



ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

KRISTIN K. MAYES, CHAIRMAN

GARY PIERCE

PAUL NEWMAN

SANDRA D. KENNEDY

BOB STUMP

Arizona Corporation Commission 2009 FEB -5 P 3: 22

DOCKETED

FEB 05 2009

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE
APPLICATION OF UNION PACIFIC
RAILROAD TO ALTER FOUR
CROSSINGS OF THE UNION PACIFIC
RAILROAD AT MARANA,
TANGERINE, CORTARO FARMS AND
INA ROADS

DOCKET NO. RR-03639A-08-0037

CORTARO-MARANA IRRIGATION
DISTRICT AND CORTARO WATER
USER'S ASSOCIATION NOTICE OF
WITHDRAWAL OF INTERVENTION OR,
IN THE ALTERNATIVE, REQUEST FOR
PERMISSION TO WITHDRAWAL

By Procedural Order dated September 30, 2008, the Cortaro-Marana Irrigation District, a political subdivision of the State of Arizona and its operating agent the Cortaro Water User's Association, an Arizona not for profit corporation (collectively "Cortaro") were granted intervention in the above referenced docket. This matter was heard on October 14, 2008 before an Administrative Law Judge and is pending a recommended opinion and order.

The parties have been cooperating on eliminating facility and right-of-way conflicts associated with the Union Pacific Railroad's planned double tracking between Pima Farms Road and Ina Road under mutually acceptable terms and conditions. The parties recently reached a mutual understanding associated therewith.

Therefore, Cortaro seeks to withdraw as an intervenor in the above-related matter and hereby gives notice of its withdrawal as an intervenor, or, in the alternative,

1 respectfully requests the Commission enter such order as may be necessary and appropriate to
2 permit Cortaro to withdraw as intervenor in the above entitled matter. Cortaro extends its
3 appreciation to the Commission for providing it and the Union Pacific Railroad an opportunity
4 to work cooperatively with each other.
5

6 DATED this 5th day of February, 2009.

7
8 CURTIS, GOODWIN, SULLIVAN,
9 UDALL & SCHWAB, P.L.C.

10 By: 

11 Michael A. Curtis
12 William P. Sullivan
13 501 East Thomas Road
14 Phoenix, Arizona 85012-3205
15 Attorneys for Cortaro-Marana Irrigation
16 District
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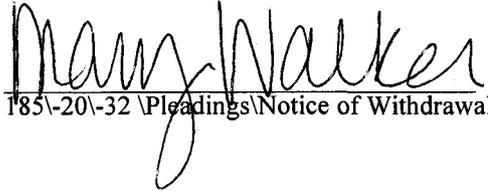
1 Bruce Vana
2 Arizona Department of Transportation
3 205 S. 17th Avenue MD618E
4 Phoenix, Arizona 85007

4 Traffic Records Section
5 Arizona Department of Transportation
6 206 South 17th Avenue, MD064R
7 Phoenix, Arizona 85007

6 Paul Baughman
7 Town of Marana
8 11555 West Civic Center Drive
9 Marana, Arizona 85653

9 Albert Letzkus
10 Pima County
11 1313 South Mission Road
12 Tucson, Arizona 85713-1398

11 Aziz Aman
12 1301 East Harrison Street
13 Phoenix, Arizona 85034-2336

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15 185\20\32 \Pleadings\Notice of Withdrawal

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