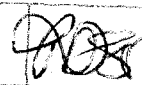


DOCKETED

APR 22 2011

DOCKETED BY 

ORIGINAL

Uphill Water Company, LLC
1500 N. Markdale #32
Mesa, AZ 85201



0000124755

April 20, 2011

RECEIVED

2011 APR 22 P 2:07

Docket Control Center
Arizona Corporation Commission
1200 West Washington St.
Phoenix, AZ 85007-2996

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Re: Amendment to Certificate of Convenience and Necessity (CC&N) Application
Docket W-20724A-10-0049
Corporation L-1555983-7

DEFICIENCY LETTER RESPONSE

Uphill Water Company (UWC) submitted an application for a CC&N in February 2010. There have been updates to the docket concerning this request. The current document is to address deficiencies raised in a letter from ACC staff in a December 21, 2010 letter to UWC.

- 1) Staff requested the following information in accordance with AAC R14-2-402.B.5.o through s.
 - o. The estimated total construction cost of the proposed offsite and onsite facilities, including documentation to support the estimates, and an explanation of how the construction will be financed, such as through debt, equity, advances in aid of construction, contributions in aid of construction, or a combination thereof;

The water project cost approximately \$100,000 including well development, pump installation, easement development, standpipe house and facilities, metering and other related facilities. All costs were covered by cash contributions from the owner's assets.
 - p. Documentation establishing the applicant's financial condition, including at least the applicant's current assets and liabilities, an income statement, the applicant's estimated revenue and expenses for the first five years following approval of the application, and the estimated value of the applicant's utility plant in service for the first five years following approval of the application;

Exposing our financial condition is not necessary in this instance. The expected revenue and expenses will balance over the five years in question, to the best of our ability. We are not a public distribution system. It is our belief that there is NOT EVEN ONE OTHER entity such as ours in the state of AZ.

We have received and continue to receive requests for purchasing our water. See attached examples. This community has been developed over many years, decades without electrical service, telephone and water in many areas (off-grid homes exist everywhere). Many people are unemployed or under-employed, retired, on disability or otherwise challenged and on fixed incomes so that they cannot afford to drill wells. They carry their water from vending sites such as Uphill/Stanford to their homes.

With the price of fuel high and increasing, people need to reduce the amount of driving that have to do for basic necessities like hauling water. Residents of this area are hauling water from sites located 5, 10, 15, even 20 miles away from their homes, when UWC/SGS are located right in their back yard. Even commercial water haulers want to purchase water

from UWC/SGS because of the convenience and reduced cost to them and their customers. Also, many customers will be able to get water from our site which would eliminate the need for them to transport water on state and federal highways, thereby reducing risk and increasing traffic safety. This is a significant opportunity for ACC to be involved in providing a solution that is needed by many people in this community.

- q. The rates proposed to be charged for services rendered, shown in the form of a proposed tariff that complies with Commission standards;

Proposed rates were included in the previous docket submittal. The rates are based on the same formula used by neighboring water vendors and already approved by ACC.

- r. The estimated annual operating revenues and expenses for the first five years of operation for the requested service area or extension area, expressed separately for residential, commercial, industrial, and irrigation services, and including a description of each assumption made to derive the estimates;

NOT APPLICABLE. We don't have for residential, commercial, industrial, and irrigation customers.

- s. A detailed description of the proposed construction timeline for facilities, with estimated starting and completion dates and, if construction is to be phased, a description of each separate phase of construction;

NOT APPLICABLE. Construction is complete and fully approved by ADEQ. (See attached).

We hope this addresses staff concerns and allows us to move forward with review and approval by the commissioners. If this submittal does not answer the questions presented by staff, then we request a meeting with the director of the utilities division to address these questions once and for all so we can move forward to a meeting with the commissioners and approval of our project.

Respectfully,

Jon Dahl, Owner/Operator
Uphill Water Company and Stanford General Store

1500 N. Markdale #32
Mesa, AZ 85201

☎ Office: 928-537-7755
☎ Mobile: 602-339-8933
✉ Email: manager@stanforgeneralstore.com

2) Description of the requested service area;

LEGAL DESCRIPTION

Parcel 2

A parcel of land lying and being situate within the South 1/4 of Section 5, Township 10 North, Range 24 East, Gila and Salt River Meridian, Apache County, Arizona, and being more particularly described as follows:

Assuming the North 1/4 of the West line of said Section 5, between a 1/2 inch rebar with Plastic Cap stamped "LS 5570" monumenting the Northwest Corner of said Section 5 and a 1/2 inch rebar with Plastic Cap stamped "LS 16165" monumenting the West 1/4 Corner of said Section 5, bears South 00° 50' 55" West and all bearings contained herein relative thereto, thence;

Commencing at the Southwest Corner of said Section 5, monumented by a rebar with cap stamped "LS 7334"; thence North 00° 50' 55" West along the West line of said Section 5, a distance of 104.17 feet to a 1/2 inch rebar w/Aluminum Cap stamped "LS 13005" and a point on the Northerly right of way line of State Route 61; Thence North 78° 13' 57" East, along said Northerly right of way line, a distance of 784.66 feet to a 1/2 inch rebar with Aluminum Cap stamped LS 13005 and the **TRUE POINT OF BEGINNING**;

Thence North 13° 59' 54" West along the Easterly right of way line of "Stanford Drive", a distance of 300.21 feet to the Southwest corner of Lot 6 of "Mountain Pine Ranch Unit 1" subdivision as recorded in Bk 8 of Maps at Pages 27 and 28, O.R.A.C., and monumented by a 5/8 inch rebar with Plastic Cap stamped "LS 13005";

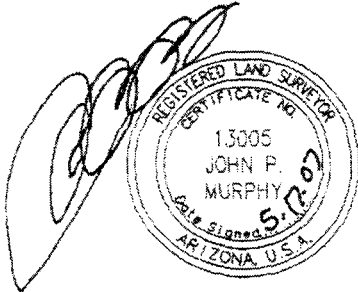
Thence North 78° 13' 57" East, along the South line of said "Mountain Pine Ranch Unit 1" subdivision, a distance of 586.82 feet to the Northeast corner of this parcel and a 1/2 inch rebar with Aluminum Cap stamped LS 13005;

Thence South 11° 46' 03" East a distance of 300.00 feet to a point on the said Northerly right of way line of State Route 61 and a 1/2 inch rebar with Aluminum Cap stamped "LS 13005";

Thence South 78° 13' 57" West, along said right of way line, a distance of 575.58 feet to the **True Point of Beginning**.

The above described parcel of land is subject to a 30' ingress / egress easement as measured perpendicular to and along the entire southerly property line. Said easement being parallel with the southerly property line, which is also the northerly ADOT right-of-way line.

Said parcel of land contains 4.00 acres, more or less.



Apache County Planning and Zoning

P.O. Box 238 St. Johns , AZ 85936 (928) 337-7526 Fax (928) 337-7633

PLANNING AND ZONING COMMISSION MINUTES FOR AUGUST 5, 2010

In Attendance:

Commissioners

Tom Tilford (Chairman)
Patsy Plant
Kay Hauser (by phone)
Carey Dobson (absent)
Bobby Fite (absent)
Donald Borg
Steve Nicoll(absent)
Steve Smith

Staff

Milton Ollerton, Director
Jonathan Catlin, Environ. Health
Michelle Johnson, Exec. Assistant
Connie Shreeve, Admin. Assistant
Mark Patterson, Assessor

Work Session

Nightly Cabin Rentals, Zone change for the Dahls were discussed
Junk Ordinance - Chairman Tilford allows comments from the public.

Those speaking are:

Dora Carr - Concho, AZ - Ms. Carr has a slide presentation of some properties in the Concho Valley area.

George Walsh - Vernon, AZ - Mr. Walsh discusses due process; the rules apply to the county as well as to the property owners. He discusses the need to protect property rights along with enforcement of the codes.

Ray Longbons - Tamarron Ranch - Mr. Longbons discusses regulations for different sizes of property, i.e., the number of vehicles allowed per property; he also discusses the enforcement problem.

Brenda Crawford - Vernon, AZ - Ms. Crawford discusses not being able to sell her property, which has been on the market for 3 years, because of the junk on surrounding properties.

Matt Clarich - Concho, AZ - Mr. Clarich discusses the lack of enforcement of the ordinances already in place.

T.J. Bond - Concho Valley, AZ - Mr. Bond discusses the need for funds to enforce the codes and wondered if grant money was available. He suggests the members of the commission take a trip to see the properties in the area.

John Taylor - Concho Valley, AZ - Mr. Taylor discusses individuals who seem to be thumbing their noses at the ordinances and sheriff.

Frank Wright - Concho Valley, AZ - Mr. Wright discusses protecting the county, a different approach, and the need to keep the ordinance simple so it would be enforceable.

Work Session closed at 12:54 pm.

Commission Meeting

Item #1 Call to Order.

Chairman Tilford calls the Planning and Zoning Commission meeting to order at 1:10 pm.

Item #2 Roll Call/Determination of a Quorum

Chairman Tilford states that there is a quorum present. Commissioner Kay Hauser is participating telephonically.

Item #3 Public Communications (Forms must be turned in at this time)

All forms have been turned in.

Item #4 Approval of Minutes from the June 3, 2010 meeting.

Chairman Tilford opens for motion.

Commissioner Don Borg moves to approve the minutes.

Commissioner Steve Smith seconds the motion.

Commissioner Kay Hauser states she has been out of town and has not had the opportunity to read the minutes. Voting is 4 in favor, Commissioner Kay Hauser abstains from voting. Motion carries.

Item #5 Consideration/Discussion/Possible Approval of Article 2400 ' Single-Family Nightly Rentals.

Chairman Tilford asks for a staff report.

Milton Ollerton states Article 2400 would regulate the use of Nightly Cabin Rentals in the county. He states these are units that are for rent for less than 30 days. He states these occur in several areas in the county but most prominently in Greer where there are over 100 nightly cabin rentals. He states it would require an annual permit and an inspection by the building department to make sure the property meets the code requirements. He states it would require that those doing nightly cabin rentals have someone available for contact if there is a problem. He states it would also have the typical requirements of a nightly cabin rental; guest and vehicle registration, adequate facilities for parking and make sure they follow the ordinances that relate to occupancy and property maintenance. He states it also provides the opportunity for dealing with violations such as disturbances or nuisances caused by the occupants. He states this has been a concern that has not been addressed in the past. He states it gives the opportunity for additional penalties for those types of occurrences.

Chairman Tilford opens the public session.

No one from the public has asked to speak on this item.

Chairman Tilford closes the public session.

Chairman Tilford opens for questions and comments among the commissioners.

Mark Patterson states that he in the assessor's office is in the process of identifying the nightly cabin rentals, particularly in Greer and Nutrioso. He states in the Greer and South Fork area he has identified 163. He states there are at least 20 that he cannot locate. He states these are the ones he has found advertising on the internet.

Chairman Tilford asks Mark Patterson if he has the numbers broken down between Greer and South Fork.

Mark Patterson states there are 153 in Greer, plus there are properties that he has pictures that do not give instructions on how to get to them in Greer that would indicate which parcel they are on.

There are no comments from the public on this item.

Milton Ollerton states he recommends the commission table this item for at least another month. He states there may not be a meeting in September.

Chairman Tilford opens for a motion

Commissioner Patsy Plant moves to table this item until the next scheduled meeting.

Commissioner Don Borg seconds the motion.

The voting is unanimous. The motion carries.

Item #6 Consideration/Discussion/Possible Approval of a Zone Change for Jon and Kate Dahl to a General Commercial Zone to include gas station, general store, propane and water sales.

Chairman Tilford asks for a staff report.

Milton Ollerton states this is an application to change the property from an agricultural zone to a general commercial zone. He states there are a lot more uses permitted in the General Commercial Zone. He states Mr. Dahl could have the general store and other things in the agricultural zone, but it does prohibit a gas station because it is considered a drive through. He states Mr. Dahl would have to have a conditional use permit to include the gas station. He states staff recommends approval of this application with the condition that the applicant finishes the drainage study before submittal to the Board of Supervisors for approval. He states the applicant conducted a citizen's review and went above and beyond to contact neighbors and get their input on this project.

Jon Dahl - Applicant - Mr. Dahl states he would like to answer any questions and feels he has followed the process that was laid out for them. He states that everyone is learning as they go with this application. He states they are ready to move either with the permitted uses that exist or with additional permitted uses that the re-zoning would permit. He states they are doing what is right for this area of Apache County.

Chairman Tilford opens the public session.

Ray Longbons - Tamarron Ranch - Mr. Longbons states he has question on a number of things that he doesn't know if they are being looked at by community development. He comments about traffic, turning lanes, location of propane tanks and well status. He states he has not seen a notice for a community meeting. He states he has a copy of a paper that was out that was pretty much a one sided pre-approved document and does not allow for objections of any kind. He states he is not against the project; he just wants to make sure the rules are followed.

George Walsh - Vernon - Mr. Walsh states he has concerns about the traffic. He states he is concerned about the water haulers and the weight of the vehicles on Hwy 61. He states the water well in question is on a separate property from the general store and wonders if the property with the well on it should be re-zoned as commercial use as well. He questions if the property has adequate room for vehicles waiting for water from one stand pipe and if the driveway is large enough to handle the traffic. He states the ordinance says the property selling liquor has to be a certain distance from an intersection and questions where the easement begins. He states he is concerned about the status of the well and water use and whether a license has been applied for. He questions the septic system along with the water well and recorded waivers dealing with them.

Frank Wright - Concho Valley - Mr. Wright states he is in favor of generating income for the county as long as the project meets all of the county requirements.

Kenneth Cheeseman - Mountain Pine Ranch - Mr. Cheeseman states he and his wife would find a general store in this location a boon for people miles around. He states it would be a significant increase of taxes for Apache County.

Sandra Angelo - Mountain Pine Ranch - Ms. Angelo states she has concerns about the process as well as the nature of the general store. She states she is not opposed to a general store. She states she feels that adding the gas station, propane and water sales will change the character of the community from country like rural environment to more commercial. She states she did not receive adequate information considering this project, she heard it from a neighbor and not on the website. She states a sign went up mentioning the store but made no reference to a fuel station, water station or liquor sales. She states the minutes of the meeting that was held at the home owners association did not mention that a fuel station was included as a part of the development, nor was it mentioned on the MPR website. She states she is concerned about environmental pollution of different kinds, hours of operation, and security. She states there is a school bus stop at this intersection and wonders about the safety for the children.

Steve Miller - Mountain Pine Ranch - Mr. Miller states he is reading from a prepared text and wants it to be in the public record. He gives a description of his experience in the planning and zoning area. He quotes a portion of the zoning ordinance on Page 23 and Page 30. He states he concerned that the site plan does not ingress or egress from a main arterial road. He states there are areas that could have negative impact for surrounding properties and communities including environmental, water table and traffic. He states he is convinced that an environmental impact study needs to be done by a qualified environmental engineering firm to find out what the possible negative impacts that could occur due to this proposed development are. He states a traffic study also needs to be done. He asks that the commission table this request until such time that these studies can be done, made available to the public with sufficient time for public review and comment. He requests the commission deny this application to change the zoning at this time.

Dan Kipp - Vernon - Mr. Kipp states he is the owner of a business about a mile from the proposed site. He states he is in favor of the store and gas station and states it is needed for the area. He states he has 9 employees and contracting trucks and would like to use Mr. Dahl's gas station, helping the tax base for Apache County as currently they are buying their gas in Navajo County. He states he feels the application can be approved with a few considerations he is sure will be taken care of. He states there is full time fire station 5 miles away in Vernon; it is not a volunteer fire station. He states that with the fire station at the Show Low Airport and Concho Valley, there is adequate fire protection. He states the Apache County Sheriff's Office does a great job checking on his business. He states he is in favor of the business and believes it will be great for the county.

Tracy Alpha - Mountain Pines Ranch - Mr. Alpha states he is in favor of the store.

Chairman Tilford closes the public session.

Jon Dahl states they have addressed everything that was brought to their attention as a requirement. He states the issues brought up at this meeting are interesting and important but were not brought to his attention as being a

requirement. He states his qualifications in environmental science and his experience in that field. He states he is doing all he can to make sure no environmental damage done. He states he went above and beyond to inform the public of this project and has not gotten any negative responses. He states they have 60 letters from people in favor of the project. He states the liquor license was approved on August 2, 2010 by the Board of Supervisors and there is a drainage study in progress. He states they will not be pumping propane; it will be sold by the 5 gallon containers. He states he will use the latest technology available in the industry to pump fuel, using pumps that help inhibit spillage and overfilling of tanks. He states the well was approved by ADWR and is being considered for change to a non-exempt well. He states the driveways and access requirements have been met and have been approved by the county. He states the septic system meets all of the required set backs. He states it will be a very low key operation. He states they are dark sky people and that they don't like pollution and noise. He states this will be a total asset to western Apache County. He states an environmental impact statement is for a totally different type of project. He states putting in a store like this does not require NEPA compliance.

Commissioner Kay Hauser asks if the fuel tanks are above or below ground.

Jon Dahl states they haven't decided on that yet but that it will be an appropriate decision based on state and county agencies input.

Chairman Tilford opens for questions and comments among the commissioners.

Chairman Tilford asks Milton Ollerton if the county engineer will be reviewing the drainage study and if the engineer has looked at the traffic.

Milton Ollerton states the engineer and some of his staff have toured the property. He states there are turn out lanes on both sides of Hwy 61. He states if further considerations are required, they will follow ADOT requirements. He states this road is the highest standard of road that the county has.

Chairman Tilford asks Jonathan Catlin from the Health District if it is ADWR that handles the application and process for the water well.

Jonathan Catlin states the county does not do the public water source approval.

Chairman Tilford asks Jonathan Catlin if the fuel station and gases are state approved through ADEQ.

Jonathan Catlin states the county does not have delegation for this process.

Chairman Tilford asks Jonathan Catlin if the county health department did the plan review, site visit and inspections for the septic system for this property as far as tank installation, setbacks and separation from the well.

Jonathan Catlin states they did do these things and the set backs meet the requirements. He states the comment about not meeting the setbacks is based on someone's faulty knowledge of the requirements.

Chairman Tilford states he understands the liquor license was passed by the board of supervisors. He asks what the hours of operation would be, as it was a question brought up by the public.

Jon Dahl states the hours of operations would be dawn to dusk. He states they don't plan to be open late at night.

Chairman Tilford asks Milton Ollerton if the property that has the water well is required to be re-zoned as well.

Milton Ollerton states it is not part of the application as shown on the map of the project. He states he will have to ask the attorney's office if this lot will require a zone change.

Chairman Tilford asks that if Mr. Dahl decides to pump propane instead of just selling it in the small containers, will it have to be looked at by the building department for setbacks and requirements. He asks if it is something Mr. Dahl can just do without going through a process.

Milton Ollerton states Chairman Tilford is correct, that Mr. Dahl will have to go through due process to make this change.

Commissioner Don Borg states he is a licensed operator for ADEQ and knows that anything Mr. Dahl does with the water system will have to be cleared through ADEQ in Flagstaff.

Jon Dahl states he is a licensed operator of water and waste water in Arizona for 30 years, in Minnesota before that. He states he is also a registered sanitarian. He states he is very aware and concerned about environmental and public health issues.

Commissioner Kay Hauser states she has been out of town for some time and did not get a packet and asks for a

clarification of where the property is located.

Milton Ollerton states the property is at Stanford Drive, CR 8235; after a 50 foot easement, the property begins.

Chairman Tilford states staff has made a recommendation for approval based on the drainage study being followed up on and the need for clarification from the attorney's office on the additional parcel.

John Dahl states water will flow through pipes in a recorded easement from the additional property to the property to be re-zoned to a stand pipe where the water will be delivered. He states they are in the process of getting final approval from ADEQ for the water system as it is designed.

Milton Ollerton states they have had other applications where the well is on a different property and piped to the commercial property where it will be sold and have not required the well site to be on a commercial lot. He states the public will drive to a stand pipe to get water, not drive on the private driveway indicated on the plot map.

Chairman Tilford opens for a motion

Commissioner Don Borg moves to approve the application with the completion and approval of the drainage study before it goes to the Board of Supervisors.

Commissioner Patsy Plant seconds the motion.

The voting is unanimous. The motion carries.

This item will go before the Board of Supervisors at the first meeting in September.

Item #7 Adjourn

Chairman Tilford opens for a motion.

Commissioner Steve Smith moves to adjourn

Commissioner Don Borg seconds the motion.

The voting is unanimous. The motion carries.

Meeting is adjourned at 2:07 pm.

Jim Claw	Tom M. White, Jr.	R. John Lee
Board Member	Chairman	Vice Chairman
District I	District II	District III

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
August 24, 2010
St. Johns, Arizona

Present were: Chairman Tom M. White, Jr. Vice Chairman R. John Lee. Also present were Clerk/Manger Delwin Wengert and Deputy County Attorney Joe Young. Supervisor Jim Claw participated via the telephone.

Chairman White called to order the Apache County Board of Supervisors, Public Health Services District and Library District meetings at 8:31 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona and welcomed all in attendance.

Mr. White asked Milton Ollerton to lead the Pledge of Allegiance.

Mr. White called for the Public Health Services District item.

Chris Sexton, Health Director, requested approval of Contract HG150047 for nutrition services in the amount of \$112,020. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Mr. Lee moved to adjourn the Public Health Services District meeting, seconded by Mr. Claw. Vote was unanimous.

Chairman White called for the Library District items.

Judith Pepple, Library Director, requested authorization to remove Vanessa Hower from probationary status with the 2.5% end of probation increase, effective August 16, 2010. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Judith Pepple, Library Director, requested authorization to hire a temporary Library Specialist I for the Library District for a term not to exceed 120 days, at the rate of \$9.05 per hour. Mr. Claw moved approval, seconded by Mr. Lee. Vote was unanimous.

Judith Pepple, Library Director, requested authorization to hire a temporary Network Administrator I for the Library District for a term not to exceed 120 days, at a rate of \$20.95 per hour. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Mr. Claw moved to adjourn the Library District meeting, seconded by Mr. Lee. Vote was unanimous.

Chairman White called for the regular agenda items.

Mr. Wengert requested approval of the Apache/Navajo Counties Regional Sustainability Consortium Memorandum of Understanding and approval of the Building Sustainable Communities grant application with the Department of Housing and Urban Development (HUD). Mr. Wengert stated that the planning grant is to develop a 20 year plan for such things as housing, water, infrastructure, transportation and for the environment of the area, so this action is for approval of the application and recommended approval. Mr. Claw moved approval, seconded by Mr. Lee. Vote was unanimous.

Mr. Wengert requested approval of the demands. Mr. Claw moved approval, seconded by Mr. Lee. Vote was unanimous.

AZ SUPREME COURT \$16,930.20 DELL COMPUTER CORPORATION \$1,002.92 HD Supply \$24,295.81 KUENSTLER, RACHEL L. \$4,301.36 MOUNTAIN COMFORT HEATING AND \$15,041.51 WEST PAYMENT CTR.\$1,062.60 AZ DEPT OF REVENUE \$1,873.78 AZ DEPT OF RISK MANAGMENT \$1,834.35 AZ SUPREME COURT\$1,500.00 BLUE HILLS ENVIRONMENTAL \$23,763.33 BRADCO \$19,887.46 GALLUP TRUCK SERVICE \$1,159.02 GOODMAN, INC. \$15,726.28 Law Office of Marsha Gregory \$8,665.66Law Offices of Matthew L. Rigg \$7,791.16 MERCURY DISTRIBUTING \$1,520.25 NAVOPACHE ELECTRIC COOP \$1,664.09 PACIFIC PONDEROSA CO. INC. \$3,708.87 Polsinelli Shughart P.C. \$3,675.00 PUBLIC SAFETY PERSONNEL \$2,100.00 VERIZON WIRELESS, BELLEVUE \$1,404.31 WEST PAYMENT CTR. \$1,916.88 WOOD LAW OFFICE \$7,921.16 WWW.Wrist-Band.Com \$1,299.99 WYMAN CENTER, INC \$1,100.00 ADMINISTRATIVE ENTERPRISES INC \$1,199.83 APACHE COUNTY \$152,135.00 APACHE COUNTY TAX WITHHOLDING \$135,146.89 APACHE COUNTY TREASURER \$315,821.79 AZ STATE RETIREMENT SYSTEM \$77,297.06 Corrections

Officer \$6,416.22 Mutual of Omaha \$1,087.58 NATIONWIDE \$2,310.97 PUBLIC SAFETY PERSONNEL \$33,527.32 Security Benefit Group \$2,168.96 SUPPORT PAYMENT CLEARINGHOUSE \$1,900.27 Aarons, Barry M.\$3,000.00 ADHS AZ HEALTH CARE COST \$22,400.00 Apache County ATV Roughriders \$2,000.00 APACHE COUNTY FAIR COMMISSION \$7,860.00 AZ SUPREME COURT \$2,506.25 AZ WIRELESS & RADIO COMPANY \$1,485.95 AZLGEBT \$294,258.39 BILL`S DISCOUNT PARTS \$2,641.88 BLUE HILLS ENVIRONMENTAL \$1,842.40 Canteen Correctional Service \$18,173.88 CDW GOVERNMENT INC. \$1,332.80 Central Arizona Supply \$1,035.38 DELL COMPUTER CORPORATION \$2,739.67 EMPIRE MACHINERY \$1,931.12 FRONTIER \$3,412.80 General Medical Devices \$4,597.00 GOLIGHTLY \$2,682.77 Hamblin, Bryce Mark \$1,253.00 HIGH 5 DESIGN \$3,074.84 HILLYARD \$3,781.73 INGRAM LIBRARY SERVICES \$3,590.88 Isleta Casino and Resort \$2,100.00 Konica Minolta Bus. Solutions \$3,118.12 MOORE MEDICAL LLC \$1,252.97 NAVOPACHE ELECTRIC COOP \$17,997.29 Nizhoni Homes Inc. \$5,856.00 OFFICE DEPOT \$2,780.76 PAGE STEEL \$1,590.31 PATTERSON, DANA BRYCE \$7,791.16 PICOS NURSERY, INC. \$3,053.34 Precision Cleaning & Jan. Serv \$1,100.00 Quality Ready Mix-Cemex Inc. \$9,276.40 QUILL CORP. \$2,365.78 RIM COUNTRY MECHANICAL \$1,359.42 Rush Truck Center \$2,062.57 Sourcecorp \$23,205.00 ST. JOHNS CITY \$1,710.02 SUPERVISORS REVOLVING FUND \$2,601.86 TESAB PARTS CENTER, INC. \$1,060.50 U.S. POSTMASTER\$4,549.20 VALLEY AUTO PARTS \$1,513.04 VERIZON WIRELESS, BELLEVUE \$1,894.42 WEST PAYMENT CTR. \$3,061.84 WHITE MOUNTAIN PUBLISHING \$5,216.99 WOODLAND BUILDING CENTER \$4,679.30

Mr. Wengert requested authorization to extend the Declaration of a State of Emergency due to the rain accumulation and ensuing mud to be in effect until September 7, 2010. Mr. Wengert stated that there has been lots of road damage and culverts washed out and recommended extension until September 7, 2010. Mr. Lee moved approval, seconded by Mr. Claw. Mr. Lee stated that Mr. White had provided pictures of the county roads in his District and there has been huge damage need to do what we can to keep those roads open. Mr. White stated that the repairs are only at 50% with many still in bad shape. Mr. White thanked the sheriff's office for their assistance during the emergency. Vote was unanimous.

Mr. Wengert presented the consent items A-C. County Manager/Clerk of the Board:

A. County Manager: Request approval of minutes dated August 4, 2010 and August 9, 2010.

B. District III: Request approval of donation of yearly Local Transportation Assistance Fund (LTAF) to the Round Valley Senior Citizens Center in the amount of \$15,000 and request approval of 2 year donation of Local Transportation Assistance Funds (LTAF) to the St. Johns Senior Citizens Center in the amount of \$22,000.

Community Development:

C. Request approval of a zone change for John and Kate Dahl, parcel #106- 22-031C from Agriculture General (AG) to the General Commercial Zone to include gas station, general store, and propane and water sales. Planning and Zoning Commission recommended approval with a 5-0 vote. Mr. Claw moved approval, seconded by Mr. Lee. Mr. Steve Miller, a resident of Alpine Ranch requested item C be removed from the consent agenda be moved to the discussed on the regular agenda. Mr. Ollerton, Community Development Director stated that the ordinance says that any item approved by the Planning and Zoning Commission shall be placed on the consent agenda unless an appeal is filed within 15 days from the day of the recommendation by the commission and no appeals were received so it automatically goes on the consent agenda without any need for public comment or discussion. Deputy County Attorney Joe Young stated that the public has to have knowledge of what is going on so it could be moved subject the will of the Board of Supervisors but it does not have to be since no appeal was filed in time. Mr. White asked if the 15 days are past. Mr. Ollerton stated yes. Mr. White asked for the wishes of the Board. Mr. Lee stated there is a motion and a second to approve the consent items. Mr. Miller asked to read is statement regarding the Item C. Mr. Wengert stated that Mr. Miller had the opportunity to file the appeal during the 15 day period and did not do it. Mr. Wengert asked Mr. Ollerton if after the required 15 days if comes straight to the Board to be placed on the consent agenda without any further discussion. Mr. Ollerton stated that was correct, as long as it was with the unanimous vote by the Planning and Zoning Commission of a recommendation for approval. Mr. White called for the vote. Vote was unanimous.

Ryan Patterson Finance Director, requested authorization to hire Steve Anderson into the vacant position of Accounting Manager at a starting salary of \$50,000. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Sheriff Dedman requested approval of the DEA Marijuana Eradication Agreement between the U.S. Drug Enforcement Administration and the Apache County Sheriff's Office in the amount of \$2,000. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Sheriff Dedman requested authorization to enter into a one (1) year renewal lease agreement with Sanders Unified School District No. 18 ending June 30, 2011 for the use of the Apache County Sheriff's Office Sub-Station. Mr. Claw

moved approval, seconded by Mr. Lee. Vote was unanimous.

Chief Deputy Brannon Eagar on behalf of the Sheriff's Office and the National Association of State Boating Law Administrators recognized Deputies McCall and Soderquist for their actions in a fatal and near drowning at Pratt Lake and wanted the officers to be publicly recognized for the exemplary actions. Kevin Bergersen with the Arizona game and Fish Department who has brought awards from the National Association of State Boating Law Administrators. Mr. Bergersen stated that it is not very often that the actions of officers rise to a national standard and presented plaques for commendation of excellence to Deputy Soderquist and Deputy McCall for selflessly risking their lives for the benefit for a member of the public.

Angela Romero, Election Director, requested the conversion of the Concho Fire District Board to three (3) member board from the current Chief and Secretary-Treasurer Administration, pursuant to House Bill 2666. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Craig Sullivan with the County Supervisors Association presented an overview of the activities of the County Supervisors Association including a discussion of the recent legislative session. No action was needed or taken.

Approved this 7th day of September, 2010.

/s/ Tom M. White, Jr. /s/ Delwin Wengert
Chairman of the Board Clerk of the Board



Janice K. Brewer
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

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



Henry R. Darwin
Acting Director

APPROVAL OF CONSTRUCTION

Project Description: Stanford General Store. AOC Permit for 1-New Source Production Well (55-219213), 1-5,000 gallon Storage Tank, 1-Standpipe Facility with 100 gallon Pressure Tank, 1-1 HP Booster Pump and approximately 500 LF of 2-inch and 600 LF of 1-inch Schedule 40 PVC Waterlines and Related Fittings.

Location: Springville, AZ

Project Owner: Uphill Water Company, c/o Mr. John Dahl
Address: P.O. Box 11256, Prescott, AZ 86304

The Arizona Department of Environmental Quality (ADEQ) hereby issues an Approval of Construction for the above-described facility based on the following provisions of Arizona Administrative Code (A.A.C.) R18-5-507 et seq.

On August 18, 2010, ADEQ issued a Certificate of Approval to Construct for the referenced project.

On December 16, 2010 Carlton H. Wise, P.E., certified the following:

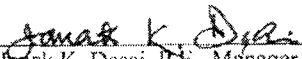
- A final construction inspection was conducted on December 16, 2010;
- The referenced project was constructed according to the as-built plans and specifications and ADEQ's Certificate of Approval to Construct;
- Water system pressure and leakage tests were conducted on December 15, 2010, and the results were within the allowable leakage rates;
- The water storage system was disinfected according to an ADEQ-approved method; and
- The applicant has the right to appeal this AOC Permit. Appeal information is on reverse side of this Permit.

Microbiological samples were collected on December 14, 2010 and analyzed on December 15, 2010 by Xenco Laboratories, ADHS License No. AZ0757. The sample results were negative for total coliform.

This Approval of Construction authorizes the owner to begin operating the above-described facilities as represented in the approved plan on file with the ADEQ. Be advised that A.A.C. R18-5-124 requires the owner of a public water system to maintain and operate all water production, treatment and distribution facilities in accordance with ADEQ Safe Drinking Water Rules.

FMS

PWS No.: 09-096
LTF No.: 53613


Janak K. Desai, P.E., Manager
Drinking Water Facilities Review Unit
Drinking Water Section

1/26/2011
Date Approved

c: TEU File No.: 20100095
CRO Approval of Construction File
Apache County Health Department
Apache County Planning & Zoning Department
AZ Corporation Commission
Engineer

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 Corporation Commission

Docket Control

To Whom it May Concern

Re: Water Sales at Uphill Water Company

Date: 3/11/2011

I own and operate White Mountain Water Hauling located in the Clay Springs area. I haul water to private homeowners in the White Mountains who do not have their own water supply. I request to purchase water from Uphill Water Company in the area east of ShowLow, also located at Stanford General Store. Please take any action necessary to expedite the CC&N application of Uphill Water Company so I can get water for my customers.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn Pace", with a long horizontal flourish extending to the right.

Lynn Pace

928-240-1165

PO Box 812

Clay Springs, AZ 85923

Arizona Corporation Commission

Docket Control

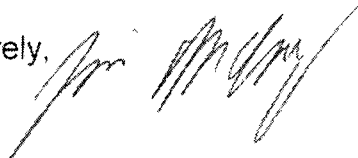
To Whom it May Concern

Re: Water Sales at Uphill Water Company

Date: 4/17/2011

I own a home east of ShowLow and haul water to my home since I do not have my own water supply. I request to purchase water from Uphill Water Company in the area east of ShowLow, also located at Stanford General Store. Please take any action necessary to expedite the CC&N application of Uphill Water Company.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim McClung", written in a cursive style.

Jim McClung

43 ACR 8092

Concho, AZ 85924

928-358-2736

Arizona Corporation Commission

Docket Control

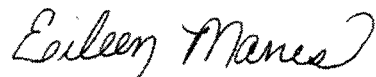
To Whom it May Concern

Re: Water Sales at Uphill Water Company

Date: 3/11/2011

I own a home east of ShowLow and haul water to my home since I do not have my own water supply. I request to purchase water from Uphill Water Company in the area east of ShowLow, also located at Stanford General Store. Please take any action necessary to expedite the CC&N application of Uphill Water Company.

Sincerely,

A handwritten signature in cursive script that reads "Eileen Manes".

Eileen Manes

HC30 Box 52

Concho, AZ 85924

928-242-3998

Arizona Corporation Commission

Docket Control

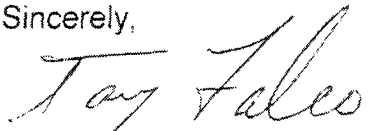
To Whom it May Concern

Re: Water Sales at Uphill Water Company

Date: 3/11/2011

I own a home east of ShowLow and haul water to my home since I do not have my own water supply. I request to purchase water from Uphill Water Company in the area east of ShowLow, also located at Stanford General Store. Please take any action necessary to expedite the CC&N application of Uphill Water Company.

Sincerely,

A handwritten signature in cursive script that reads "Tony Falco". The signature is written in dark ink and is positioned above the printed name.

Tony Falco

HC30 Box 52

Concho, AZ 85924

928-242-3998