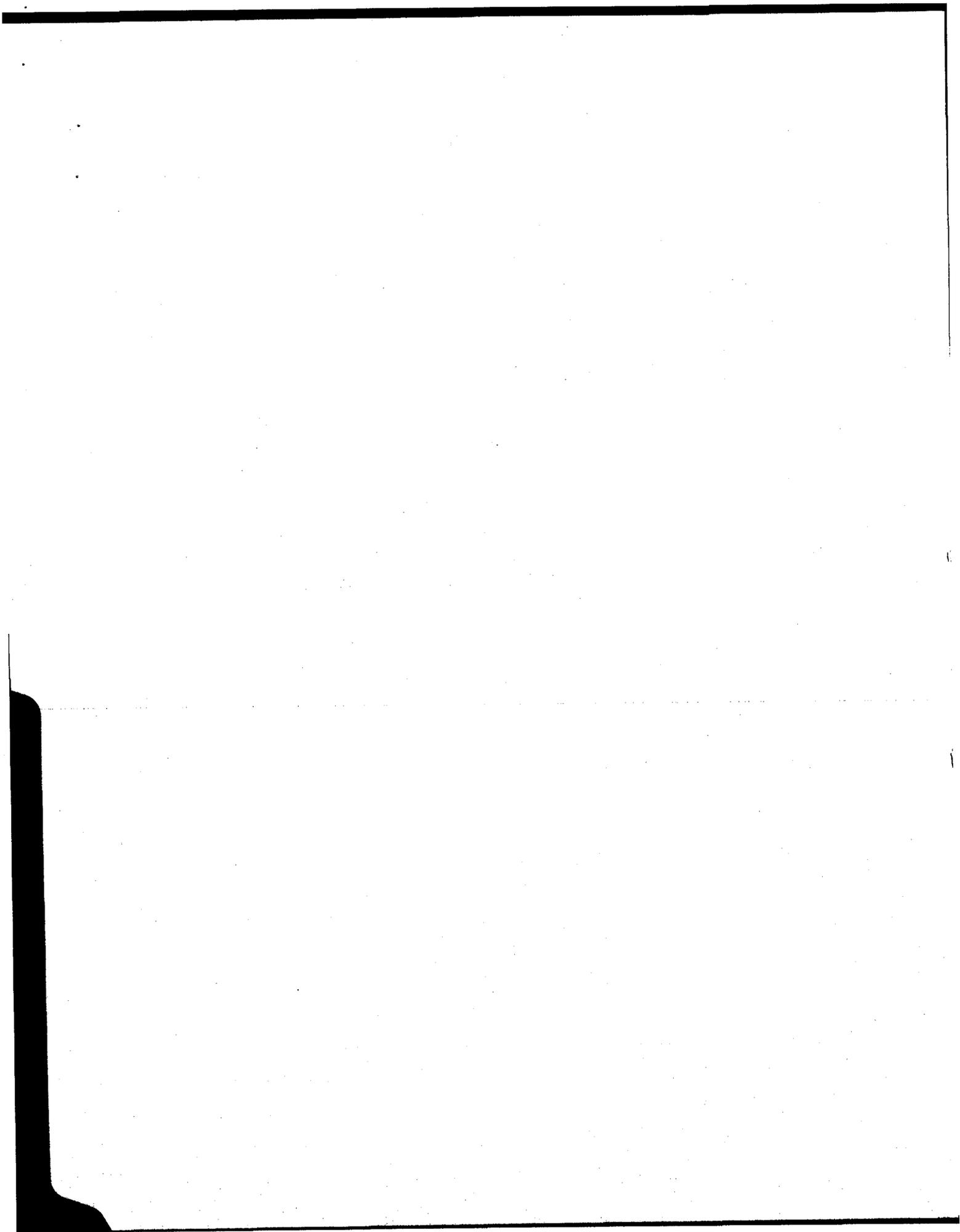
4. Then in 1970 we received a letter from the State Health dept. that if there are any children living in the sub-division, as permanent residence then the water must be treated for the fluoride however we had none.
5. In February of 1994 we did a user-by-user survey of who was living permanently in the sub-division and whether there were any children under the age of nine [9]. Since we had none we received a letter stating that we met the requirements to receive a fluoride exceedance. It was our understanding that the acceptance of the fluoride exceedance was valid until the permanent residence status changed. This too we miss-understood as to be true.
6. Then in 1995 we received a notice of violation due to the MCL levels of fluoride. We provided ADEQ with the information that the status had not changed however they then stated that our exceedance acceptance was reversed.
7. Mrs. Stephan spent thousands of dollars, her own money, to try and find a solution to the fluoride issue. We even went so far as to prepare an ATC to blend our water with Brooke water but then they backed out and we had run out of money to continue. Mrs. Stephan then tried to recoup the funds but was told since she did not get prior approval from ACC she could not claim the funds she spent as debt to the company.
8. In December 2000 we again received an OK notice that we had no deficiencies. [see attached exhibit]
9. Then again in 2002 we were notified that we were not in compliance because of the fluoride issue. Believe me when I say that we have felt like being on a 40 plus year roller coaster and we can't get off.
10. Then in early 2008 it went to the ACC and this round of meetings, work, etc. started.

11. We finally found a professional engineer that has given us an expense estimate for the installation of a fluoride system and complete the as built, however the cost is so high and to get a rate increase to cover impossible we have pursued other options. Please refer back to count one item #8, page 6, as this also applies to count two.

We hope that this look into the life of Cienega Water Co., Inc. and glimpse of the history of our area has provided you with the information needed to understand our position and that we truly do want to provide "the BEST water" possible.

Cienega Water Company, Inc. is very diligently working to rectify what ever needs to be so that we can receive a clean bill of health from the ACC – the ADEQ – and the Clean Drinking Water Compliance Staff.

Thank you for this opportunity to share a brief summary of where we came from and who we are and how we perceive this matter.



Cienega Water Co., Inc.

928-667-2590

P O Box 3518 — 31806 Cienega Springs Rd, Parker, AZ 85344

June 12, 2008

AZ dept. of Environmental Quality
Water Quality Div.
110 West Washington Street
Phoenix, AZ 85007

Attn.: Engineering Review Desk

Re: Approval To Construct ... issue is authorization

Dear Engineers,

This matter has been ongoing since the original project was conceived back in mid 2002. According to the information we received and the way that we perceived said information, each phase of the project was handled separately and done and paid for by each. No one phase was over 50,000.00, which is, as we understood it, the breaking point of when an Approval to Construct must be filed. As you peruse the attached documents you will note the construction time was late 2002 through Feb. 2003.

The following items are included with this letter;

- ❖ Application for Approval to Construct 2 pgs
 - ❖ The test data pages 3 pgs
 - ❖ Quote for work to be done with materials listed 1 pg
 - ❖ Quote for add'l two tanks that needed to be installed 1 pg
 - ❖ Layout of the route for replacement system 1 pg
- This was faxed to Sally @ 602-771-4505 to respond if more info was needed from us We heard nothing back from AZ DEQ
- ❖ A written statement from the general engineering contractor that did the work for us. 2 pgs
 - ❖ A copy of the operation & Maintenance Manual ..bound in with a yellow cover.

You will note that on the test data pages it states " please see cover letter" we found the check information when these tests were done but somehow the actual

test results have vanished. We did call the lab to see if we could get duplicates but the lab has not yet returned our call. [Said information is 02-24-03 ck # 1153, 03-03-03 ck # 1157, 03-12-03 ck # 1158, 03-19-03 ck # 1161 and 03-19-03 ck # 1162.]

As noted in the letter from Ron Foster all he did was follow the existing worn out system and installed the replacements right along side the old.

We would sincerely request that you expedite this matter as we are in the throngs of a court situation and this is truly needed.

Thanking you in advance for all of your help.

Regards,

tricia walker

Corporate Accountant for Cienega Water Co., Inc.

Cc: Eleanor Stephan – President, Cienega Water Co., Inc.
Greg Frech – our Compliance Officer for Cienega Water Co., Inc.
Jack Haas – General Manager, Cienega Water Co., Inc.
ADEQ file



Cienega Water Co., Inc.

The very best

Natural Spring
Drinking & Bathing Water

928-667-2590

P O Box 3518 — 31806 Cienega Springs Rd, Parker, AZ 85344

June 12, 2008

AZ dept. of Environmental Quality
Water Quality Div.
110 West Washington Street
Phoenix, AZ 85007

RECEIVED

Attn.: Engineering Review Desk

JUN 16 2008

Re: Approval To Construct ... issue is authorization

ADEQ ENGINEERING
REVIEW SECTION

Dear Engineers,

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ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER QUALITY DIVISION

APPLICATION for APPROVAL TO CONSTRUCT DRINKING WATER FACILITIES

(PLEASE SUBMIT TO THE ADEQ ENGINEERING REVIEW DESK AT 1110 W. WASHINGTON ST., PHOENIX, AZ 85007)

A. PROJECT NAME: Cienega Water Co., Inc. Replacement Projects

B. PROJECT TYPE (Please check all applicable components for the OVERALL PROJECT):

New Drinking Water Well or Source
 Water Line and Appurtenances

Water Treatment Plant
 Other: all replacements except

C. SYSTEM NAME/PUBLIC WATER SYSTEM NUMBER/OPERATIONAL STATUS: addition of two new water storage tanks.

SYSTEM NAME: Cienega Water

SYSTEM NUMBER: 55-374

New System
 Replacement of Extension to Existing System

D. PROJECT LOCATION (Please provide approximate center. Information is required to accept application):

LATITUDE 0 ' 0 " N LONGITUDE 0 ' 0 " W

TOWNSHIP 42 RANGE 703 SECTION 937 QUARTER SECTION (CIRCLE) NE SE SW NW

COUNTY LA PAZ

E. PROJECT DESCRIPTION: Complete Replacement of all lines-services & tanks

F. PROJECT ENGINEER (PLEASE PRINT):

G. PROJECT OWNER (PLEASE PRINT):

NAME	<u>Earthscape G.E.C.</u>	<u>Eleanor Stephan</u>
ADDRESS	<u>P O Box 667 Parker, AZ 85344</u>	<u>P O Box 3518 Parker, AZ 85344</u>
PHONE NO./FAX NO.	<u>928-916-7122</u>	<u>928-667-2590</u>
SIGNATURE/DATE	<u>[Signature]</u>	<u>[Signature]</u>

H. PLAN DOCUMENTS SUBMITTED (PLEASE SEE ADEQ FORM #222, SUBMITTAL GUIDE FOR VARIOUS PROJECT TYPES)
 NOTE: INCOMPLETE SUBMITTALS WILL NOT BE LOGGED IN.

J. OWNER/AGENT AGREEMENT AND SCHEDULE: AGREEMENT-The undersigned as Project Owner or as acting Agent for the Project Owner hereby a) grants ADEQ permission to enter the site for inspections; b) authorizes the Project Engineer to prepare and submit plan documents to the ADEQ ENGINEERING REVIEW DESK; and c) agrees to construct the sanitary facilities according to the ADEQ Certificate of Approval and the approved plan documents.

CONSTRUCTION SCHEDULE-Estimated start date: 07-01-02 Estimated completion date: 01-01-03
Eleanor Stephan Pres-Owner Eleanor Stephan [Signature] [Signature]
 TYPE OR PRINT NAME AFFILIATION SIGNATURE DATE

ADEQ COMPLIANCE EVALUATION:	ADEQ FILE NO: _____
IN-COMPLIANCE: _____	LTF NUMBER: _____
NON-COMPLIANCE: _____	
COMMENTS: _____	SITE INSPECTION REQUIRED? <input type="checkbox"/> NO <input type="checkbox"/> YES

IF NECESSARY TO REPRODUCE THIS FORM, DO SO ONLY ON PLAIN WHITE PAPER
 ADEQ/WQD-114DW (REV. 11/13/02) j:\WEDR\APPLICATIONS-Drinking Water\Application\or\ATC-114DW

ENGINEER'S CERTIFICATE OF COMPLETION AND FINAL INSPECTION "ECC"

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ) - WATER QUALITY DIVISION

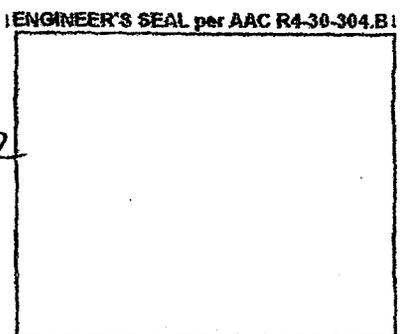
J:\shared\WEDR\APPLICATIONS-DrinkingWater\ECC-DrinkWtr 601

ADEQ FILE NO.: _____ - X DRINKING WATER DESIGN (New separate form now used for WASTEWATER DESIGN) <small>If separate Drinking Water & Wastewater Approvals to Construct were issued, separate ECCs required</small>	COUNTY: LA PAZ OWNER: Eleanor Stephan
Project Name: <u>Cienega Water Co., Inc. Replacement Projects</u>	
Project Description: <u>Replace all portion of main lines -</u> <u>#2. Replace all 66 services equipment -</u> <u>#3. Replace all storage tanks -</u> <u>#4. Install 2 add'l storage tanks</u> "all that was done was update complete system modulation in system"	

Ron Foster "General Engineering Contractor" (print name), a Professional Engineer registered in the State of Arizona, have inspected the construction of the above described project, and certify that (check all applicable boxes, complete applicable blanks):

- ITEMS 1) THRU 4) MUST BE COMPLETED
- 1) The work on this project was completed on 2-06-03 (date).
 - 2) On 2-06-03 (date) a final construction inspection was conducted by MYSELF [-check one-] under MY DIRECT SUPERVISION by Ron Foster & Jack Haas (print name).
 - 3) The materials utilized and the installation and construction of those materials and equipment are in conformance with the approved plans and specifications.
 - 4) All provisions listed in the ADEQ Approval to Construct for this project, a copy of which I have attached to this certificate, have been fully satisfied or exceptions are listed on the reverse side of this certificate.
 - 5) All construction and preoperational tests (infiltration, exfiltration, pressure, deflection, chlorination, bacti, etc.) (circle types performed) were properly conducted, met ADEQ requirements, and are presented in attachments to this Certificate. The total number of pages of test results attached is _____
EITHER 6A) or 6B) MUST BE CHECKED
 - 6A) Any deviation from the approved plans and the ADEQ Certificate of Approval to Construct have been noted on the attached "As-Built" plans (as stipulated in the Approval to Construct provisions) prepared and sealed pursuant to A.R.S. § 32-125 on _____ (date). Of the total _____ sheets of "As-Built" plans attached, deviations from the approved plans are shown on sheets numbered _____. All deviations from the approved plans comply with the ADEQ minimum design and construction standards contained in statute, rule, bulletin or referenced codes, and with the key elements of the approved plans.
 - 6B) The completed project did not deviate from the plans which received the Approval to Construct.
EITHER 7A) or 7B) MUST BE CHECKED
 - 7A) This project did not require the preparation of an Operation and Maintenance Manual (the only projects which do NOT require an O&M manual are gravity-only sewage collection systems, single-family residence septic systems, and drinking water distribution projects that include no source, storage, or pressurization facilities).
 - 7B) A FINAL Operation and Maintenance Manual has been prepared for this project and a copy is attached. This manual meets all ADEQ minimum design and construction standards contained in statute, rule, bulletin, referenced codes, the key elements of the approved plans, and, if applicable, with Attachment B of the September 10, 1994 Engineering Advisory for Individual Alternate Systems.
EITHER 8A) or 8B) MUST BE CHECKED
 - 8A) Review of this project for Approval of Construction issuance does not require a fee because this project involves only drinking water, not wastewater.
 - 8B) In accordance with A.A.C. R13-14-103 Schedule B, a check in the amount of \$ _____ is attached as initial fee for review of the submitted and other information for issuance of an Approval of Construction.
 - 9) Other, see additional information on reverse side.

Engineer Address PO Box 667
Parker, AZ 85344 Phone 928-916-7122



AZ DEPARTMENT OF ENVIRONMENTAL QUALITY ACCEPTANCE

EMPLOYEE SIGNATURE _____ (PRINTED NAME) _____ DATE _____



Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.adeq.state.az.us



Stephen A. Owens
Director

DATA REQUIRED WITH ECC

THE FOLLOWING RECORD REQUIREMENTS ARE ATTACHED:

1.0 CONSTRUCTION DRAWINGS WITH "AS-BUILT" LOCATION OF PIPE, FITTINGS, ETC. MARKING IN RED

PREPARED BY RON FOSTER R.F.

2.0 PRESSURE AND LEAKAGE TEST RESULTS

2.1 DATE TESTED

2-1-03

2.2 TIME STARTED

8:00 AM

2.3 TIME FINISHED

10:00 AM

2.4 PIPE DIAMETER

6"

2.5 FOOTAGE TESTED

1,400'

2.6 ALLOWABLE LEAKAGE

2 P.S.I.

2.7 LEAKAGE OBSERVED

NONE

2.8 PRESSURE AT TEST POINT

150 P.S.I.

2.9 EMPLOYEE OBSERVING TEST (print)

RON FOSTER

2.10 INITIALS OF EMPLOYEE

R.F.

3.0 DISINFECTION SAMPLING:

3.1 INITIAL SAMPLING
(Minimum 60 ppm available chlorine)

DATE

TIME

PPM Cl₂

3.2 AFTER 24 HOURS DETENTION TIME
(Minimum 10 ppm free chlorine)

DATE

TIME

PPM Cl₂

3.3 AFTER SUFFICIENT FLUSHING
(Water is clear and system Cl₂ residual is measured)

DATE

TIME

PPM Cl₂

4.0 BACTERIOLOGICAL SAMPLING (S):

DATE

TIME

ATTACHED

Yes/No

Yes/No

Yes/No

Yes/No

THIS SEE COVER SHEET

I certify that I have inspected the work done and have found it to be satisfactory and in accordance with approved specifications.

R.F.
Authorized Person's Signature

2-1-03
Date

Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004
(928) 779-0313

Printed on recycled paper

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733



Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.adeq.state.az.us



Stephen A. Owens
Director

DATA REQUIRED WITH ECC

THE FOLLOWING RECORD REQUIREMENTS ARE ATTACHED:

1.0 CONSTRUCTION DRAWINGS WITH "AS-BUILT" LOCATION OF PIPE, FITTINGS, ETC. MARKING IN RED

PREPARED BY

J.F.

2.0 PRESSURE AND LEAKAGE TEST RESULTS

2.1 DATE TESTED

2-1-03

2.2 TIME STARTED

10:45 AM

2.3 TIME FINISHED

12:45 PM

2.4 PIPE DIAMETER

6"

2.5 FOOTAGE TESTED

1680'

2.6 ALLOWABLE LEAKAGE

2 P.S.I.

2.7 LEAKAGE OBSERVED

NONE

2.8 PRESSURE AT TEST POINT

150 P.S.I.

2.9 EMPLOYEE OBSERVING TEST (print)

*RON
FOSTER*

2.10 INITIALS OF EMPLOYEE

J.F.

3.0 DISINFECTION SAMPLING:

3.1 INITIAL SAMPLING
(Minimum 50 ppm available chlorine)

3.2 AFTER 24 HOURS DETENTION TIME
(Minimum 10 ppm free chlorine)

3.3 AFTER SUFFICIENT FLUSHING
(Water is clear and system Cl₂ residual is measured)

4.0 BACTERIOLOGICAL SAMPLING (5):

None see cover letter

DATE				
TIME				
PPM Cl ₂				
DATE				
TIME				
PPM Cl ₂				
DATE				
TIME				
PPM Cl ₂				
DATE				
TIME				
ATTACHED	Yes/No	Yes/No	Yes/No	Yes/No

I certify that I have inspected the work done and have found it to be satisfactory and in accordance with approved specifications.

J.F.
Authorized Person's Signature

2-1-03
Date

Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004
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ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

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(602) 771-2300 • www.adeq.state.az.us



Stephen A. Owens
Director

DATA REQUIRED WITH ECC

THE FOLLOWING RECORD REQUIREMENTS ARE ATTACHED:

PREPARED BY A.F.

1.0 CONSTRUCTION DRAWINGS WITH "AS-BUILT" LOCATION OF PIPE, FITTINGS, ETC. MARKING IN RED

2.0 PRESSURE AND LEAKAGE TEST RESULTS

2.1 DATE TESTED

2.2 TIME STARTED

2.3 TIME FINISHED

2.4 PIPE DIAMETER

2.5 FOOTAGE TESTED

2.6 ALLOWABLE LEAKAGE

2.7 LEAKAGE OBSERVED

2.8 PRESSURE AT TEST POINT

2.9 EMPLOYEE OBSERVING TEST (print)

2.10 INITIALS OF EMPLOYEE

3.0 DISINFECTION SAMPLING:

3.1 INITIAL SAMPLING
(Minimum 50 ppm available chlorine)

3.2 AFTER 24 HOURS DETENTION TIME
(Minimum 10 ppm free chlorine)

3.3 AFTER SUFFICIENT FLUSHING
(Water is clear and system Cl₂ residual is measured)

4.0 BACTERIOLOGICAL SAMPLING (S):

	2-1-03		
	2:30 PM		
	4:30 PM		
	4"		
	1,300'		
	2 P.S.I.		
	NONE		
	150 PSI.		
	RAN FOSTER		
	A.F.		
DATE			
TIME			
PPM Cl ₂			
DATE			
TIME			
PPM Cl ₂			
DATE			
TIME			
PPM Cl ₂			
DATE			
TIME			
ATTACHED	Yes/No	Yes/No	Yes/No

See cover letter

I certify that I have inspected the work done and have found it to be satisfactory and in accordance with approved specifications.

[Signature]
Authorized Person's Signature

2-1-03
Date

Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004
(928) 779-0313

Printed on recycled paper

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

**Earthscape
General Engineering Contractor
P.O. Box 324
Parker, AZ 85344
Ph: (928) 669-6986 Fax: (928) 669-1007**

May 14, 2002

Cienega Springs
Fax/Phone: (928) 667-2590

Subject: New Water Lines & Storage Tanks, Options Revision

Dear Jack:

The following is a price breakdown as requested for the work referenced above.

Main Line

5,700' of 6" C-900	@	\$3.30 per foot	=	\$18,810.00
6 ea 6" MJ Tees	@	\$105.00 each	=	\$630.00
16 ea 6" Gate Valves	@	\$330.00 each	=	\$5,280.00
3 ea 6" 90 degree	@	\$95.00 each	=	\$285.00
Trenching, Pipe, Labor, Backfill & Compact			=	\$23,787.00
		Sub Total	=	\$48,792.00

56 Services

66 ea Brass Corp Stops	@	\$19.61 each	=	\$1,294.00
132 ea Adaptors (one each side)	@	\$14.95 each	=	\$1,973.00
66 ea Angle Valves	@	\$32.42 each	=	\$2,140.00
66 ea Saddle 6"	@	\$31.21 each	=	\$2,060.00
1,500' of 1" Drisco service pipe	@	\$0.86 per foot	=	\$1,290.00
Trenching, Tapping, & Installing Services			=	\$11,880.00
		Sub Total	=	\$20,637.00

Storage Tanks

2 ea 3,000 gal. Storage Tanks plumbed into new main line with valve	@	\$6,500.00 each	=	\$13,000.00
		Sub Total	=	\$13,000.00
		GRAND TOTAL	=	\$82,429.00

CA Lic.# A-769816 AZ Lic.# KA-151704

FROM : EARTHSCAPE

PHONE NO. : 928 669 6986

Oct. 21 2002 09:21AM P1

Earthscope
General Engineering Contractor
1109 Laguna Ave.
Parker, AZ 85344
Ph: (928) 669-6986 Fax: (928) 669-1007

October 21, 2002

Cienega Springs
Fax/Phone: (928) 667-2590

Subject: Change Order

Dear Jack:

The following is a price breakdown as requested for the work referenced above.

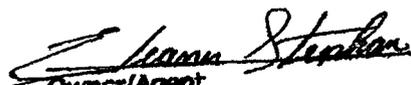
1) Add 2 new 5,000 gallon water tanks @ \$7,900.00 each. = \$15,800.00

Please note: Disposal of old tanks is not included.

Earthscope receives 50% down. Balance is due upon completion of installation.

Payment: All checks to be made payable to Earthscope. Please mail payment to 1109 Laguna Ave., Parker, AZ 85344. Payments are due upon receipt of invoice. 2% per month will be charged on all outstanding accounts.

Prices are good for 30 days. If acceptable, please sign and return proposal.



Owner/Agent

10/23/2002
Date

Thank-You for the opportunity to provide this proposal. If you have any questions, please feel free to call me at (928) 669-6986.

Sincerely,

Ron Foster
Earthscope

CA Lic. # A-768816 AZ Lic. # KA-151704

FROM : EARTHSCOPE

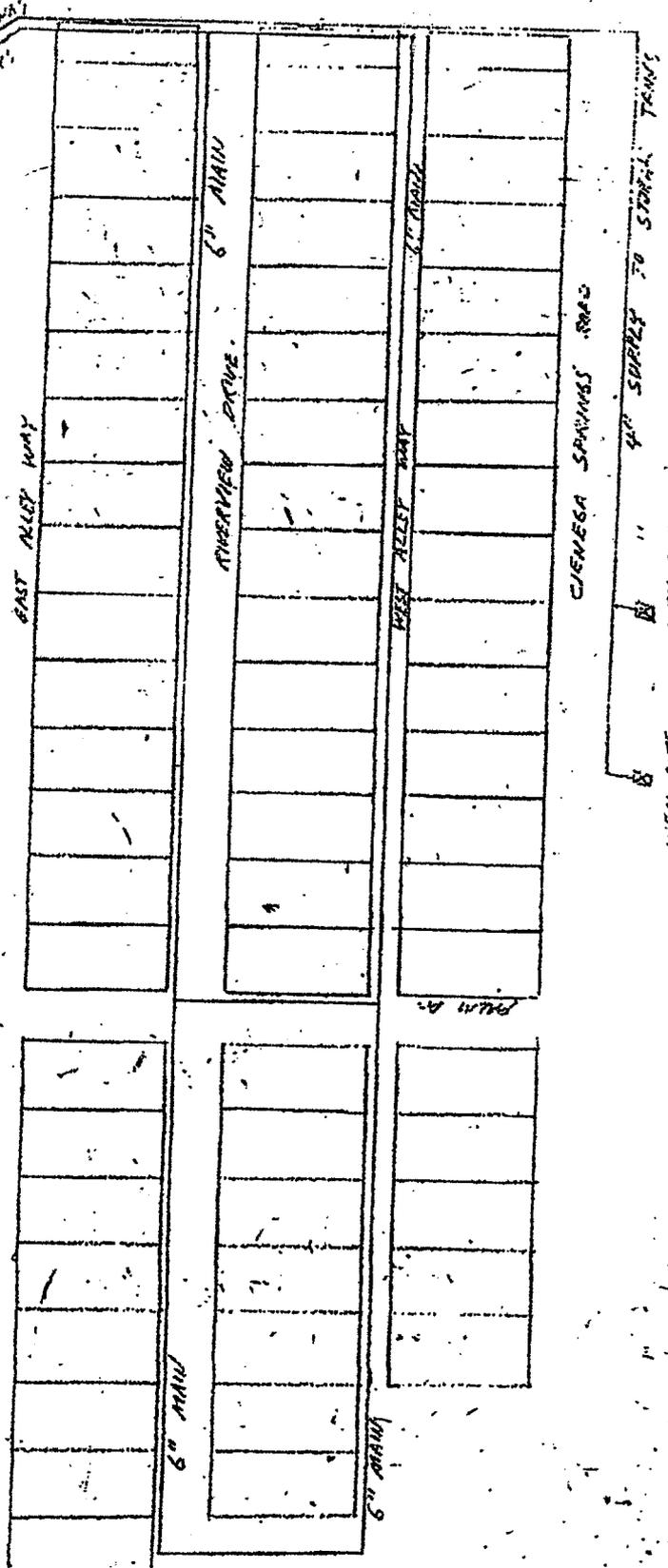
PHONE NO. : 928 669 6986

Aug. 15 2002 05:36AM P2

Attn: Sally Wolf- Compliance
OFFICER
602-771-4605

1" gal. tanks
4" SEELEY TO LANA
5" MAIN FROM TANKS

Point of Entry
to system



Earthscope
General Engineering Contractor
1109 Laguna Ave. Parker, AZ 85344
Ph: (928) 669-6986 Fax: (928) 669-1007

CA Lic.# A-769816 AZ Lic. # KA-151704

Earthscape
Ron Foster G.E.C.
P O Box 667
Parker, AZ 85344
928-916-7122

05-30-08

Arizona Dept. of Environmental Quality
Water Quality Division
1110 West Washington Street
Phoenix, AZ 85007

Attn.: ADEQ Engineering Review Desk

Re: Cienega Water Co., Inc.
Application for Approval to Construct

Dear Engineers,

We did not file this request at the inception of this project because at the time all we were doing was replacing the system already in place.

The replacement of the lines, transits and tanks followed the original system therefore we did not need to present new plans to do this project. We just laid everything down next to the existing system, which was installed in 1965.

For a complete description of the materials used please review the attached quote that I gave to Cienega Water Co., Inc. for their approval.

The replacement of the entire system was needed due to the age and corrosion of the galvanized pipe and transits.

I have also included the copies of the original pressure readings when the new system went on line as well as the operating and maintenance manual for the new system.

As for the two additional storage tanks they were going to be attached to the two existing tanks but when we got ready to purchase it was found that the two existing 6,500-gallon tanks were rusting inside out and leaking so they also had to be replaced so we installed four new 5,000-gallon tanks.

If I can be of any further assistance please don't hesitate to contact me.

Regards,



Ron Foster

Cc: Cienega Water Co., Inc.



Janet Napolitano
Governor

ARIZONA DEPARTMENT
OF
ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov



Stephen A. Owens
Director

July 1, 2008

Tricia Walker
Corporate Accountant
Cienega Water Company
P. O. Box 3518
31806 Cienega Spring Road
Parker, Arizona 85344

Re: Approval to Construct for Water System

Dear Ms. Walker:

This is in response to your letter dated June 12, 2008.

As per State rules, an "Approval to Construct" (ATC) should be obtained by Cienega Water Company from ADEQ for the water system that was constructed without an ATC. After obtaining an ATC, an AOC ("Approval of Construction") should be applied for and obtained.

In order to apply for an ATC, please submit the following

1. Signed ATC form;
2. Four sets of plans and specifications sealed by a professional engineer; and
3. Two copies of a Design Report signed and sealed by a professional engineer.

If the above meet the requirements of State rules, ADEQ will issue an ATC following which your Engineer will need to apply for an AOC by submitting an "Engineer's Certificate of Completion" and test results.

Please call me at 602-771-4671 if you have any questions.

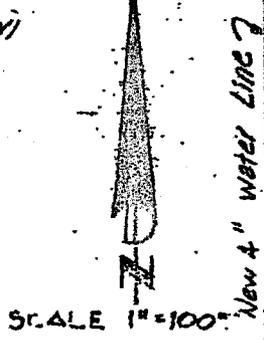
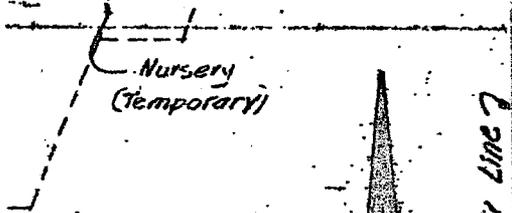
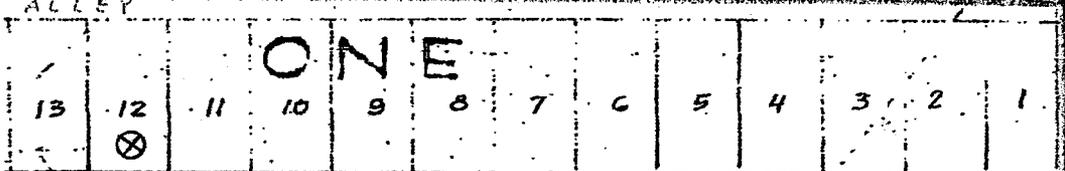
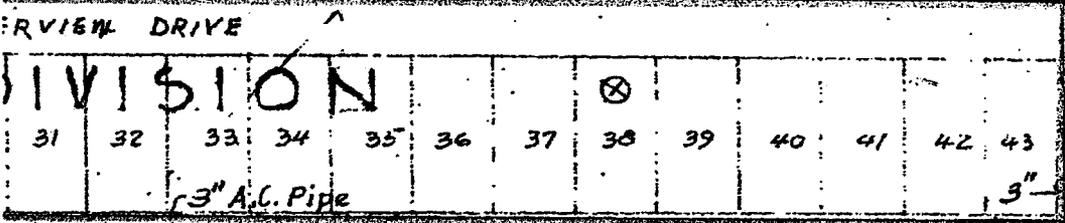
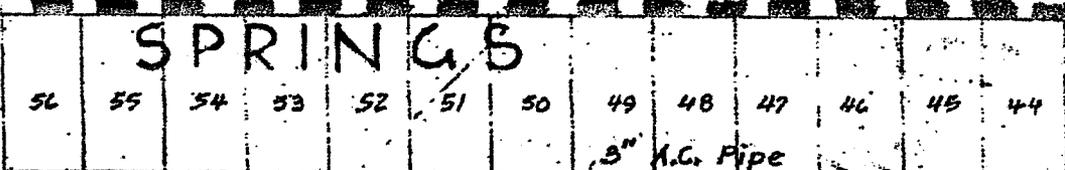
Sincerely,

Janak Desai, Manager
Drinking Water Facilities Review Unit
Engineering Review Section

Northern Regional Office
1801 W. Route 66 • Suite 117 • Flagstaff, AZ 86001
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

Hard Well Cemented Formation ——— Gavel - Sandy, some Clay



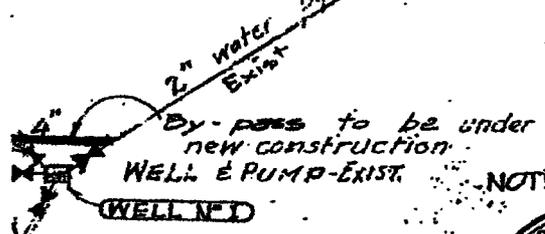
APPROVED
 ARIZONA STATE DEPARTMENT OF HEALTH
 DIVISION OF ENVIRONMENTAL HEALTH
 DATE 10-8-65 By H-E-J

PROPOSED NEW WELL SITE.

SCALE 1"=100'

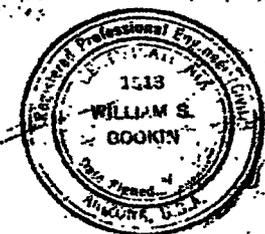
10,000 GAL. STORAGE TANK UNDER CONSTRUCTION

EXIST. TANK NO. 2 TO BE ABANDONED



By-pass to be under new construction
 WELL & PUMP - EXIST.

NOTE - SUBDIVISION & STREETS BY OTHERS

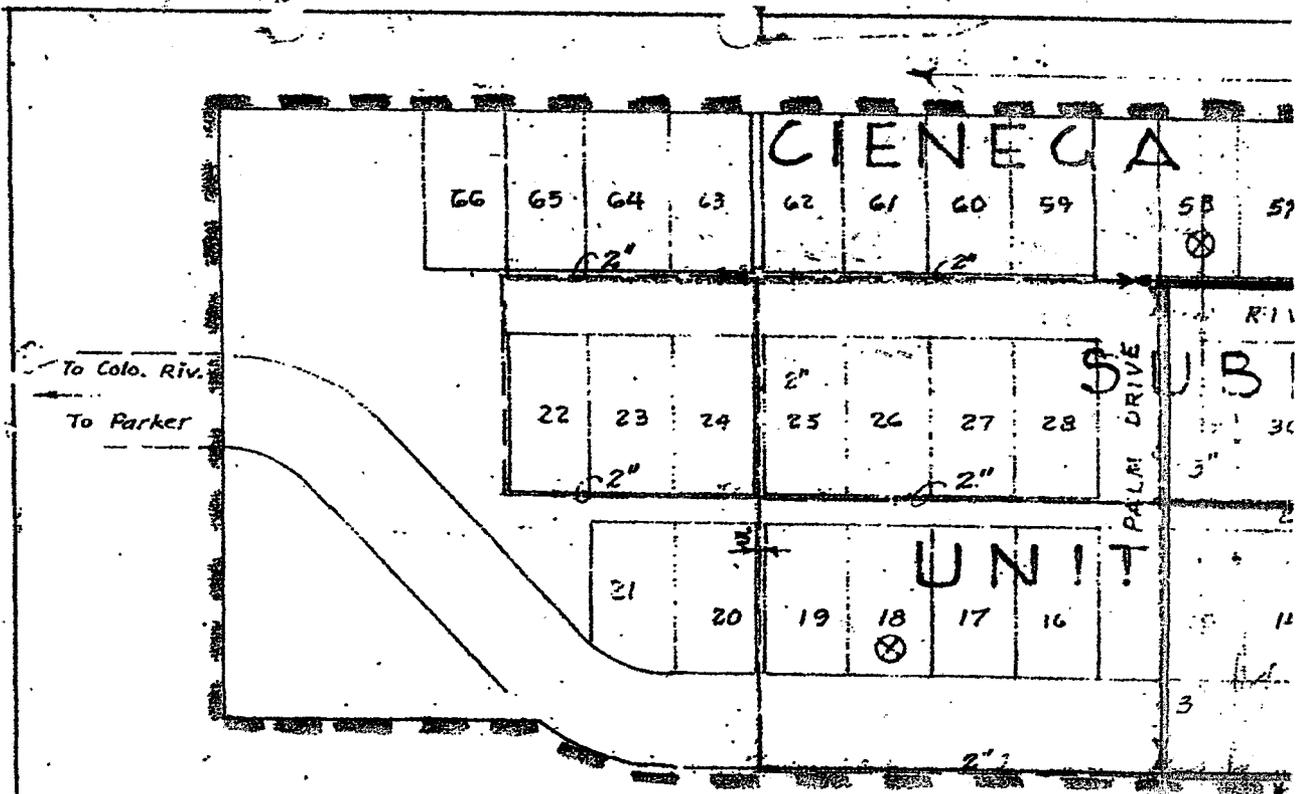


W.S. GOOKIN & ASSOCIATES
 CONSULTING ENGINEERS & HYDROLOGISTS
 PHOENIX, ARIZONA

CIENEGA SPRINGS SUBDIVISION
 UNIT ONE
WATER SUPPLY SYSTEM

Drawn by: [Signature] Approved: [Signature]
 Date: 7-15-65 Number: 22

EXIST. STORAGE TANK - NO. 1



NOTE -

1. Water Main will be 4" A.C. Pipe
2. Service lines will be 3/4" Galv.
3. Shut off valves
4. Nursery is mostly small Palm Trees.
5. --- Existing pipe lines - 2" galv. steel.

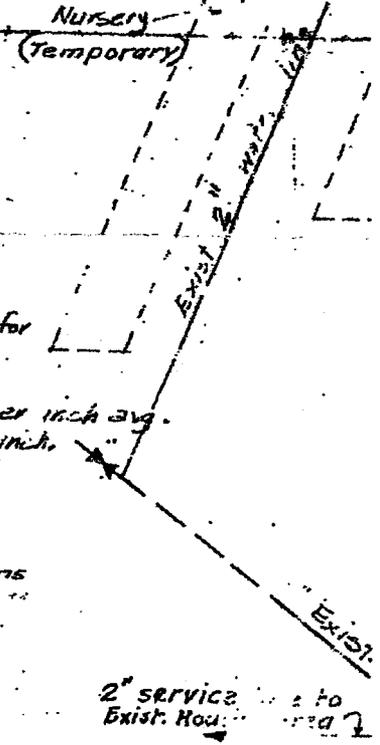
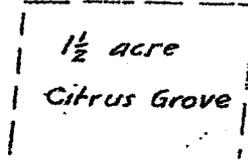
⊗ Location of Percolation Test holes for sewer effluent lines.

Percolation Rate - Lots 18 & 58 = 12 min. per inch avg.
 Percolation Rate - Lots 12 & 53 = 2 min. per inch.

3/4" Water service lines will be provided with a 1/2" tee and valve near the kitchens for connections to de-flouridation units.
 Service and maintenance of de-flouridation units shall be provided by the water company.

NEW CONSTRUCTION
 EXIST. CONSTRUCTION

EXISTING HOUSING AREA





Arizona State Department of Health

ARIZONA STATE OFFICE BUILDING
1624 WEST ADAMS STREET
PHOENIX, ARIZONA 85007

C E R T I F I C A T E O F A P P R O V A L

CIENEGA SPRINGS SUBDIVISION UNIT ONE
Subdivision

Yuma
City or Town

Yuma
County

Legal Description: Section 22 & 27 Twp 10N Range 19W

Total Number of Lots 66 Numbered 1 thru 66

W. F. STEPHAN and BITHA A. STEPHAN
Subdivider

Information required by Part X of the Sanitary Code of the State Department of Health has been supplied to the Bureau of Environmental Health and is approved as satisfactory.
Division

DIVISION OF ENVIRONMENTAL HEALTH
Edmund C. Garthe, C.E., M.P.H.
Director and Chief Engineer

By Edmund C. Garthe

Date Approved: October 8, 1965

Water Will Be Furnished By: Cienega Springs Water Co., Inc.

Sewage Disposal Method: Individual Responsibility

Garbage Disposal Method: Jay Cragg Garbage Collection Service

cc: State Real Estate Department
County Health Department - Yuma
Water Company
F.H.C.
F.I.I.
Corporation Commission



Arizona State Department of Health

ARIZONA STATE OFFICE BUILDING
1624 WEST ADAMS STREET
PHOENIX, ARIZONA 85007

LOUIS C. KOSSUTH, M.D., M.P.H.
Commissioner of Health

June 23, 1970

Cienega Springs Trailer Park
Route 1, Box 1958
Riverside Drive
Parker, Arizona 85344

Gentlemen:

Upon completion of this Department's second inspection of water supply systems for the Parker Strip Sanitary Survey, we find all deficiencies in your system have now been corrected.

Approval to operate is given by this Department with the following provisions:

We have no children under 15

1. Unless the water source is treated to reduce the excess fluoride, this supply must not be the continuous water source for children under the age of 15. The high fluoride concentration may cause fluorosis (mottling) of the teeth.
2. At least two samples of water must be submitted to this Department's laboratory each month in accordance with the regulations and enclosed memorandum. The containers are provided by this Department and mailed to you.

This Department requires that all water users be notified in writing of possible adverse effects from the water supply as given above.

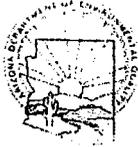
Thank you for your cooperation. If you have any questions or if we can ever provide assistance, please feel free to contact us.

Sincerely,

Philip G. Leyendecker, M.S.C.E.
Public Health Engineer
Division of Water Supply

PGL/ks
Enclosure

cc Yuma County Health Department
Bureau of Land Management - Yuma



ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Fife Symington, Governor Edward Z. Fox, Director

February 28, 1994

CERTIFIED LETTER
Return Receipt Requested

Eleanor Stephan
Cienega Water Co., Inc.
P.O. Box A. D.
Parker, Arizona 85344

RE: Cienega Water Co., Inc.
PWS ID #15-002

Dear Ms. Stephan:

On February 23, 1994 the Arizona Department of Environmental Quality (ADEQ) received your letter requesting the status of your request for a waiver from the unregulated contaminants for Phase II/Phase IV testing. ADEQ received over 300 similar letters at the same time. Therefore, all such requests were automatically granted if they were received before January 1, 1994. Since your request was made on November 17, 1993, it was granted. Your initial monitoring year for the remaining contaminants for Phase II is 1995. The public notices, you recently sent in, met the requirements for a fluoride exceedance.

If you have any questions, please contact me at (602) 207-4651.

Sincerely,

Elizabeth Ridgely

Elizabeth Ridgely, Environmental Program Specialist
Compliance Tracking and Enforcement Unit
Water Quality Division

EFR:de

cc: Peggy Guichard-Watters, R.S., Manager, Drinking Water Section, WQD
Dale H. Ohnmeiss, Manager, PDOU, WQD
Jay Skardon, AAG, OAG
La Paz County Health Department

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER QUALITY DIVISION
3022 N. Central Avenue, Phoenix, Arizona 85012

366-95

APPLICATION FOR APPROVAL TO CONSTRUCT
WATER AND/OR WASTEWATER FACILITIES

(Submit in duplicate)

- New Sewage Disposal System
- Extension or addition to existing sewage disposal system
- New Public Water Supply
- Extension or addition to existing public water supply

SYSTEM INFORMATION:

1. NAME OF: A. Water System Cienega Water Company SYSTEM NUMBER
 B. Sewer System _____ SYSTEM NUMBER
 2. LOCATION SE 1/4 of SE 1/4 Sec 22 G & SRM COUNTY La Paz County
Cienega Springs Development Corp. PO Box "S" Parker, AZ 85344
 3. OWNER: A. Water System _____
 B. Sewer System _____
 4. SYSTEM OPERATOR: A. Water System _____
 B. Sewer System _____

PROJECT INFORMATION:

1. Describe Project Cienega Spring Water Co. which consists of two wells, a distribution line connecting two wells to an open vent water storage tank (10,000 Gal±) Cienega Springs Water Co. wells test excessively high in fluoride content. Brook Water Co. is a state approved water company which uses Colorado River water with only a detectable level of fluoride in its water. A 2" water meter is to be installed at Highway 95 and Cienega Springs Road and a 2 1/2" PVC water service line (Sch. 40) to be extended to the well site (1500' East ±) Mixing of the two waters will reduce the fluoride content level of the Cienega Sprints Water Company water to an acceptable level of fluoride.

2. ENGINEER OF PROJECT William A. Lemme Lemme Engineering ADDRESS 3608 West Bethany Home Road Phoenix, AZ 85019 PHONE 602/841-6904 520/667-4755
 3. PERSON AUTHORIZING ENGINEER TO DESIGN PROJECT Eleanor Stephan By Contract for design with Lemme Engineering Inc. SIGNATURE
 ADDRESS PO Box AD Parker, AZ 85344 PHONE 520/447-2570

PLAN DOCUMENTS (required by regulations to be submitted):

- Engineer's "Design Report"
- Four copies of construction plans and specifications
- Project MASTER PLAN (for new systems only)
- Water source information:
 Well - Driller's log, pumping test, water chemical report
 Surface - water chemical report, source name and location

Estimated date of start of construction _____ Estimated date of construction completion _____

Is an Aquifer Protection Permit required? YES or NO (please circle if known)

CONSTRUCTION AGREEMENT:

The undersigned hereby agrees to construct the water and/or wastewater facilities according to the approved plan documents.

 TYPE OR PRINT NAME AFFILIATION SIGNATURE DATE

 TYPE OR PRINT NAME AFFILIATION SIGNATURE DATE



Jane Dee Hull
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street, Phoenix, Arizona 85012-2809
(602) 771-2300 • www.adeq.state.az.us



Richard W. Tobin II
Deputy Director

December 17, 2002

Eleanor Stephan
Cienega Water Co., Inc.
P. O. Box 3518
31806 Cienega Springs Rd.
Parker, AZ 85344

**RE: Reconstruction of the Waterlines Serving Cienega Springs Subdivision, Unit One
La Paz County, Arizona**

Dear Ms. Stephan:

Per Arizona Administrative Code (AAC) R18-4-505.B.3.b., you are exempt from the design review requirements for the distribution lines replacement if the total cost of the project is less than \$50,000 including material, equipment, and labor. Per AAC R18-4-505.B.3.b.iii, it is required that the project has a design that is sealed and signed by a professional engineer registered in Arizona and the construction of which is reviewed for conformance with the design by a professional engineer registered in Arizona. The new design shall not adversely affect the pressure or the disinfection contact time.

Per AAC R18-4-505.B.4. upon completion of a project exempt from the plan review requirements, the public water system shall submit a notice of compliance which contains:

- a. A fair market value cost estimate for the project,
- b. The name of the design engineer and the review engineer, and
- c. The project completion date and the total construction time.

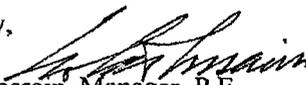
If you do not meet the requirements mentioned above, please submit the following to Helen Nyberg, Engineering Review Desk:

- a. An application for Approval to Construct,
- b. Detailed plans,
- c. Specifications,
- d. Design report, and
- e. Any other pertinent data required to evaluate the application.

All plans, specifications, and design reports submitted shall be prepared by, or under the supervision of, a professional engineer registered in Arizona and have the seal and signature of the engineer affixed to them.

If you have any questions about this letter, please call me at 1-800-771-5677, extension 4664, or 602-771-4664.

Sincerely,


Aolad Hossain, Manager, P.E.
Technical Engineering Unit, DWS, WQD

AH:mah

cc: Ron Foster, Earthscape, 1109 Laguna Avenue, Parker, AZ 85344

Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

Arizona Department of Environmental Quality
Drinking Water Compliance Enforcement Unit
3033 N. Central Avenue, M0501B
Phoenix, AZ 85012

COMPLIANCE STATUS REQUEST FORM - To be completed for any written or verbal compliance status request made to the Drinking Water Compliance & Enforcement Unit.

PWS Name: Cienega Springs Water Company

PWS ID #: 15-002

Compliance Status: No Major Deficiencies Major Deficiencies
If system is in non-compliance, please indicate why in the comment section.

Comments: This community water system has performed all of the required monitoring for total coliform, asbestos, nitrate and nitrite. The water supplier performed the first of 2 consecutive 6 months of monitoring for lead & copper in 10/00. ADEQ does not have evidence of the required radiochemical monitoring for this water system.

Date of last ADEQ inspection/sanitary survey: 5/19/00

Please attach a copy of the most recent inspection/sanitary survey report annotated to reflect current status of correction of deficiencies, or complete the section below:

If system has major deficiencies, please check all of the following that apply:

Operating Conditions:	<input type="checkbox"/> unable to maintain 20psi	<input type="checkbox"/> inadequate storage
	<input type="checkbox"/> backflow problems	<input type="checkbox"/> unprotected source
	<input type="checkbox"/> required treatment not provided	<input type="checkbox"/> treatment deficiencies
	<input type="checkbox"/> certified operator	<input type="checkbox"/> coliform
	<input type="checkbox"/> surface water treatment rule	<input type="checkbox"/> chemical

Administrative Order (please attach order, highlighting noncompliance items)

Is ADEQ compliance order in effect? Yes No
In compliance with order? Yes No N/A

If yes, please attach a copy of the order or a list of known violations.

Please fill in the following:

Number of Points of Entry = 1 Population Served = 150 Connections Served = 67
Initial year for Phase II = 1995 Initial year for Phase V = 1998 MAP year = 2001

DWCE Evaluation completed by: Sally Ceccarelli-Wolf, Compliance Officer

Phone: 1-800-234-5677 X7626 Date: December 20, 2000

ADEQ has determined that this system is currently delivering water that does not exceed any MCL (maximum contaminant level) and meets Safe Drinking Water Act water quality requirements. This compliance status report does not guarantee the water quality for this water system in the future. This compliance status report does not reflect the status of any other water system owned by this utility company.

FAX TO Rod
Comm
602 542-2129

**Arizona Department of Environmental Quality
Drinking Water Monitoring and Protection Unit
1110 W. Washington Street, 5415B-1
Phoenix, AZ 85007**

Drinking Water Compliance Status Report

Public Water System Name: Cienega Water Co.

Public Water System ID #: 15-002

Public Water System Type: Community Non-transient Non-community Transient Non-community

Overall Compliance Status: No Major Deficiencies Major Deficiencies

Monitoring and Reporting Status: No Major Deficiencies Major Deficiencies

Comments:

This system has an ongoing MCL exceedance for fluoride at POE 001.

The ADEQ database does not show that the annual lead and copper monitoring was done as required. This system has sampled outside of the required sampling period, the system is required to take 5 routine samples per year, during the months of warmest water temperature (June, July, August or September).

Operation and Maintenance Status: No Major Deficiencies Major Deficiencies

Comments:

Major unresolved/ongoing operation and maintenance deficiencies:

- | | |
|---|---|
| <input type="checkbox"/> unable to maintain 20psi | <input type="checkbox"/> inadequate storage |
| <input type="checkbox"/> cross connection/backflow problems | <input type="checkbox"/> surface water treatment rule |
| <input type="checkbox"/> treatment deficiencies | <input type="checkbox"/> approval of construction |
| <input type="checkbox"/> certified operator | <input type="checkbox"/> other |

Date of last inspection / sanitary survey: 5-2-07

Administrative Orders:

Is an ADEQ administrative order in effect? Yes No

Comments:

System information:

Number of Entry Points to the Distribution System 1 Number of Sources 5

Population Served 300 Service Connections 67 Initial Monitoring Year 1995

Evaluation completed by: Jim Puckett, Environmental Health Specialist II

Phone: 602-771-4649 **Date:** 11-29-2007

Because of the previously identified exceedance, ADEQ has determined that this system is currently not delivering water that meets water quality standards required by Arizona Administrative Code, Title 18, Chapter 4. This compliance status report does not guarantee the water quality for this system in the future. This compliance status report does not reflect the status of any other water system owned by this utility company.

APPLICATION for APPROVAL TO CONSTRUCT DRINKING WATER FACILITIES

(PLEASE SUBMIT TO THE ADEQ ENGINEERING REVIEW DESK AT 1110 W. WASHINGTON ST., PHOENIX, AZ 85007)

A. PROJECT NAME: Cienega Water Co., Inc. Replacement Projects

B. PROJECT TYPE (Please check all applicable components for the OVERALL PROJECT):

- New Drinking Water Well or Source
 Water Line and Appurtenances

Water Treatment Plant
 Other: all replacements except

C. SYSTEM NAME/PUBLIC WATER SYSTEM NUMBER/OPERATIONAL STATUS: addition of two new water storage tanks.

SYSTEM NAME: Cienega Water
 New System
 Replacement of Extension to Existing System

SYSTEM NUMBER: 55-374

D. PROJECT LOCATION (Please provide approximate center. Information is required to accept application):

LATITUDE 34° 11' 15" N LONGITUDE 114° 13' 00" W @ well

TOWNSHIP 10N RANGE 19W SECTION 22 QUARTER SECTION (CIRCLE) NE SW NW
 COUNTY LA PAZ

E. PROJECT DESCRIPTION: Complete Replacement of all lines-services & tanks

F. PROJECT ENGINEER (PLEASE PRINT):

G. PROJECT OWNER (PLEASE PRINT):

NAME	<u>Earthscape G.E.C.</u>	<u>Eleanor Stephan</u>
ADDRESS	<u>P O Box 667 Parker, AZ 85344</u>	<u>P O Box 3518 Parker, AZ 85344</u>
PHONE NO./FAX NO.	<u>928-916-7122</u>	<u>928-667-2590</u>
SIGNATURE/DATE	<u>[Signature]</u>	<u>[Signature]</u>

H. PLAN DOCUMENTS SUBMITTED (PLEASE SEE ADEQ FORM #222, SUBMITTAL GUIDE FOR VARIOUS PROJECT TYPES)
 NOTE: INCOMPLETE SUBMITTALS WILL NOT BE LOGGED IN.

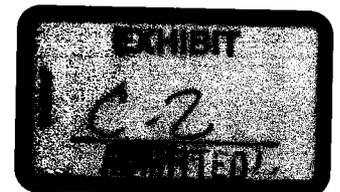
J. OWNER/AGENT AGREEMENT AND SCHEDULE AGREEMENT-The undersigned as Project Owner or as acting Agent for the Project Owner hereby a) grants ADEQ permission to enter the site for inspections; b) authorizes the Project Engineer to prepare and submit plan documents to the ADEQ ENGINEERING REVIEW DESK; and c) agrees to construct the sanitary facilities according to the ADEQ Certificate of Approval and the approved plan documents.

CONSTRUCTION SCHEDULE-Estimated start date: 07-01-02 Estimated completion date: 01-01-03

Eleanor Stephan Res-owner _____
 TYPE OR PRINT NAME AFFILIATION SIGNATURE DATE

ADEQ COMPLIANCE EVALUATION:	ADEQ FILE NO: _____
IN-COMPLIANCE: <u>JUN 13 2003</u>	LTF NUMBER: _____
NON-COMPLIANCE: <u>ENGINEERING</u>	
COMMENTS: <u>REVIEW SECTION</u>	SITE INSPECTION REQUIRED? <input type="checkbox"/> NO <input type="checkbox"/> YES

IF NECESSARY TO REPRODUCE THIS FORM, DO SO ONLY ON PLAIN WHITE PAPER
 ADEQ/WQD-114DW (REV. 11/13/02) j:\WEDR\APPLICATIONS-Drinking Water\ApplicationForATC-114DW



ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION
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2008 JUL -9 A 9:21

AZ CORP COMMISSION
DOCKET CONTROL



2 MIKE GLEASON
Chairman
3 WILLIAM A. MUNDELL
Commissioner
4 JEFF HATCH-MILLER
Commissioner
5 KRISTIN K. MAYES
Commissioner
6 GARY PIERCE
Commissioner
7

8 STAFF of the Utilities Division,
9
Complainant,
10 vs.
11
12 CIENEGA WATER COMPANY, INC.,
13 Respondent.

DOCKET NO. W-02034A-08-0008

NOTICE OF FILING

14 Staff of the Arizona Corporation Commission hereby files the Direct Testimony of Brian
15 Bozzo, of the Utilities Division, in the above-referenced matter.

16 RESPECTFULLY SUBMITTED this 9th day of July, 2008.

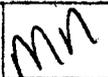
17
18 
19 Charles Hains
20 Attorney, Legal Division
Arizona Corporation Commission
1200 West Washington Street
21 Phoenix, Arizona 85007
(602) 542-6026
22

23 The original and thirteen (13) copies
24 of the foregoing were filed this
9th day of July 2008 with:

25 Docket Control
26 Arizona Corporation Commission
1200 West Washington Street
27 Phoenix, Arizona 85007
28

Arizona Corporation Commission
DOCKETED

JUL -9 2008

DOCKETED BY 

1
2 Copy of the foregoing mailed this
9th day of July, 2008, to:

3 Ms. Eleanor Stephan
4 CIENEGA WATER CO., INC.
5 Post Office Box 3518
31806 Cienega Springs Road
Parker, Arizona 85344

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7  _____

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**DIRECT
TESTIMONY
OF
BRIAN K. BOZZO**

DOCKET NO. W-02034A-08-0008

**STAFF OF THE UTILITIES DIVISION, COMPLAINANT
VS.
CIENEGA WATER COMPANY, INC., RESPONDENT**

July 9, 2008

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COUNT ONE OF COMMISSION COMPLAINT	3
COUNT TWO OF COMMISSION COMPLAINT	7
RECOMMENDATIONS	10

EXHIBITS

December 17, 2002 ADEQ Letter	Exhibit 1
June 12, 2008 Approval to Construct Letter from Cienega Water	Exhibit 2
July 1, 2008 ADEQ Response Letter	Exhibit 3
ADEQ Drinking Water Status Report.....	Exhibit 4
Updated ADEQ Drinking Water Status Report	Exhibit 5

**EXECUTIVE SUMMARY
CIENEGA WATER COMPANY, INC.
DOCKET NO. W-02034A-08-0008**

Cienega Water Company, Inc. ("Company" or "Cienega") is a public service corporation engaged in the business of providing public utility water service in La Paz County.

The purpose of my testimony is to provide a summary of the Arizona Corporation Commission ("ACC") Complaint, Staff's related recommendations and any Company progress made on the items outlined in the Complaint.

Since December 31, 2002, Cienega has failed to provide Approvals of Construction ("AOCs") that were required by the Commission in Decision No. 63751. This decision required a copy of each of the Arizona Department of Environmental Quality ("ADEQ") Certificates of Approval of Construction for each discussed plant item on or before December 31, 2002. The plant items included all water lines, 10,000 gallons of water storage tank capacity, the replacement of electrical service to the storage tanks and provision of programmable controls, and the replacement of electrical service to the three well sites.

Additionally, Staff discovered that Cienega has failed to deliver the satisfactory and continuous level of service required by Arizona Administrative Code ("A.A.C.") R14-2-407 (C). Based on November 29, 2007 and April 30, 2008 ADEQ Drinking Water Compliance Status Reports, the Company is still plagued by a fluoride contaminant exceedance and also has failed to provide the appropriate annual lead and copper monitoring and reporting as required. This results in ADEQ determining that the Company is failing in its obligation to deliver water that meets water quality standards required by the Arizona Administrative Code. This represents a violation of the requirement that Cienega provide a satisfactory and continuous level of service pursuant to A.A.C. R14-2-407(C).

Staff continues to recommend that the Company work diligently with ADEQ to provide evidence of the receipt of ADEQ AOCs and of a clean ADEQ Drinking Water Compliance Status Report.

1 **INTRODUCTION**

2 **Q. Please state your name and business address.**

3 A. My name is Brian K. Bozzo. My business address is 1200 West Washington Street,
4 Phoenix, Arizona 85007.

5
6 **Q. By whom are you employed and in what capacity?**

7 A. I am employed by the Arizona Corporation Commission ("Commission" or "ACC") in the
8 Utilities Division ("Staff") as the Compliance and Enforcement Manager. Until July
9 2003, I was employed by the Commission as a Public Utility Analyst V.

10
11 **Q. Please describe your education and work experience.**

12 A. I obtained a Bachelor of Science degree in Business Administration from the University of
13 Arizona located in Tucson, Arizona. In 1991, I joined Staff as a rate analyst. I have been
14 responsible for conducting case preparation/analysis and serving as a Commission witness
15 in rate proceedings, finance authorizations and Certificate of Convenience and Necessity
16 ("CC&N") proceedings, among others. During the course of these duties, I attended
17 numerous seminars on utility rate-making including courses presented by the National
18 Association of Regulatory Utility Commissioners ("NARUC") and New Mexico State
19 University.

20
21 Since July 2003, I have been the manager of Compliance and Enforcement in the
22 Compliance section of the Utilities Division. In the course of these duties, I conduct
23 analyses of numerous compliance matters, document compliance findings and make
24 recommendations on Compliance status to Commission Staff and the Commission itself.
25 Additionally, I am responsible for managing the systems within the Compliance Section.

1 **Q. What is the purpose of your testimony in this proceeding?**

2 A. The purpose of my testimony is to provide a summary of the ACC Complaint, Staff's
3 related recommendations and any Company progress made on the items outlined in the
4 Complaint.

5
6 **Q. How is your testimony organized?**

7 A. This introduction is followed by a short background section and sections on Count One
8 and Count Two of the Commission Complaint.

9
10 **BACKGROUND**

11 **Q. In general, what is the responsibility of the Compliance Section of the Utilities**
12 **Division in the Commission?**

13 A. The Compliance Section is responsible for tracking compliance relative to requirements
14 and filings made pursuant to Commission rules and orders.

15
16 **Q. In the scope of your duties, do you complete Order to Show Cause ("OSC") filings**
17 **and/or Commission complaints?**

18 A. Yes. I am periodically assigned to both complaint filings and OSCs on Arizona utility
19 firms.

20
21 **Q. Are you assigned to this Complaint case?**

22 A. Yes

23
24 **Q. Were you therefore involved in the preparation of the Complaint in this case?**

25 A. Yes.

1 **COUNT ONE OF COMMISSION COMPLAINT**

2 **Q. Please summarize Count One of the Commission complaint.**

3 A. Since December 31, 2002, Cienega has failed to provide Approvals of Construction
4 ("AOCs") that were required by the Commission in Decision No. 63751. This decision
5 required a copy of the Arizona Department of Environmental Quality ("ADEQ")
6 Certificates of Approval of Construction for each discussed plant item on or before
7 December 31, 2002. The plant items included were 1) all water lines, 2) 10,000 gallons of
8 water storage tank capacity, 3) the replacement of electrical service to the storage tanks
9 and provision of programmable controls, and 4) the replacement of electrical service to the
10 three well sites.

11

12 **Q. Has the construction ordered in Decision No. 63751 been completed by the**
13 **Company?**

14 A. Yes. Subsequent to the financing authorized in Decision No. 63751, the Company applied
15 for an additional amount of financing via Docket No. W-02034A-02-0795. In the
16 resulting Decision No. 65916, the Commission made the following statement in Finding
17 of Fact ("FOF") 16:

18

19 "Staff's February 25, 2003, inspection of the Company's plant confirmed that
20 Cienega had completed all construction as required by Decision No. 63751. In
21 addition, Staff reports that the Company has completed construction and
22 installation of the two new 5,000 gallon tanks and related piping. Staff has
23 determined that all the improvements are appropriate and have been properly
24 constructed and installed."
25

26 **Q. Was completion of the construction specifically part of the Commission's order in**
27 **Decision No. 63751?**

28 A. Yes. Decision No. 63751 first ordered that Cienega should complete all of the
29 construction of the individual items. Based on the above information from FOF 16 in

1 Decision No. 65916, Staff considers the construction portion of the Commission
2 requirement to be met.

3

4 **Q. Was any additional evidence relating to this construction required in that ordering**
5 **paragraph of Decision No. 63751?**

6 A. Yes. After mentioning that the Company should complete the construction, Decision No.
7 63751 further required the additional step of evidencing the construction through the
8 provision of ADEQ AOCs for each plant item. These certificates were due on or before
9 December 31, 2002 and have yet to be provided to the Commission.

10

11 **Q. Were the lack of AOCs the initial violation(s) that lead to the Complaint?**

12 A. Yes. The Compliance Section originally contacted the Company about the delinquency of
13 the AOCs, which lead to the Company filing for an extension of time to provide them.
14 During the review of the request for extension of time, Staff contacted ADEQ to
15 determine the status of Cienega applications for AOCs and found that no application was
16 ever formally made. Therefore, Staff chose to file a complaint rather than address the
17 request for extension of time.

18

19 **Q. Is it Staff's position that the Company must work diligently and directly with ADEQ**
20 **to address the AOC requirement(s)?**

21 A. Yes.

22

23 **Q. Has this been communicated to Cienega?**

24 A. Absolutely. Staff has had a number of verbal discussions with the Company in which
25 Cienega was informed that it should work directly with ADEQ and do whatever is
26 necessary to get the AOCs. Staff has also provided additional contact information for

1 individuals at ADEQ who can provide assistance to Cienega in completing the AOC
2 process.

3

4 **Q. Did the Staff complaint mention the need to deal with ADEQ?**

5 A. Yes. On Page 4 of the January 7, 2008 complaint, Staff's requested relief centered on two
6 things, first that the Company be ordered to file certificate application(s) and second that
7 the Company be ordered to work diligently with ADEQ in the processing of those
8 applications. Those sections are shown below:

9

10 "Staff requests that the Commission order Cienega to make formal application to
11 ADEQ for the required Certificates by June 30, 2008."

12

13 "Staff requests that the Commission order Cienega to work diligently with
14 ADEQ during the applications review period for the required certificates to
15 ensure that the process is brought to a conclusion as quickly and efficiently as
16 possible."
17

18 **Q. To your knowledge, did the Company previously have those necessary discussions?**

19 A. Not until very recently. The Company did not originally take responsibility for getting
20 with ADEQ and outlining the steps necessary to see the AOCs issued. If it had, we would
21 clearly be further along the path than we are currently. Rather, the Company previously
22 operated on the idea that it was exempt from needing the AOCs due to a December 17,
23 2002 letter from an ADEQ Manager of the Technical Engineering Unit, Mr. Aolad
24 Hossain. This letter, attached as Exhibit 1, discusses the conditions under which the
25 Company could be exempt. Unfortunately, these conditions were not met and, according
26 to ADEQ, no exemption letter was issued for Cienega by ADEQ. It is Staff's opinion that
27 any question over exemption status will be addressed by ADEQ in the processing of the
28 AOCs.

1 **Q. Have more recent Cienega discussions with ADEQ resulted in any improvement?**

2 A. Yes. On July 3, 2008, Staff had a meeting with a number of ADEQ personnel to
3 determine the status of Cienega's discussions with ADEQ. Staff was informed that an
4 ADEQ inspector had e-mailed Cienega the necessary paperwork for submission of
5 Certificates of Approval to Construct ("ATC"), the precursor to the AOC. Staff was also
6 informed that the Company made an ATC filing on June 12, 2008, and that ADEQ
7 responded on July 1, 2008, with a letter seeking additional data. ADEQ provided a copy
8 of the Company letter and the ADEQ response and they are attached as Exhibits 2 and 3,
9 respectively.

10

11 **Q. Please explain why this an improvement?**

12 A. The Company is working with ADEQ personnel and has provided an application for ATC.
13 It is an improvement because no formal ATC application has been filed by Cienega
14 previously. Now, ADEQ is asking for additional information for the application to be
15 processed. Staff considers this to be a normal part of any application process. Further,
16 ADEQ indicated Cienega has hired Stanley Engineers to walk them through the certificate
17 process. The engineer will be necessary in formulating a subsequent AOC application.

18

19 **Q. Please summarize the status of Count One of the Complaint.**

20 A. Count One requires the provision of an AOC for the plant items outlined on Page 3 of this
21 testimony. Neither the AOC nor the precursor certificate, the ATC, has been issued by
22 ADEQ at this time. However, the Company has provided ADEQ with an application for
23 an ATC which is currently under a sufficiency review. If the Company responds with the
24 information outlined in ADEQ's July 1, 2008 letter, the ATC should continue to be
25 processed. Issuance of the ATC is a necessary precursor to the issuance of the AOC. In
26 summary, the ATC filing with ADEQ is a first step.

1 Staff continues in its recommendations outlined in the relief portion of the Complaint
2 about working with ADEQ. Additionally, the Company should work diligently with
3 ADEQ *and* that effort should remain consistent until the conclusion of the AOC process
4 and the submission of the AOC to the Commission.
5

6 **COUNT TWO OF COMMISSION COMPLAINT**

7 **Q. Please summarize Count Two of the Commission Complaint.**

8 **A.** As an additional violation to the AOC requirement, Staff discovered that Cienega has
9 failed to deliver the satisfactory and continuous level of service required by A.A.C. R-14-
10 2-407 (C). Based on a November 29, 2007 ADEQ Drinking Water Compliance Status
11 Report, Count Two of the Complaint stated that the Company had an ongoing fluoride
12 contaminant exceedance and also had a failure to provide the appropriate annual lead and
13 copper monitoring and reporting as required. This resulted in ADEQ determining that the
14 Company was failing in its obligation to deliver water that meets water quality standards
15 required by the Arizona Administrative Code. This represented a violation of the
16 requirement that Cienega provide a satisfactory and continuous level of service pursuant
17 to A.A.C. R14-2-407(C). The November 29, 2007 report is attached as Exhibit 4.
18

19 **Q. What discussion have you had with ADEQ regarding the issuance of a clean
20 Drinking Water Compliance Status Report?**

21 **A.** As outlined in the May 14, 2008 Procedural Conference Transcript, I talked with ADEQ
22 personnel in late April and discovered that the Company had an outstanding consent order
23 against them from ten years ago relating to fluoride exceedances. An ADEQ manager of
24 enforcement stated that the fluoride issue had never been addressed and represents a
25 violation of a court order. To date, ADEQ has not enforced the court order. As long as

1 the fluoride issue remains unresolved, the Company will be prevented from obtaining a
2 clean water quality report.

3
4 **Q. Has ADEQ issued a more recent Drinking Water Compliance Status Report than the**
5 **aforementioned November 29, 2007 report?**

6 A. Yes. Staff located an updated ADEQ report dated April 30, 2008. It is attached as
7 Exhibit 5.

8
9 **Q. Please summarize the results of the April 30, 2008 Drinking Water Compliance**
10 **Status Report.**

11 A. Cienega continues to have an unresolved fluoride exceedance and has failed to provide
12 lead and copper and other testing results. The Company is therefore listed as having
13 "Major Deficiencies" in the Monitoring and Reporting Status section of the report. The
14 report also shows that the Company has completed the construction mentioned under
15 Count One without the issuance of an ATC / AOC. This is considered a major unresolved
16 Operation and Maintenance deficiency. The Company is therefore listed as having "Major
17 Deficiencies" in the Operation and Maintenance Status section of the report. The report
18 also lists that an ADEQ administrative order (consent order) is in effect due to the
19 continuing fluoride exceedance. The above items combine into an Overall Compliance
20 Status that shows "Major Deficiencies" for Cienega.

21
22 Based on the above, and as of April 30, 2008, ADEQ cannot determine if the system is
23 currently delivering water that meets water quality standards required by Arizona
24 Administrative Code, Title 18, Chapter 4. In summary, significant issues must be resolved
25 before there will be a clean Drinking Water Compliance Status Report issued by ADEQ.

1 **Q. How then should the Company proceed on the fluoride issue?**

2 A. Analysis of available options and the selection of the proper treatment method are for the
3 Company to determine. Although I am not an engineer, it appears the Company needs to
4 work with an engineer and with ADEQ to develop and implement a plan to mitigate the
5 existing fluoride exceedances. This may require some sort of treatment which could
6 require financing approval followed by construction. If the construction falls under
7 ADEQ regulations, the Company may need an ATC and AOC for construction relating to
8 the fluoride treatment facilities.

9
10 **Q. Are you aware if any discussions have taken place between Cienega and ADEQ
11 regarding fluoride exceedances or relating to the issuance of a clean Drinking Water
12 Compliance Status Report?**

13 A. No. I do not know if discussions have taken place or if the Company has outlined any
14 plan or formal agreement on how to address the fluoride issue.

15
16 **Q. What is Staff's overall position on the issuance of a clean water quality report from
17 ADEQ?**

18 A. Staff's position is that there is much work for the Company to do and that Cienega must
19 work diligently and directly with ADEQ to address the fluoride issue as a prerequisite to
20 the issuance of a clean Drinking Water Compliance Status Report.

21
22 **Q. Has Staff's position of working diligently with ADEQ on the water quality issue been
23 communicated to Cienega?**

24 A. Absolutely. Staff had the same verbal discussions with Cienega over this issue as it had
25 over the certificate issue. The Company was informed to work diligently with ADEQ to

1 address the Drinking Water Compliance Status Report issue with a goal of obtaining a
2 clean report from ADEQ.

3
4 **Q. Did the Staff complaint mention the need to deal with ADEQ?**

5 A. Yes. On Page 4 of the January 7, 2008 complaint, Staff's requested relief centered on the
6 Company being ordered to work diligently with ADEQ to make a plan to get a clean
7 Drinking Water Compliance Status Report and to diligently execute that plan:

8
9 "Staff requests that the Commission order Cienega to work diligently with
10 ADEQ to develop a plan, agreement or formal stipulation for obtaining an ADEQ
11 Drinking Water Status Report which shows that Cienega is delivering water that
12 meets quality standards required by Arizona Administrative Code, Title 18,
13 Chapter 4, by December 31, 2008."

14
15 "Staff requests that the Commission order Cienega to work diligently with
16 ADEQ in executing the plan, agreement or formal stipulation to ensure that the
17 process of obtaining a clean Drinking Water Status Report is brought to a
18 conclusion as quickly and efficiently as possible."
19

20 **Q. Please summarize the status of Count Two of the Complaint.**

21 A. Count Two requires the provision of a clean Drinking Water Compliance Status Report
22 from ADEQ in order to demonstrate the provision of continuous and reliable service by
23 the Company. As outlined above, such a report does not appear to be forthcoming in the
24 short term. The ability to see a clean report issued by ADEQ is severely hampered by the
25 existing fluoride exceedance which plagues the Company.

26
27 **RECOMMENDATIONS**

28 **Q. What recommendations does Staff have regarding Count One and Count Two of the**
29 **Complaint?**

30 A. Staff continues with the recommendations made and the relief sought on page four of the
31 Commission Complaint. In regard to the ADEQ certificate issue in Count One and the
32 water quality issue of Count Two, the Company must work diligently and directly with

1 ADEQ to address all of ADEQ's needs such that the proper evidence of compliance can
2 be issued and provided to the Commission.

3

4 **Q. Does this conclude your direct testimony regarding the Commission's Complaint**
5 **against Cienega?**

6 **A. Yes, it does.**

Apr 03 08 11:20a

Eleanor Stephan

Jane Dee Hull
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street, Phoenix, Arizona 85012-2809
(602) 771-2300 • www.adeq.state.az.usRichard W. Tobin II
Deputy Director

December 17, 2002

Eleanor Stephan
Cienega Water Co., Inc.
P. O. Box 3518
31806 Cienega Springs Rd.
Parker, AZ 85344

**RE: Reconstruction of the Waterlines Serving Cienega Springs Subdivision, Unit One
La Paz County, Arizona**

Dear Ms. Stephan:

Per Arizona Administrative Code (AAC) R18-4-505.B.3.b., you are exempt from the design review requirements for the distribution lines replacement if the total cost of the project is less than \$50,000 including material, equipment, and labor. Per AAC R18-4-505.B.3.b.iii, it is required that the project has a design that is sealed and signed by a professional engineer registered in Arizona and the construction of which is reviewed for conformance with the design by a professional engineer registered in Arizona. The new design shall not adversely affect the pressure or the disinfection contact time.

Per AAC R18-4-505.B.4. upon completion of a project exempt from the plan review requirements, the public water system shall submit a notice of compliance which contains:

- a. A fair market value cost estimate for the project,
- b. The name of the design engineer and the review engineer, and
- c. The project completion date and the total construction time.

If you do not meet the requirements mentioned above, please submit the following to Helen Nyberg, Engineering Review Desk:

- a. An application for Approval to Construct,
- b. Detailed plans,
- c. Specifications,
- d. Design report, and
- e. Any other pertinent data required to evaluate the application.

All plans, specifications, and design reports submitted shall be prepared by, or under the supervision of, a professional engineer registered in Arizona and have the seal and signature of the engineer affixed to them.

If you have any questions about this letter, please call me at 1-800-771-5677, extension 4664, or 602-771-4664.

Sincerely,


Aolad Hossain, Manager, P.E.
Technical Engineering Unit, DWS, WQD

AH:mah

cc: Ron Foster, Earthscape, 1109 Laguna Avenue, Parker, AZ 85344

Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733



Cienega Water Co., Inc.

The very best

Natural Spring
Drinking & Bathing Water

928-667-2590

P O Box 3518 — 31806 Cienega Springs Rd, Parker, AZ 85344

June 12, 2008

AZ dept. of Environmental Quality
Water Quality Div.
110 West Washington Street
Phoenix, AZ 85007

RECEIVED

JUN 16 2008

Attn.: Engineering Review Desk

Re: Approval To Construct ... issue is authorization

ADEQ ENGINEERING
REVIEW SECTION

Dear Engineers,

This matter has been ongoing since the original project was conceived back in mid 2002. According to the information we received and the way that we perceived said information, each phase of the project was handled separately and done and paid for by each. No one phase was over 50,000.00, which is, as we understood it, the breaking point of when an Approval to Construct must be filed. As you peruse the attached documents you will note the construction time was late 2002 through Feb. 2003.

The following items are included with this letter;

- ❖ Application for Approval to Construct 2 pgs
 - ❖ The test data pages 3 pgs
 - ❖ Quote for work to be done with materials listed 1 pg
 - ❖ Quote for add'l two tanks that needed to be installed 1 pg
 - ❖ Layout of the route for replacement system 1 pg
- This was faxed to Sally @ 602-771-4505 to respond if more info was needed from us We heard nothing back from AZ DEQ
- ❖ A written statement from the general engineering contractor that did the work for us. 2 pgs
 - ❖ A copy of the operation & Maintenance Manual ..bound in with a yellow cover.

You will note that on the test data pages it states "please see cover letter" we found the check information when these tests were done but somehow the actual

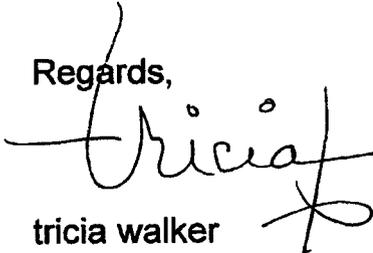
test results have vanished. We did call the lab to see if we could get duplicates but the lab has not yet returned our call. [Said information is 02-24-03 ck # 1153, 03-03-03 ck # 1157, 03-12-03 ck # 1158, 03-19-03 ck # 1161 and 03-19-03 ck # 1162.]

As noted in the letter from Ron Foster all he did was follow the existing worn out system and installed the replacements right along side the old.

We would sincerely request that you expedite this matter as we are in the throngs of a court situation and this is truly needed.

Thanking you in advance for all of your help.

Regards,

A handwritten signature in cursive script that reads "Tricia Walker". The signature is written in black ink and is positioned to the right of the typed name "tricia walker".

tricia walker

Corporate Accountant for Cienega Water Co., Inc.

Cc: Eleanor Stephan – President, Cienega Water Co., Inc.
Greg Frech – our Compliance Officer for Cienega Water Co., Inc.
Jack Haas – General Manager, Cienega Water Co., Inc.
ADEQ file



Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov



Stephen A. Owens
Director

July 1, 2008

Tricia Walker
Corporate Accountant
Cienega Water Company
P. O. Box 3518
31806 Cienega Spring Road
Parker, Arizona 85344

Re: Approval to Construct for Water System

Dear Ms. Walker:

This is in response to your letter dated June 12, 2008.

As per State rules, an "Approval to Construct" (ATC) should be obtained by Cienega Water Company from ADEQ for the water system that was constructed without an ATC. After obtaining an ATC, an AOC ("Approval of Construction") should be applied for and obtained.

In order to apply for an ATC, please submit the following

1. Signed ATC form;
2. Four sets of plans and specifications sealed by a professional engineer; and
3. Two copies of a Design Report signed and sealed by a professional engineer.

If the above meet the requirements of State rules, ADEQ will issue an ATC following which your Engineer will need to apply for an AOC by submitting an "Engineer's Certificate of Completion" and test results.

Please call me at 602-771-4671 if you have any questions.

Sincerely,

Janak Desai, Manager
Drinking Water Facilities Review Unit
Engineering Review Section

Northern Regional Office
1801 W. Route 66 • Suite 117 • Flagstaff, AZ 86001
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

**Arizona Department of Environmental Quality
Drinking Water Monitoring and Protection Unit
1110 W. Washington Street, 5415B-1
Phoenix, AZ 85007**

Drinking Water Compliance Status Report

Public Water System Name: Cienega Water Co.

Public Water System ID #: 15-002

Public Water System Type: Community Non-transient Non-community Transient Non-community

Overall Compliance Status: No Major Deficiencies Major Deficiencies

Monitoring and Reporting Status: No Major Deficiencies Major Deficiencies

Comments:

This system has an ongoing MCL exceedance for fluoride at POE 001.

The ADEQ database does not show that the annual lead and copper monitoring was done as required. This system has sampled outside of the required sampling period, the system is required to take 5 routine samples per year, during the months of warmest water temperature (June, July, August or September).

Operation and Maintenance Status: No Major Deficiencies Major Deficiencies

Comments:

Major unresolved/ongoing operation and maintenance deficiencies:

- | | |
|---|---|
| <input type="checkbox"/> unable to maintain 20psi | <input type="checkbox"/> inadequate storage |
| <input type="checkbox"/> cross connection/backflow problems | <input type="checkbox"/> surface water treatment rule |
| <input type="checkbox"/> treatment deficiencies | <input type="checkbox"/> approval of construction |
| <input type="checkbox"/> certified operator | <input type="checkbox"/> other |

Date of last inspection / sanitary survey: 5-2-07

Administrative Orders:

Is an ADEQ administrative order in effect? Yes No

Comments:

System information:

Number of Entry Points to the Distribution System 1 Number of Sources 5

Population Served 300 Service Connections 67 Initial Monitoring Year 1995

Evaluation completed by: **Jim Puckett, Environmental Health Specialist II**

Phone: 602-771-4649

Date: 11-29-2007

Because of the previously identified exceedance, ADEQ has determined that this system is currently not delivering water that meets water quality standards required by Arizona Administrative Code, Title 18, Chapter 4. This compliance status report does not guarantee the water quality for this system in the future. This compliance status report does not reflect the status of any other water system owned by this utility company.

Arizona Department of Environmental Quality
Drinking Water Monitoring and Protection Unit
 Mail Code 5415B-2
 1110 West Washington Street
 Phoenix, AZ 85007

Drinking Water Compliance Status Report

System Name	System Type	Is system consecutive?
CIENEGA WATER COMPANY, INC.	X Community	Yes, to PWS #
System ID #	Non-transient Non-community	
15002	Transient Non-community	X No

Overall compliance status	No major deficiencies	X	Major deficiencies
Monitoring and Reporting status	No major deficiencies	X	Major deficiencies

Comments:

- **FLUORIDE:** The PWS has an unresolved fluoride MCL; has not been submitting quarterly sampling results for EPDS001; and has not issued public notice for the MCL exceedance or missed monitoring.
- **LEAD AND COPPER (Pb/Cu):** An insufficient number of samples taken outside the monitoring period were received in 2005 and 2006. These samples do not count towards compliance. The system must take 5 samples per year between June 1 and September 30.
- **MAXIMUM DISINFECTANT RESIDUAL LEVELS (MRDL):** The PWS began chlorinating in fall 2007 and has not submitted the monthly MRDL results. The system is required to take 1 sample each month at the same time and location of the total coliform sample.

Operation and Maintenance status	No major deficiencies	X	Major deficiencies
Date of last Sanitary Survey	4/21/08	Inspector	Greg Frech, CRO

Major unresolved/ongoing operation and maintenance deficiencies:

- | | |
|---|---|
| <input type="checkbox"/> unable to maintain 20psi | <input type="checkbox"/> inadequate storage |
| <input type="checkbox"/> cross connection/backflow problems | <input type="checkbox"/> surface water treatment rule |
| <input type="checkbox"/> treatment deficiencies | <input checked="" type="checkbox"/> approval to construct/of construction |
| <input type="checkbox"/> certified operator | <input type="checkbox"/> other |

Comments: Doubled storage and moved tank without an ATC/AOC, and added RV Park to system without an ATC/AOC.

Is an ADEQ administrative order in effect?	X	Yes		No
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Comments: None

System Information

Population Served	300		
Service Connections	67		
Number of Entry Points to the Distribution System	1		
Number of Sources	5		
Initial Monitoring Year	1995		
Monitoring Assistance Program (MAP) System	X Yes		No

Evaluation completed by	Donna Calderon, Manager <i>DC</i> Drinking Water Monitoring and Protection Unit
Phone	602-771-4641
Date	April 30, 2008

Based upon data submitted by the water system, ADEQ has determined that this system is currently delivering water that meets water quality standards required by Arizona Administrative Code, Title 18, Chapter 4.

X Based upon the monitoring and reporting deficiencies noted above, ADEQ **cannot determine** if this system is currently delivering water that meets water quality standards required by Arizona Administrative Code, Title 18, Chapter 4.