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BEFORE THE ARIZONA CORPORATION RECEIVED

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COMMISSIONERS

GARY PIERCE, Chairman  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

Arizona Corporation Commission

2012 AUG 30 P 1: DOCKETED

ARIZONA CORPORATION COMMISSION DOCKET CONTROL AUG 30 2012

DOCKETED BY *JM*

IN THE MATTER OF THE APPLICATION OF FAR WEST WATER & SEWER, INC., AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS WASTEWATER RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE

**DOCKET NO. WS-03478A-12-0307**  
**REQUEST FOR RECONSIDERATION OF DENIAL OF APPLICATION FOR LEAVE TO INTERVENE**

*(Oral Argument Requested)*

On July 24, 2012, Spartan Homes & Construction, Inc. ("Spartan") filed an Application for Leave to Intervene ("Application") in the above-captioned Far West Water & Sewer, Inc. ("Far West") rate case. In a Procedural Order dated August 27, 2012, the Administrative Law Judge ("ALJ") denied the Application stating that "Spartan Homes is not a customer of Far West, and therefore will not be directly and substantially affected by the outcome of this rate case docket." However, Spartan respectfully asserts that it is an actual customer of Far West with respect to lots 89 and 90 which it owns in the Sierra Ridge Unit 1 development and which are currently connected to the Far West sewer system. Moreover, Spartan asserts that even if it were not an actual sewer customer, it is still a "person" which is "directly and substantially affected by the proceedings" within the meaning of Arizona Administrative Code R14-3-105(A), the rule governing intervention. Therefore, Spartan respectfully requests that the ALJ reconsider the August 27, 2012, procedural order and grant its Application for Leave to Intervene. Spartan requests oral argument on this request for reconsideration.

Brownstein Hyatt Farber Schreck, LLP  
One East Washington Street, Suite 2400  
Phoenix, AZ 85004

1 **FACTUAL BACKGROUND**

2 In Decision 72594, the Arizona Corporation Commission ("Commission")  
3 ordered that "Far West Water and Sewer, Inc., must provide sewer service to the  
4 remaining 51 lots in [Spartan's] Sierra Ridge Unit 1, as depicted on the attached Exhibit  
5 B, on a nondiscriminatory basis, and charge its approved rates."<sup>1</sup> Far West is currently  
6 providing water and sewer service to approximately 62 occupied homes in Sierra Ridge  
7 Unit 1, all of which were constructed and sold by Spartan.<sup>2</sup> On November 20, 2011, Far  
8 West and Spartan executed a Sewer Main Extension Agreement for Sierra Ridge Unit 1,  
9 a copy of which is attached as Attachment 1, as required by Decision 72594. The Sewer  
10 Main Extension Agreement acknowledges that Spartan previously paid Far West  
11 \$119,092.47 in the form of constructed infrastructure as a refundable advance in aid of  
12 construction.

13 Spartan is the fee title owner of 51 residential lots in Sierra Ridge Unit 1. A copy  
14 of the Affidavit of Brian Householder ("Householder Affidavit") on behalf of Spartan  
15 attesting to the ownership of the lots is attached hereto as Attachment 2. The 51  
16 residential lots are identified by tax parcel number and street address on the summary  
17 attached as Attachment A to the Householder Affidavit. On July 3, 2012, Far West  
18 signed sewer capacity assurance letters for each of the 51 lots in Sierra Ridge Unit 1,  
19 copies of which are attached hereto as Attachment B to the Householder Affidavit.<sup>3</sup>  
20 Spartan is currently constructing spec homes on lots 89 and 90 within Sierra Ridge Unit  
21 1.<sup>4</sup> Spartan has completed applications for sewer service for lots 89 and 90 and  
22 submitted those applications to Far West.<sup>5</sup> In addition, Spartan has completed all of the  
23

24 <sup>1</sup> Decision 72594 (Docket WS-03478A-08-0256) at 79, lines 23-25.

25 <sup>2</sup> Affidavit of Brian P. Householder attached hereto as Attachment 2.

26 <sup>3</sup> Spartan provided 49 of the 51 sewer capacity assurance letters with the Householder Affidavit.  
27 However, the capacity assurance letters for lots 89 and 90 were submitted to Yuma County in order to  
28 obtain construction permits, and Spartan did not retain a copy of those two letters. However, the capacity  
assurance letters for lots 89 and 90 are virtually identical to the other 49 letters attached to the  
Householder Affidavit with the only difference being the service address in the letters.

<sup>4</sup> See Householder Affidavit.

<sup>5</sup> *Id.*

1 Sewer Service Connection Requirements of Far West for lots 89 and 90.<sup>6</sup> A copy of Far  
2 West's Sewer Service Connection Requirements is attached to the Householder Affidavit  
3 as Attachment C.

4 Lot 89 has been connected to the Far West water system and the Far West sewer  
5 system and is currently receiving water from Far West through a meter set on the  
6 property.<sup>7</sup> Lot 90 has been connected to the Far West sewer system and within the next  
7 few weeks, Spartan will request a water meter from Far West.<sup>8</sup> Copies of Sewer  
8 Inspection Release forms dated August 14, 2012, showing that Far West has inspected  
9 and approved the sewer line connections for lots 89 and 90 are attached as Attachment D  
10 to the Householder Affidavit.<sup>9</sup> Water and sewer bills for lots 89 and 90 will be rendered  
11 in the name of Spartan as the owner of the lots and Spartan expects to begin receiving  
12 utility bills from Far West in the near future.<sup>10</sup>

13 In addition to the 51 lots in Sierra Ridge Unit 1, Spartan owns 10 acres in Sierra  
14 Ridge Unit 2 immediately adjacent to Sierra Ridge Unit 1, as well as a contiguous  
15 commercial parcel ("Commercial Property") approximately 12 acres in size.<sup>11</sup> In  
16 Decision 72594, the Commission ordered Far West to "file with the Commission a sewer  
17 CC&N extension application encompassing the entire Spartan Property."<sup>12</sup> Thus, the 51  
18 lots in Sierra Ridge Unit 1, the 10 acres in Sierra Ridge Unit 2, and the 12 acres of  
19 Commercial Property will all receive sewer and water service from Far West.

### 20 ANALYSIS

21 A. Spartan is a "Person" which is "Directly and Substantially Affected"  
22 by this Proceeding within the Meaning of A.A.C. R14-3-105(A).

23 Spartan's Application for Leave to Intervene was denied on the grounds that  
24 "Spartan Homes is not a customer of Far West, and therefore will not be directly and

25 <sup>6</sup> *Id.*

26 <sup>7</sup> *Id.*

27 <sup>8</sup> *Id.*

28 <sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> Decision 72594 at 79-80.

1 substantially affected by the outcome of this rate case docket."<sup>13</sup> While Spartan believes  
2 that it actually is a customer of Far West for the reasons explained herein, Spartan notes  
3 that the Commission's rules do not limit intervention to customers only, but rather,  
4 intervention is granted to any "person" who is "directly and substantially affected" by the  
5 proceedings. Arizona Administrative Code R14-3-105(A) states:

6 Intervention. Persons, other than the original parties to the proceedings,  
7 who are directly and substantially affected by the proceedings, shall secure  
8 an order from the Commission or presiding officer granting leave to  
9 intervene before being allowed to participate.

10 Spartan is clearly a "person" which is "directly and substantially affected" by this  
11 rate case. Spartan is the fee title owner of 51 lots in Sierra Ridge Unit 1, the 10 acres in  
12 Sierra Ridge Unit 2, and the 12 acres of Commercial Property.<sup>14</sup> All of this property will  
13 receive sewer service from Far West and will be subject to the new rates and charges that  
14 will be established in this rate case. Far West is seeking to nearly triple its current sewer  
15 rate from \$21.75 per month to \$62.65 per month. Spartan believes that such a dramatic  
16 increase in rates, if granted, will adversely affect its ability to sell homes within its  
17 development, including the homes on lots 89 and 90 which are currently under  
18 construction, as well as the Commercial Property.<sup>15</sup>

19 Additionally, this rate case raises other issues of concern to Spartan including, but  
20 not limited to: (i) the level of service provided by Far West to its customers, (ii) Far  
21 West's dealings with affiliated companies such as H & S Developers, Inc., and the impact  
22 of such dealings on sewer rates; (iii) Far West's failure to comply with the rules,  
23 regulations, consent orders and consent judgments of the Arizona Department of  
24 Environmental Quality, including the affect of fines and penalties on the proposed sewer  
25 rates; (iv) whether Far West has excess capacity in the recently expanded Section 14  
26 wastewater treatment plant which should be excluded from rate base; (v) whether Far  
27 West has appropriately accounted for and refunded advances in aid of construction; and

28 <sup>13</sup> Procedural Order dated August 27, 2012, at 2, lines 12-13.

<sup>14</sup> See Householder Affidavit.

<sup>15</sup> *Id.*

1 (vi) whether the owners of Far West have improperly taken funds advanced by  
2 developers and used those funds to construct utility infrastructure to serve the  
3 development projects of the owners.<sup>16</sup> Each of these issues is appropriate for analysis in  
4 a rate case because each bears directly upon service to customers and/or rates and  
5 charges for service. And, none of these issues will unduly broaden the proceeding.  
6 Spartan believes it has information regarding each of these issues which other parties in  
7 the case may not have which will assist the Commission in its analysis of Far West's rate  
8 request.

9 Spartan is a "person" under A.A.C. R14-3-105(A). As the owner of 51 lots in  
10 Sierra Ridge Unit 1, including two homes under construction on lots 89 and 90, the  
11 Sierra Ridge Unit 2 property and the Commercial Property, all of which will receive  
12 sewer service from Far West, Spartan is directly and substantially affected by this rate  
13 case. Spartan's participation in this case will not unduly broaden the issues presented,  
14 and no other party can adequately represent the interests of Spartan. Therefore, Spartan's  
15 Application for Leave to Intervene should be granted.

16 Spartan notes that this Commission has regularly granted intervenor status to  
17 entities which are not current service-receiving customers of a utility, including  
18 developers within the CC&N of a utility. For example, in the 2009 rate case filed by a  
19 group of utilities collectively referred to as the Global Utilities, a real estate developer  
20 named New World Properties ("NWP") sought intervention some 50 days after the  
21 intervention deadline.<sup>17</sup> NWP's application stated:

22 NWP is the owner and developer of a project commonly known as  
23 Copperleaf, which is a 1280 acre master planned development located in  
24 the Tonopah area. Copperleaf is located in the water and sewer CC&Ns of  
25 Global Water subsidiaries. NWP will be directly and substantially affected  
26 by the decision of the Commission in this matter. NWP's participation in  
27 this matter will not broaden the issues nor unduly delay the proceeding.<sup>18</sup>

28 <sup>16</sup> *Id.*

<sup>17</sup> Docket No. SW-20445A-09-0077 *et al.*

<sup>18</sup> Application for Leave to Intervene (Docket No. SW-20445A-09-0077 *et al.*) at 1, lines 19-23.

1 Although the Utilities Division Staff objected to the intervention on the grounds  
2 that it was untimely, the Commission granted intervention stating that "[b]ecause it will  
3 be affected by the outcome of this proceeding, NWP should be granted intervention...."<sup>19</sup>  
4 There is no reasonable basis to treat Spartan differently than NWP, and Spartan's  
5 Application should be granted.

6 **B. Even if Intervention is Limited to Customers of Far West, Spartan is a**  
7 **Customer under A.A.C. R14-2-601(10).**

8 Arizona Administrative Code R14-2-601(10) defines "customer" as follows:

9 The person or entity in whose name service is rendered, as evidenced by the  
10 signature on the application or contract for that service, or by the receipt  
11 and/or payment of bills regularly issued in his name regardless of the  
12 identity of the actual user of the service.

13 As the fee title owner of lots 89 and 90, Spartan has submitted applications to Far  
14 West for sewer service.<sup>20</sup> Spartan obtained sewer capacity assurance letters dated July 3,  
15 2012, from Far West for lots 89 and 90.<sup>21</sup> Spartan has signed a Sewer Main Extension  
16 Agreement with Far West for Sierra Ridge Unit 1 (which includes lots 89 and 90) and  
17 has advanced \$119,092.47 to Far West in the form of constructed sewer infrastructure.  
18 Spartan has connected lots 89 and 90 to the Far West sewer system and Far West has  
19 inspected the sewer connections and signed Sewer Inspection Release forms for each lot.  
20 Since lots 89 and 90 are now connected to the Far West sewer system, Spartan expects to  
21 begin receiving sewer bills from Far West in the near future.<sup>22</sup> For all of these reasons,  
22 Spartan meets the definition of a sewer customer of Far West under A.A.C. R14-2-  
23 601(10).

24 Far West is seeking to nearly triple its current monthly sewer rate from \$21.75 to  
25 \$62.65. The new rates will apply to lots 89 and 90 that are owned by Spartan and  
26 connected to the Far West sewer system. In addition to the requested rate increase,

27 <sup>19</sup> Procedural Order dated December 4, 2009 (Docket No. SW-20445A-09-0077 *et al.*) at 3, lines 5-8.

28 <sup>20</sup> *See* Householder Affidavit.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

1 Spartan has other concerns which are listed above. The Commission's action on the Far  
2 West rate request and decisions on the other issues identified herein will directly and  
3 substantially affect Spartan as a customer of Far West. Accordingly, Spartan  
4 respectfully requests that the Commission reconsider its prior ruling and grant its  
5 Application for Leave to Intervene.

6 **REQUEST FOR ORAL ARGUMENT**

7 Spartan requests that oral argument be scheduled on its request for reconsideration  
8 of the denial of its Application.

9 RESPECTFULLY submitted this 30<sup>th</sup> day of August, 2012.

10 BROWNSTEIN HYATT FARBER SCHRECK LLP

11 

12 Jeffrey W. Crockett, Esq.  
13 One East Washington Street, Suite 2400  
14 Phoenix, Arizona 85004  
15 Attorneys for Spartan Homes & Construction, Inc.

16 ORIGINAL and thirteen (13) copies of the  
17 foregoing filed this 30<sup>th</sup> day of August, 2012, with:

18 Docket Control  
19 ARIZONA CORPORATION COMMISSION  
20 1200 West Washington Street  
21 Phoenix, Arizona 85007

22 Copy of the foregoing hand-delivered  
23 this 30<sup>th</sup> day of August, 2012, to:

24 Teena Jibilian, Administrative Law Judge  
25 Hearing Division  
26 ARIZONA CORPORATION COMMISSION  
27 1200 West Washington Street  
28 Phoenix, Arizona 85007

1 Janice Alward, Chief Counsel  
2 Legal Division  
3 ARIZONA CORPORATION COMMISSION  
4 1200 West Washington Street  
5 Phoenix, Arizona 85007

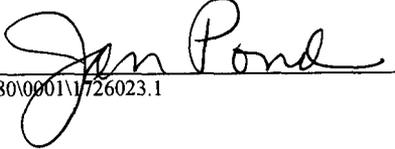
6 Steve Olea, Director  
7 Utilities Division  
8 ARIZONA CORPORATION COMMISSION  
9 1200 West Washington Street  
10 Phoenix, Arizona 85007

11 Copy of the foregoing mailed this  
12 30<sup>th</sup> day of August, to:

13 Daniel W. Pozefsky, Chief Counsel  
14 Residential Utility Consumer Office  
15 1110 West Washington Street, Suite 200  
16 Phoenix, Arizona 85007

17 Copy of the foregoing sent via first class  
18 mail and e-mail this 30<sup>th</sup> day of August, to:

19 Craig A. Marks, Esq.  
20 Craig A. Marks, PLC  
21 10645 N. Tatum Boulevard  
22 Suite 200-676  
23 Phoenix, Arizona 85028  
24 E-mail: craig.marks@azbar.org

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# **ATTACHMENT 1**

# FAR WEST WATER & SEWER, INC

## SEWER MAIN EXTENSION AGREEMENT

This agreement, made and entered into this 20<sup>th</sup> day of November, 2011, by and between Far West Water and Sewer, Inc. (hereinafter referred to as "the Company"), and Spartan Homes & Construction, Inc., (hereinafter referred to as "the Applicant") whose address is

11858 Via Loma Vista  
Yuma, Arizona 85367

### WITNESSETH:

1. The Company will inspect, approve, and accept an extension to its sewer collection facilities as follows:
  - Sierra Ridge Unit 1
    - A. Map of extension area attached
    - B. Estimated Start Date: December 2004
    - C. Estimated Completion Date: July 2005
2. The Applicant will install sewer line improvements according to Far West Water's specifications and practices. Upon receipt of Far West Water Acceptance Letter for the improvements, and the signing of this agreement, the Company will agree to repay to the Applicant as a Refundable Advance in Aid of Construction, the total amount of \$ 119,092.47 (One Hundred Nineteen Thousand Ninety Two Dollars and Forty Seven Cents) Receipt of which is hereby acknowledged by the Company, which represents (description and cost involved):
  - A. Materials: 5,944 lf 8" PVC sewer line, 13 sewer manholes, 4 sewer cleanouts, and 113 4" sewer services
  - B. Labor: See attached cost sheet
3. Refunds for advances in aid of construction pursuant to this agreement shall be made in accord with the following method: The Company shall each year pay to the party making an advance under a main extension agreement, or that party's assignees or other successors in interest where the Company has received notice and evidence of such assignment of succession, an amount equal to five per cent (5%) of the total gross annual revenue from sewer fees to each bonafide consumer whose service line is connected to main lines covered by the main extension agreement, for a period of twenty (20) years. Refunds shall be made by the Company on or before the 31<sup>st</sup> day of August of each year, covering any refunds owing from sewer revenues received during

the preceding July 1<sup>st</sup> to June 30<sup>th</sup> period. A balance remaining at the end of the twenty-year period set out shall become non-refundable, in which case the balance not refunded shall be entered as a contribution in aid of construction in the accounts of the Company.

The aggregate refunds under this rule shall in no event exceed the total of the refundable advances in aid of construction. No interest shall be paid by the utility on any amounts advanced. The Company shall make no refunds from any revenue received from any lines, other than costumer service lines, leading up to or taking off from the particular main extension covered by the agreement.

4. Terms and Conditions:

A. It is understood that the Company shall at all times own all pipe, manholes, clean outs, fittings, and appurtenances used in construction said extension and the person making any advances, whether refundable or not, shall not have any right, title of interest in any such facilities.

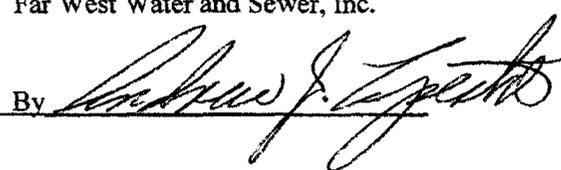
B. The Applicant shall grant or convey or shall cause to be granted or conveyed, without cost to the Company, a permanent easement and right-of-way across any property owned or controlled by the Applicant wherever said permanent easement and right-of-way is necessary for the Company sewer facilities and lines so as to be able to furnish service to the Consumers.

C. This agreement shall be binding upon and for the benefit of the heirs, administrators, executors, successors, and assigns of the parties signing this agreement; provided, however, that no assignment or other transfer of this contract by Applicant shall be binding upon the Company or create any rights in the assignee until such assignment or other transfer is approved and accepted in writing by the Company.

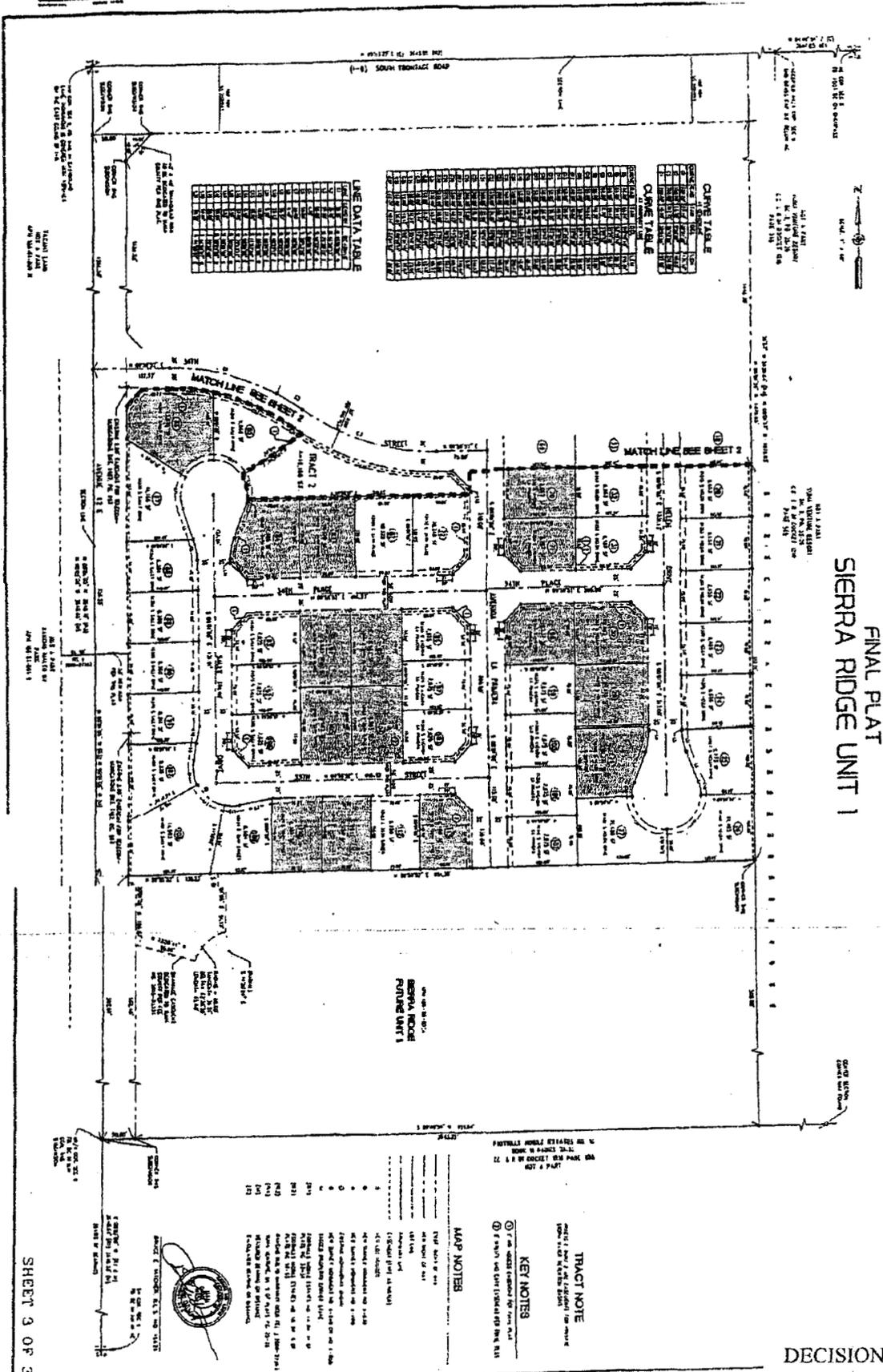
Spartan Homes & Construction, Inc.

Far West Water and Sewer, Inc.

By  V.P.

By 





**FINAL PLAT  
SIERRA RIDGE UNIT 1**

**CURVE TABLE**

NO.	BEARING	CHORD	ARC LENGTH	AREA
1	N 89° 58' 00" W	10.00	10.00	0.00
2	S 89° 58' 00" E	10.00	10.00	0.00
3	S 00° 00' 00" E	10.00	10.00	0.00
4	N 89° 58' 00" W	10.00	10.00	0.00
5	S 89° 58' 00" E	10.00	10.00	0.00
6	S 00° 00' 00" E	10.00	10.00	0.00
7	N 89° 58' 00" W	10.00	10.00	0.00
8	S 89° 58' 00" E	10.00	10.00	0.00
9	S 00° 00' 00" E	10.00	10.00	0.00
10	N 89° 58' 00" W	10.00	10.00	0.00
11	S 89° 58' 00" E	10.00	10.00	0.00
12	S 00° 00' 00" E	10.00	10.00	0.00
13	N 89° 58' 00" W	10.00	10.00	0.00
14	S 89° 58' 00" E	10.00	10.00	0.00
15	S 00° 00' 00" E	10.00	10.00	0.00
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17	S 89° 58' 00" E	10.00	10.00	0.00
18	S 00° 00' 00" E	10.00	10.00	0.00
19	N 89° 58' 00" W	10.00	10.00	0.00
20	S 89° 58' 00" E	10.00	10.00	0.00
21	S 00° 00' 00" E	10.00	10.00	0.00
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23	S 89° 58' 00" E	10.00	10.00	0.00
24	S 00° 00' 00" E	10.00	10.00	0.00
25	N 89° 58' 00" W	10.00	10.00	0.00
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27	S 00° 00' 00" E	10.00	10.00	0.00
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67	N 89° 58' 00" W	10.00	10.00	0.00
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80	S 89° 58' 00" E	10.00	10.00	0.00
81	S 00° 00' 00" E	10.00	10.00	0.00
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83	S 89° 58' 00" E	10.00	10.00	0.00
84	S 00° 00' 00" E	10.00	10.00	0.00
85	N 89° 58' 00" W	10.00	10.00	0.00
86	S 89° 58' 00" E	10.00	10.00	0.00
87	S 00° 00' 00" E	10.00	10.00	0.00
88	N 89° 58' 00" W	10.00	10.00	0.00
89	S 89° 58' 00" E	10.00	10.00	0.00
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93	S 00° 00' 00" E	10.00	10.00	0.00
94	N 89° 58' 00" W	10.00	10.00	0.00
95	S 89° 58' 00" E	10.00	10.00	0.00
96	S 00° 00' 00" E	10.00	10.00	0.00
97	N 89° 58' 00" W	10.00	10.00	0.00
98	S 89° 58' 00" E	10.00	10.00	0.00
99	S 00° 00' 00" E	10.00	10.00	0.00
100	N 89° 58' 00" W	10.00	10.00	0.00

**LINE DATA TABLE**

NO.	BEARING	LENGTH	AREA
1	N 89° 58' 00" W	10.00	0.00
2	S 89° 58' 00" E	10.00	0.00
3	S 00° 00' 00" E	10.00	0.00
4	N 89° 58' 00" W	10.00	0.00
5	S 89° 58' 00" E	10.00	0.00
6	S 00° 00' 00" E	10.00	0.00
7	N 89° 58' 00" W	10.00	0.00
8	S 89° 58' 00" E	10.00	0.00
9	S 00° 00' 00" E	10.00	0.00
10	N 89° 58' 00" W	10.00	0.00
11	S 89° 58' 00" E	10.00	0.00
12	S 00° 00' 00" E	10.00	0.00
13	N 89° 58' 00" W	10.00	0.00
14	S 89° 58' 00" E	10.00	0.00
15	S 00° 00' 00" E	10.00	0.00
16	N 89° 58' 00" W	10.00	0.00
17	S 89° 58' 00" E	10.00	0.00
18	S 00° 00' 00" E	10.00	0.00
19	N 89° 58' 00" W	10.00	0.00
20	S 89° 58' 00" E	10.00	0.00
21	S 00° 00' 00" E	10.00	0.00
22	N 89° 58' 00" W	10.00	0.00
23	S 89° 58' 00" E	10.00	0.00
24	S 00° 00' 00" E	10.00	0.00
25	N 89° 58' 00" W	10.00	0.00
26	S 89° 58' 00" E	10.00	0.00
27	S 00° 00' 00" E	10.00	0.00
28	N 89° 58' 00" W	10.00	0.00
29	S 89° 58' 00" E	10.00	0.00
30	S 00° 00' 00" E	10.00	0.00
31	N 89° 58' 00" W	10.00	0.00
32	S 89° 58' 00" E	10.00	0.00
33	S 00° 00' 00" E	10.00	0.00
34	N 89° 58' 00" W	10.00	0.00
35	S 89° 58' 00" E	10.00	0.00
36	S 00° 00' 00" E	10.00	0.00
37	N 89° 58' 00" W	10.00	0.00
38	S 89° 58' 00" E	10.00	0.00
39	S 00° 00' 00" E	10.00	0.00
40	N 89° 58' 00" W	10.00	0.00
41	S 89° 58' 00" E	10.00	0.00
42	S 00° 00' 00" E	10.00	0.00
43	N 89° 58' 00" W	10.00	0.00
44	S 89° 58' 00" E	10.00	0.00
45	S 00° 00' 00" E	10.00	0.00
46	N 89° 58' 00" W	10.00	0.00
47	S 89° 58' 00" E	10.00	0.00
48	S 00° 00' 00" E	10.00	0.00
49	N 89° 58' 00" W	10.00	0.00
50	S 89° 58' 00" E	10.00	0.00
51	S 00° 00' 00" E	10.00	0.00
52	N 89° 58' 00" W	10.00	0.00
53	S 89° 58' 00" E	10.00	0.00
54	S 00° 00' 00" E	10.00	0.00
55	N 89° 58' 00" W	10.00	0.00
56	S 89° 58' 00" E	10.00	0.00
57	S 00° 00' 00" E	10.00	0.00
58	N 89° 58' 00" W	10.00	0.00
59	S 89° 58' 00" E	10.00	0.00
60	S 00° 00' 00" E	10.00	0.00
61	N 89° 58' 00" W	10.00	0.00
62	S 89° 58' 00" E	10.00	0.00
63	S 00° 00' 00" E	10.00	0.00
64	N 89° 58' 00" W	10.00	0.00
65	S 89° 58' 00" E	10.00	0.00
66	S 00° 00' 00" E	10.00	0.00
67	N 89° 58' 00" W	10.00	0.00
68	S 89° 58' 00" E	10.00	0.00
69	S 00° 00' 00" E	10.00	0.00
70	N 89° 58' 00" W	10.00	0.00
71	S 89° 58' 00" E	10.00	0.00
72	S 00° 00' 00" E	10.00	0.00
73	N 89° 58' 00" W	10.00	0.00
74	S 89° 58' 00" E	10.00	0.00
75	S 00° 00' 00" E	10.00	0.00
76	N 89° 58' 00" W	10.00	0.00
77	S 89° 58' 00" E	10.00	0.00
78	S 00° 00' 00" E	10.00	0.00
79	N 89° 58' 00" W	10.00	0.00
80	S 89° 58' 00" E	10.00	0.00
81	S 00° 00' 00" E	10.00	0.00
82	N 89° 58' 00" W	10.00	0.00
83	S 89° 58' 00" E	10.00	0.00
84	S 00° 00' 00" E	10.00	0.00
85	N 89° 58' 00" W	10.00	0.00
86	S 89° 58' 00" E	10.00	0.00
87	S 00° 00' 00" E	10.00	0.00
88	N 89° 58' 00" W	10.00	0.00
89	S 89° 58' 00" E	10.00	0.00
90	S 00° 00' 00" E	10.00	0.00
91	N 89° 58' 00" W	10.00	0.00
92	S 89° 58' 00" E	10.00	0.00
93	S 00° 00' 00" E	10.00	0.00
94	N 89° 58' 00" W	10.00	0.00
95	S 89° 58' 00" E	10.00	0.00
96	S 00° 00' 00" E	10.00	0.00
97	N 89° 58' 00" W	10.00	0.00
98	S 89° 58' 00" E	10.00	0.00
99	S 00° 00' 00" E	10.00	0.00
100	N 89° 58' 00" W	10.00	0.00

SIERRA RIDGE  
FUTURE UNIT 1

**TRACT NOTE**  
 1. THIS TRACT IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SHOWN ON SHEET 2 OF THIS PLAT.  
 2. THE AREA SHOWN AS "SIERRA RIDGE FUTURE UNIT 1" IS RESERVED FOR FUTURE DEVELOPMENT BY THE DEVELOPER.  
 3. THE DEVELOPER RESERVES THE RIGHT TO REDEVELOP THIS TRACT AT ANY TIME WITHOUT NOTICE TO THE ADJACENT OWNERS.  
 4. THE ADJACENT OWNERS AGREE TO HOLD THE DEVELOPER HARMLESS FROM ANY CLAIMS OR DAMAGES ARISING OUT OF THE REDEVELOPMENT OF THIS TRACT.  
 5. THE DEVELOPER'S OBLIGATIONS UNDER THIS PLAT SHALL BE LIMITED TO THE OBLIGATIONS SPECIFICALLY SET FORTH HEREIN.  
 6. THIS PLAT SHALL BE CONSIDERED A WHOLE AND NOT SEVERABLE PARTS.  
 7. THE DEVELOPER'S OBLIGATIONS SHALL BE LIMITED TO THE OBLIGATIONS SPECIFICALLY SET FORTH HEREIN.  
 8. THE ADJACENT OWNERS AGREE TO HOLD THE DEVELOPER HARMLESS FROM ANY CLAIMS OR DAMAGES ARISING OUT OF THE REDEVELOPMENT OF THIS TRACT.  
 9. THE DEVELOPER'S OBLIGATIONS UNDER THIS PLAT SHALL BE LIMITED TO THE OBLIGATIONS SPECIFICALLY SET FORTH HEREIN.  
 10. THIS PLAT SHALL BE CONSIDERED A WHOLE AND NOT SEVERABLE PARTS.

**MAP NOTES**  
 1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.  
 2. ALL BEARINGS ARE TRUE BEARINGS.  
 3. ALL CURVES ARE CIRCULAR UNLESS OTHERWISE NOTED.  
 4. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD OR STREET.  
 5. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD OR STREET.  
 6. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD OR STREET.  
 7. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD OR STREET.  
 8. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD OR STREET.  
 9. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD OR STREET.  
 10. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD OR STREET.

# **ATTACHMENT 2**

**AFFIDAVIT OF BRIAN P. HOUSEHOLDER**

STATE OF ARIZONA        )  
  ) ss:  
COUNTY OF YUMA        )

Affiant, Brian P. Householder, states under oath as follows:

1. I am over eighteen years of age and am fully competent to execute this affidavit ("Affidavit"). The statements made herein are based upon my own personal knowledge.

2. I am the Vice President of Spartan Homes & Construction, Inc., an Arizona corporation ("Spartan"). I am authorized to make this Affidavit on behalf of Spartan.

3. Spartan is the fee title owner of 51 residential lots in a subdivision known as Sierra Ridge Unit 1. The 51 residential lots are identified by tax parcel number and street address on the summary attached as Attachment A to this Affidavit.

4. Far West Water & Sewer, Inc., ("Far West") is currently providing water and sewer service to approximately 62 occupied homes in Sierra Ridge Unit 1, all of which were constructed and sold by Spartan.

5. On July 3, 2012, Far West Water & Sewer, Inc., ("Far West") signed sewer capacity assurance letters for each of the 51 lots in Sierra Ridge Unit 1. True and correct copies of the sewer capacity letters for 49 of the 51 lots are attached as Attachment B to this Affidavit. The capacity assurance letters for lots 89 and 90 of Sierra Ridge Unit 1 were submitted to Yuma County in order to obtain construction permits and Spartan did not retain copies of the two letters. However, the sewer capacity assurance letters for lots 89 and 90 are virtually identical to the other 49 letters attached hereto with the only difference being the service address in the letter.

6. Spartan is currently constructing spec homes on lots 89 and 90 within Sierra Ridge Unit 1. Spartan has completed applications for sewer service for lots 89 and 90 and submitted those applications to Far West. Spartan has also completed all of the Sewer Service Connection Requirements of Far West for lots 89 and 90. A copy of Far West's Sewer Service Connection Requirements is attached as Attachment C to this Affidavit.

7. Lot 89 has been connected to the Far West water system and the Far West sewer system and is currently receiving water from Far West through a meter set on the lot. Lot 90 has been connected to the Far West sewer system and within the next few weeks, Spartan will request a water meter from Far West. Copies of Sewer Inspection Release forms dated August 14, 2012, showing that Far West has inspected and approved the sewer line connections for lots 89 and 90 are attached as Attachment D to this Affidavit. Water and sewer bills for lots 89 and 90 will be rendered in the name of Spartan as the owner of the lots and Spartan expects to begin receiving utility bills from Far West in the near future.

8. In addition to the 51 lots in Sierra Ridge Unit 1, Spartan owns 10 acres in Sierra Ridge Unit 2 immediately adjacent to Sierra Ridge Unit 1, as well as a contiguous commercial parcel ("Commercial Property") approximately 12 acres in size. Spartan plans to develop the 10 acres in Sierra Ridge Unit 2 into 60 residential lots. In Decision 72594, the Arizona Corporation Commission ordered Far West to "file with the Commission a sewer CC&N extension application encompassing the entire Spartan Property." Thus, the 51 lots in Sierra Ridge Unit 1, the 10 acres in Sierra Ridge Unit 2, and the 12 acres of Commercial Property will ~~also~~ receive sewer and water service from Far West. ALL  
BIP

9. Far West is seeking to nearly triple its current sewer rate from \$21.75 per month to \$62.65 per month in the rate case filed in Docket No. WS-03478A-12-0307. Spartan believes

that such a dramatic increase in rates, if granted, will adversely affect its ability to sell homes within its residential development, including the homes on lots 89 and 90 which are currently under construction, as well as the Commercial Property. Additionally, Spartan has other concerns including, but not limited to: (i) the level of service provided by Far West to its customers, including Spartan, (ii) Far West's dealings with affiliated companies such as H & S Developers, Inc., and the impact of such dealings on sewer rates; (iii) Far West's failure to comply with the rules, regulations, consent orders and consent judgments of the Arizona Department of Environmental Quality, including the affect of fines and penalties on the proposed sewer rates; (iv) whether Far West has excess capacity in the recently expanded Section 14 wastewater treatment plant which should be excluded from rate base; (v) whether Far West has appropriately accounted for and refunded advances in aid of construction; and (vi) whether the owners of Far West have improperly taken funds advanced by developers and used those funds to construct utility infrastructure to serve the development projects of the owners.

10. Spartan believes that it has information which other parties in the case may not have which will assist the Commission in its analysis of Far West's rate request.

FURTHER AFFIANT SAYETH NAUGHT

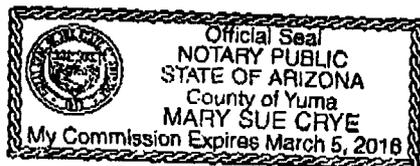
*Brian P. Householder*  
 \_\_\_\_\_  
 Brian P. Householder

Signed and sworn to before me on August 30, 2012, by Brian Powell Householder.

*Mary Sue Crye*  
 \_\_\_\_\_  
 Notary Public

My commission expires: 3/5/2016

014680\0001\1726260.1



# **ATTACHMENT A**

## SIERRA RIDGE LOT ADDRESS & PARCEL NUMBERS

ASSESSOR'S BOOK: 701 MAP(S): 33 & 41 RECORDED DATE: 03-11-05

~~C.C. & R's Overlaid on a County Zoning Regulation~~. Consult Seller & C.C & R's prior to construction

<u>LOT #</u>	<u>PARCEL #</u>	<u>ADDRESS</u>	<u>LOT #</u>	<u>PARCEL #</u>	<u>ADDRESS</u>
12	701-33-038	11237 S. Helen Drive	69	701-41-106	11327 S. Avenida La Primera
13	701-33-039	11243 S. Helen Drive	72	701-41-109	12172 E. 34th Place
15	701-33-041	11271 S. Helen Drive	73	701-41-110	11320 S. Avenida La Primera
16	701-33-042	11283 S. Helen Drive	77	701-33-076	11268 S. Avenida La Primera
17	701-41-085	11297 S. Helen Drive	82	701-41-113	12160 E. 34th Place
18	701-41-086	11313 S. Helen Drive	85	701-41-116	11319 S. Sally Drive
19	701-41-087	11329 S. Helen Drive	87	701-41-118	11330 S. Sally Drive
20	701-41-088	11345 S. Helen Drive	88	701-41-119	11342 S. Sally Drive
21	701-41-089	11353 S. Helen Drive	89	701-41-120	11354 S. Sally Drive
22	701-41-090	11361 S. Helen Drive	90	701-41-121	11366 S. Sally Drive
23	701-41-091	11377 S. Helen Drive	91	701-41-122	11378 S. Sally Drive
24	701-41-092	11385 S. Helen Drive	92	701-41-123	11373 S. Sally Drive
25	701-41-093	11397 S. Helen Drive	93	701-41-124	11361 S. Sally Drive
26	701-41-094	11409 S. Helen Drive	96	701-41-127	11366 S. Avenida La Primera
27	701-41-095	11408 S. Helen Drive	97	701-41-128	11374 S. Avenida La Primera
31	701-41-099	11352 S. Sally Drive	99	701-41-130	11375 S. Avenida La Primera
32	701-41-100	11344 S. Sally Drive	100	701-41-131	11387 S. Avenida La Primera
34	701-41-102	11318 S. Sally Drive	101	701-41-132	11399 S. Avenida La Primera
35	701-41-103	11296 S. Sally Drive	102	701-41-133	11411 S. Avenida La Primera
37	701-33-044	11276 S. Sally Drive	103	701-41-134	11388 S. Avenida La Primera
38	701-33-045	11260 S. Sally Drive	106	701-41-137	11385 S. Sally Drive
52	701-33-059	11284 S. Sally Drive	107	701-41-138	11390 S. Sally Drive
53	701-33-060	11300 S. Sally Drive	108	701-41-139	11402 S. Sally Drive
54	701-33-061	11301 S. Sally Drive	109	701-41-140	12127 E. 35th Street
55	701-33-062	11285 S. Sally Drive	112	701-41-228	12163 E. 35th Street
57	701-33-064	12134 E. 33rd Place			

~~C.C. & R's Overlaid on a County Zoning Regulation~~. Consult Seller & C.C & R's prior to construction

# **ATTACHMENT B**

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11237 Helen Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

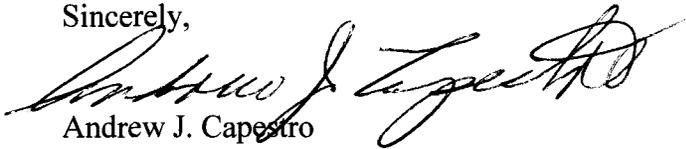
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11243 Helen Drive.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capestro". The signature is fluid and cursive, with the first name being the most prominent.

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11271 Helen Drive.

Sincerely,

  
Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11283 Helen Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11297 Helen Drive.

Sincerely,

  
Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11313 Helen Drive.

Sincerely,

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

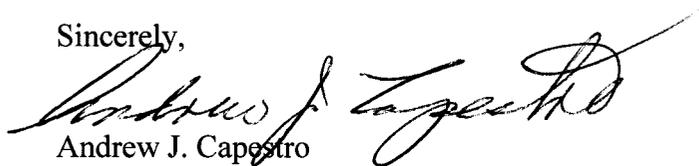
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11329 Helen Drive.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capestro". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11345 Helen Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

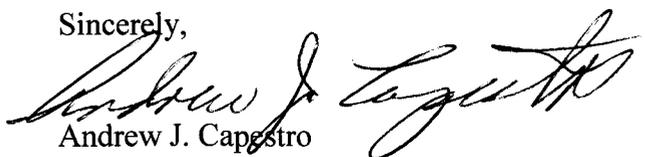
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11353 Helen Drive.

Sincerely,

  
Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11361 Helen Drive.

Sincerely,



Andrew J. Capesto

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11377 Helen Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11385 Helen Drive.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capestro". The signature is fluid and cursive, with a large, stylized initial 'A'.

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11397 Helen Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11409 Helen Drive.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capestro". The signature is fluid and cursive, with a large, sweeping initial "A".

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11408 Helen Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11352 Sally Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11344 Sally Drive.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capestro". The signature is fluid and cursive, written over the printed name.

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11318 Sally Drive.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capestro". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11296 Sally Drive.

Sincerely,



Andrew J. Capostro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11276 Sally Drive.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capestro". The signature is fluid and cursive, written over the printed name below it.

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11260 Sally Drive.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capestro". The signature is fluid and cursive, with the first name being the most prominent.

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11284 Sally Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11300 Sally Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11301 Sally Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11285 Sally Drive.

Sincerely,

  
Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

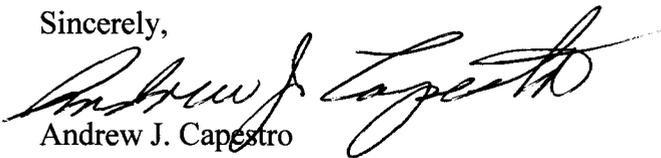
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 12134 E. 33<sup>rd</sup> Place.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

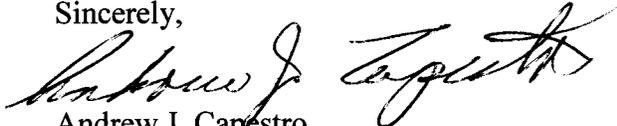
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11327 S. Avenida La Primera.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 12172 E. 34<sup>th</sup> Place.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

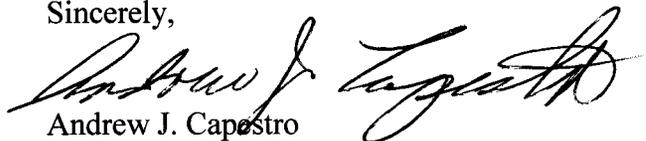
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11320 S. Avenida La Primera.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11268 S. Avenida La Primera.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capestro". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

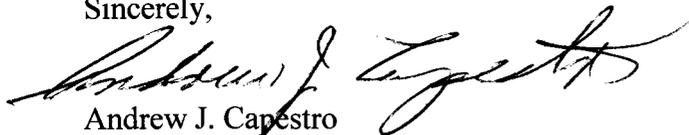
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 12160 E. 34<sup>th</sup> Place.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capestro". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11319 Sally Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11330 Sally Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11342 Sally Drive.

Sincerely,



Andrew J. Capastro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11378 Sally Drive.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew J. Capestro'. The signature is fluid and cursive, with the first name being the most prominent.

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11373 Sally Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

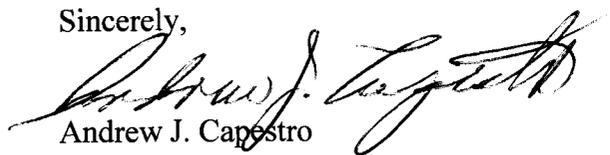
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11361 Sally Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11366 S. Avenida La Primera.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11374 S. Avenida La Primera.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

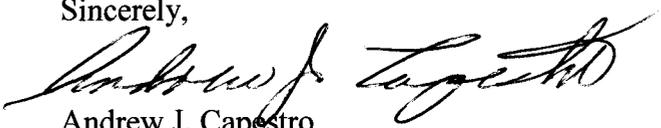
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11375 S. Avenida La Primera.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11387 S. Avenida La Primera.

Sincerely,

  
Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

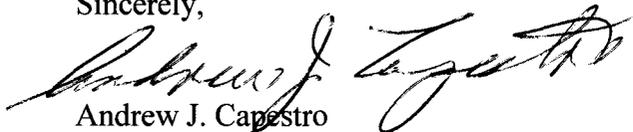
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11399 S. Avenida La Primera.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11411 S. Avenida La Primera.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capostro". The signature is fluid and cursive, written over the printed name below it.

Andrew J. Capostro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11388 S. Avenida La Primera.

Sincerely,



Andrew J. Capastro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11385 Sally Drive.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Capestro". The signature is fluid and cursive, written over the printed name below it.

Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11390 Sally Drive.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 11402 Sally Drive.

Sincerely,

  
Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

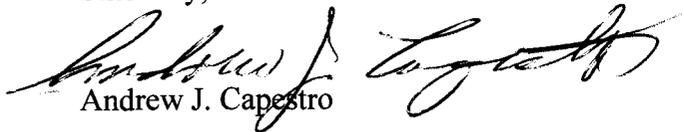
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 12127 E. 35<sup>th</sup> Street.

Sincerely,



Andrew J. Capestro

# FAR WEST WATER & SEWER, INC.



July 3, 2012

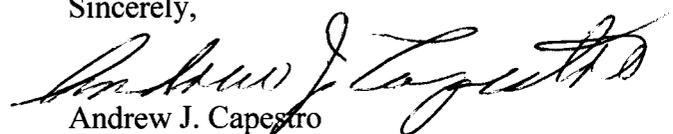
Yuma County Development Services  
2351 W. 26<sup>th</sup> Street  
Yuma, AZ 85364

RE: Utility Provisioning Assurance

To Whom It May Concern:

This letter is to provide assurance that Far West Water & Sewer, Inc. has the capacity available to provide water and wastewater service at 12163 E. 35<sup>th</sup> Street.

Sincerely,



Andrew J. Capestro

# **ATTACHMENT C**

# FAR WEST WATER & SEWER, INC.



## Sewer Service Connection Requirements

Far West Water & Sewer, Inc. (Far West) provides sewer service to many subdivisions within the Foothills service area. The following requirements must be met prior to establishing sewer service on the Far West Sewer collection system:

- ◆ **DO NOT TIE INTO THE FAR WEST SEWER LATERAL.** The lateral must be inspected by Far West personnel prior to the tie-in.
- ◆ A permit for connecting to the main sewer line **MUST** be obtained at the Far West office prior to tying into the Far West Sewer lateral. There is no charge for this permit.
- ◆ Please note that any damage to the sewer lateral must be reported to Far West Water & Sewer, Inc. **BEFORE** any work is started. If not reported, any cost to repair damages will be billed to the entity requesting the connection to the sewer system.
- ◆ Inspections will be made Monday – Friday, during normal business hours. The inspection will be processed within 24hrs from receiving the request for inspection. If there are no obstructions during the inspection, Far West will sign off the permit and the connection may continue. If an obstruction is identified, further action will be required to remove the obstruction at the cost of the contractor/owner.  
(**DO NOT** attempt to flush the obstructed lateral with water.)
- ◆ The Inspection Release Form must be signed by the Far West representative who performed the inspection. This release form must be presented to Yuma County Development Services for final inspection.

### Questions that will be asked when requesting a sewer inspection:

1. Is the connection unburied (exposed)?
2. Has the pipe been cut?
3. Is the service ready to connect?
4. Is the address clearly posted?

It is the responsibility of the contractor and/or property owner to assure that any plumbing installations are performed to code and that all Yuma County requirements are adhered to.

# **ATTACHMENT D**

FAR WEST WATER & SEWER, INC.

13157 E. 44<sup>th</sup> Street  
Yuma, AZ  
928-342-1238

**SINGLE UNIT SEWER INSPECTION**  
*Lot 89* **RELEASE**

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City State Zip

Telephone #: \_\_\_\_\_

Job Address: 11354 SALLY DR

Contractors Name: SPARTAN HOMES - CONST

Address: 11858 VIA LOMA VISTA YUMA AZ 85367  
City State Zip

Telephone #: (928) 941-1533

**Far West Water & Sewer Inspection:**

Allow 24 hours for inspection. Inspections are performed Monday through Friday, 8 A.M. to 3 P.M. ONLY. Site must be excavated. Pipe must be cut and clear. Service must be ready to connect.

Date: 8-14-12 Approved by: Miguel Zamora  
Far West Water & Sewer, Inc Representative

**PROVISIONS:**

This approved release must be presented at final inspection to the inspector for Yuma County. The issuance of this release shall not be construed to release the owner, or the owner's agents, from the obligation to comply with the provisions of all laws and ordinances, including federal, state and local, which regulate construction and performance of construction.

I hereby certify that I am the owner, or duly authorized owner's agent, that I have read this release form and all the information therein is correct. I further certify that I have read, understand and will comply with all the provisions outlined above.

Owner or Agent: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

WHITE: Far West Water & Sewer, Inc

Yellow: Yuma County

Pink: Owner/Agent

FAR WEST WATER & SEWER, INC.

13157 E. 44<sup>th</sup> Street  
Yuma, AZ  
928-342-1238

*Lot 90*  
SINGLE UNIT SEWER INSPECTION  
RELEASE

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_  
City State Zip

Telephone #: \_\_\_\_\_

Job Address: 11360 SAMM DR

Contractors Name: SPARTAN HOMES & CONST.

Address: 11358 VIA ROMA VISTA YUMA AZ 85307  
City State Zip

Telephone #: (928) 941-1533

Far West Water & Sewer Inspection:

Allow 24 hours for inspection. Inspections are performed Monday through Friday, 8 A.M. to 3 P.M. ONLY. Site must be excavated. Pipe must be cut and clear. Service must be ready to connect.

Date: 8-14-12 Approved by: Miguel Zamora  
Far West Water & Sewer, Inc. Representative

PROVISIONS:

This approved release must be presented at final inspection to the inspector for Yuma County. The issuance of this release shall not be construed to release the owner, or the owner's agents, from the obligation to comply with the provisions of all laws and ordinances, including federal, state and local, which regulate construction and performance of construction.

I hereby certify that I am the owner, or duly authorized owner's agent, that I have read this release form and all the information therein is correct. I further certify that I have read, understand and will comply with all the provisions outlined above.

Owner or Agent: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

WHITE: Far West Water & Sewer, Inc

Yellow: Yuma County

Pink: Owner/Agent