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March 21, 2013

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

Re: Docket No. WS-20794A-11-0140  
Docket No. WS-20794A-11-0279  
Docket No. ~~WS-20851A-12-0226~~

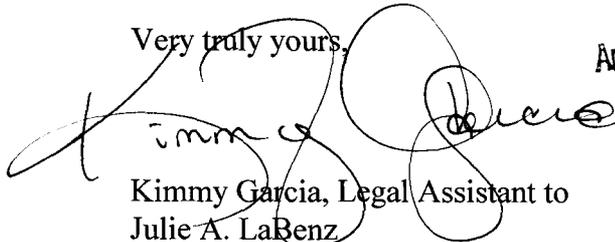
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To Whom it May Concern:

Enclosed an original and eighteen copies of Intervenor Emerald Springs HOA's Objection to March 8, 2013 Staff Report.

Please file and return a date stamped copy(ies) in the self-addressed envelope provided. If you should have any questions, please do not hesitate to contact us. Thank you for your assistance in this matter.

Very truly yours,

  
Kimmy Garcia, Legal Assistant to  
Julie A. LaBenz

Arizona Corporation Commission

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JAL/Kim  
Enclosures

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\*on select contested litigation matters

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 GARY PIERCE – Chairman  
4 BOB STUMP  
5 SANDRA D. KENNEDY  
6 PAUL NEWMAN  
7 BRENDA BURNS

8 IN THE MATTER OF THE APPLICATION ) DOCKET NO. WS-20794A-11-0140  
9 OF DII-EMERALD SPRINGS, L.L.C. FOR A )  
10 CERTIFICATE OF CONVENIENCE AND )  
11 NECESSITY TO PROVIDE WASTEWATER )  
12 SERVICES. )

13 IN THE MATTER OF THE APPLICATION ) DOCKET NO. WS-20794A-11-0279  
14 OF DII-EMERALD SPRINGS, L.L.C. FOR )  
15 APPROVAL OF RATES. )

16 IN THE MATTER OF THE APPLICATION ) DOCKET NO. SW-20851A-12-0226  
17 OF DOYLE THOMPSON FOR APPROVAL )  
18 OF A CERTIFICATE OF CONVENIENCE )  
19 AND NECESSITY TO PROVIDE SEWER )  
20 SERVICES. )

**INTERVENOR EMERALD  
SPRINGS HOA'S OBJECTION  
TO MARCH 8, 2013 STAFF  
REPORT**

21 COMES NOW Intervenor Emerald Springs HOA, by and through counsel undersigned,  
22 and hereby objects to the March 8, 2013 Staff Report as follows:

- 23 **1. Staff failed to show that Doyle Thompson's current sewer rates are unjust  
24 or unreasonable. A.R.S. § 40-203.**

25 Currently Doyle Thompson charges the following rates for sewer services: \$15 for RV  
26 customers; \$30 for mobile home park customers; and \$50 for HOA customers. Staff Report,  
27 Schedule CSB-4. The HOA asserts that the current rates are just and reasonable and that such  
28 rates are standard sewer service rates for RV park, mobile home park, and residential  
customers.

Thus, rather than the current rates being unjust and unreasonable, the Staff's  
recommended 300% rate increase is unjust and unreasonable. According to the Staff Report,  
Doyle Thompson, a sole proprietor, provides sewer services to, at most, ninety-nine (99)  
customers and that the overwhelming majority of his 40 HOA customers utilize their homes as  
vacation homes, with only 5-8 full time residents. Staff Report, pgs. 1-3. In other words, the  
majority of HOA customers do not use Mr. Thompson's sewer services on a daily basis. Yet,

1 Staff recommends that these vacationers begin paying triple the amount for sewer services they  
2 rarely use. Furthermore, given the remote location, small population, and minimal economic  
3 development in Ehrenberg (Exhibit 1: demographics), it is unlikely that those with vacation  
4 homes in Emerald Springs would ever become full time residents. Additionally, although  
5 undeveloped lots exist within Emerald Springs, there are no signs of development on the  
6 horizon. Thus, the inference in the Staff Report that all 53 lots will be demanding service at  
7 the same time in the near future is unfounded.

8 Furthermore, at no time during the test period did the volume exceed 19,000 gallons.  
9 Staff Report, pg. 8. Instead, the records from the test period show that customer use of Mr.  
10 Thompson's sewer services varies throughout the year and with a peak volume day in the  
11 month of December. That peak day, however, was still below 19,000 gallons.

12 According to the Staff Report, Mr. Thompson must increase Emerald Springs HOA's  
13 sewer rates by 300% in order to, in part, provide Mr. Thompson with capital to obtain an  
14 ADEQ permit to allow him to utilize the full capacity of his wastewater treatment plant as his  
15 permit allows him to process 20,000 gallons while his WWTP is rated at 45,000 gallons. Staff  
16 Report, pg. 2. Normally, the corporation assumes the cost of permits and development and then  
17 seeks a rate increase. Yet here, Staff requests that the HOA and Mr. Thompson's RV and  
18 Mobile Home Park customers bear the financial burden through a **tripling** of their sewer rates!

19 In practice, any increase in the current rates will result in fewer customers. Certainly  
20 Mr. Thompson's Park customers will take their business to other Parks in the area with sewer  
21 rates the customers can actually afford. Exhibit 2: list of other Parks in the area. In other  
22 words, why pay \$45.00 (RV customers) – \$90.00 (mobile home customers)/month for sewer  
23 services from Mr. Thompson when there are other RV Parks in the area with significantly  
24 cheaper rates for the same service? Thus, those customers that can move in order to obtain  
25 affordable sewer rates will do so. In that event, Staff's projections that customer demand will  
26 cause Mr. Thompson to exceed his 20,000 gallon permit, simply will not materialize.

27 Clearly, a 300% increase in rates amounts to an **unjust and unreasonable** rate for sewer  
28 services. Arizona Constitution, Art. 15, § 3.

1           2.     **Doyle Thompson is not a public service corporation and, therefore, not**  
2                   **subject to ACC regulation.**

3                   a.     **Thompson's charges, rates, and methods of operation are not a**  
4                           **matter of public concern.**

5           Doyle Thompson owns and operates a wastewater treatment plant that provides sewer  
6 services for the Copper State Park (owned by Mr. Thompson), a residential lot (owned by Mr.  
7 Thompson), and to the Emerald Springs HOA. Staff Report, pg. 1. Currently, Mr. Thompson  
8 has, at most, ninety-nine (99) customers consisting of: twenty-two (22) RV customers; thirty-  
9 seven (37) mobile home customers; and forty (40) Emerald Springs HOA customers. *Id.* The  
10 Emerald Springs HOA, however, has only five (5) to (8) full time residents, with the remainder  
11 utilizing their homes as vacation homes. *Id.* at pg. 2. In other words, Mr. Thompson provides  
12 sewer services to a minuscule portion of the population. Moreover, as of the year 2010,  
13 Ehrenberg had a total population of *only* 1,470 people. Exhibit 1: demographics.

14           In Southwest Gas Corp. v. Arizona Corp. Com'n, 169 Ariz. 279, 285, 818 P.2d 714,  
15 721 (App. 1991), the Arizona Court of Appeals quoted Arizona Corporation Commission v.  
16 Nicholson, 108 Ariz. 317, 321, 497 P.2d 815, 819 (1972), in which the Arizona Supreme Court  
17 explained:

18           **To be a public service corporation, its business and activity**  
19           **must be such as to make its rates, charges, and methods of**  
20           **operations a matter of public concern.** It must be, as the courts  
21           express it, clothed with a public interest to the extent clearly  
22           contemplated by the law which subjects it to governmental control.  
23           **Free enterprise and competition is the general rule.**  
24           **Governmental control and legalized monopolies are the**  
25           **exception and are authorized under our constitution *only* for**  
26           **that class of business that might be characterized as a public**  
27           **service enterprise.** The theory is that the right to public regulation  
28           and protection outweighs the customary right of competition. **If**  
          **the public contact with a business is such that its necessities**  
          **and convenience can be better served through governmental**  
          **supervision and controlled monopoly, thereby eliminating**  
          **customary competition, the state may exercise its police power**  
          **to that end.** Such invasion of private right cannot be allowed by  
          implication or strained construction. **It was never contemplated**  
          **that the definition of public service corporations as defined by**  
          **our constitution be so elastic as to fan out and include**  
          **businesses in which the public might be incidentally interested**  
          . . . . (Emphasis added).

In this case, Mr. Thompson's sewer services simply are not a matter of public concern.

1 Mr. Thompson has less than one hundred customers, and of those, the majority do not utilize his  
2 services on a daily basis, but instead, only when they visit Ehrenberg. In other words, Mr.  
3 Thompson's sewer services are not "indispensable to large segments of our population."  
4 Southwest Gas Corp. v. Arizona Corp. Com'n, 169 Ariz. at 286. Additionally, the Staff Report  
5 is void of any indications that Mr. Thompson has or intends to monopolize sewer services to the  
6 residents of Ehrenberg or that he has any current requests for sewer service or that he has  
7 discriminated against any potential customers. Furthermore, Mr. Thompson does not have any  
8 actual or potential competition with other sewer providers given that Mr. Melendez is not  
9 currently in operation (as he does not have any customers), that Mr. Melendez lost ownership of  
10 the land underlying the pocket wastewater treatment plant, and that Mr. Melendez used said  
11 wastewater treatment plant as collateral on a loan he defaulted on. Staff Report, pg. 1-3; Exhibit  
12 3: copy of default judgment. Natural Gas Service Co. v. Serv-Yu Cooperative, 70 Ariz. 235, 237-  
13 38, 219 P.2d 324, 325-36 (1956).

14           Additionally, a review of the history of the HOA's sewer services shows that this matter  
15 is simply a case of free enterprise. In March 2012, the HOA disconnected from Mr. Melendez,  
16 entered into a contract for sewer services with Mr. Thompson and connected to his WWTP.  
17 There have been no disputes between the HOA and Mr. Thompson since entering into the 2012  
18 agreement and the HOA is satisfied with Mr. Thompson's services at his current rates. The HOA  
19 disputes the events of 2004 as related in the Staff Report and further disputes and objects to  
20 Staff's unfounded conclusion that "[t]here are no assurances at this point that Thompson can  
21 assure effective service with the HOA." Staff Report, pg. 3. Certainly, the fact that Mr.  
22 Thompson has provided effective sewer services to the HOA for over a year rebuts Staff's  
23 exaggerated and unfounded claim of "no assurances."

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1 Overall, Intervenor Emerald Springs HOA objects to *any and all* increases to the current  
2 sewer rate of \$50.00 per month.

3 RESPECTFULLY SUBMITTED this 21 day of March, 2013.

4 **CHURCHILL & LaBENZ**

5  
6 By: 

7 Julie A. LaBenz  
8 Churchill & LaBenz  
9 1700 Joshua Ave., Ste. B  
10 Parker, AZ 85344  
11 (928) 669-6195  
12 (928) 669-5376 (fax)  
13 [jlabenz@johnccchurchill.com](mailto:jlabenz@johnccchurchill.com)  
14 Attorney for Intervenor Emerald Springs HOA  
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1 Original and 15 copies mailed  
this 21 day of March, 2013, to:

2 Docket Control  
3 Arizona Corporation Commission  
1200 West Washington  
4 Phoenix, Arizona 85007

5 Copy of the foregoing mailed  
this 21 day of March, 2013, to:

6 Henry Melendez  
7 DII-Emerald Springs, L.L.C.  
212 East Rowland Street, No. 423  
8 Covina, CA 97723  
diigroup@aol.com

9 Steve Wene  
10 MOYES SELLERS & HENDRICKS  
1850 N. Central Ave., Ste. 1100  
11 Phoenix, AZ 85004  
Attorney for Robhana, Inc. and Charles Dunn Capital, Inc.

12 Doyle Thompson  
13 COPPER STATE GAME CLUB, R.V. AND MOBILE HOME PARK  
P.O. Box 287  
14 Ehrenberg, AZ 85334

15 Janice Alward, Chief Counsel  
Legal Division  
16 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
17 Phoenix, AZ 85007

18 Steven M. Olea, Director  
Utilities Division  
19 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
20 Phoenix, AZ 85007

21 Courtesy Copy provided by mail  
this 21 day of March, 2013, to:

22 Dennis Price  
23 P.O. Box 1125  
Ehrenberg, AZ 85334-1125

24 By: C Price

25  
26  
27  
28

# Exhibit 1

# Ehrenberg, Arizona

Coordinates: 33°36′53″N 114°30′53″W﻿ / ﻿33.61472°N 114.51472°W﻿ / 33.61472; -114.51472

From Wikipedia, the free encyclopedia

**Ehrenberg**, also historically spelled "Ehrenburg" is a census-designated place (CDP) in La Paz County, Arizona, United States. The population was 1,357 at the 2000 census.<sup>[1]</sup> Ehrenberg is named for Herman Ehrenberg [1] (<http://www.azoutback.com/ehrenberg.htm>) .

Ehrenberg is located on the Colorado River, which forms the border with California, near the city of Blythe. It is situated close to Interstate 10, at the southern end of Parker Valley and next to the Palo Verde Valley.

## Contents

- 1 History
- 2 Geography
- 3 Demographics
- 4 References
- 5 Sources
- 6 Further reading

## History

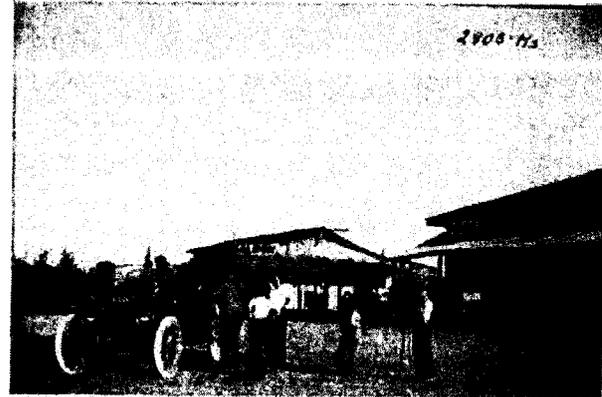
In 1863, German mining engineer Herman Ehrenberg was hired to survey a new townsite along the Colorado River, approximately 6 miles (9.7 km) from La Paz, Arizona. The town, named Mineral City, attracted miners and by 1869 had grown large enough to win a post office.<sup>[2]</sup> The same year it was renamed Ehrenberg.

Over the next several years the town continued to grow, surpassing La Paz. By 1875 there were 500 residents. The population of La Paz dwindled, and many storekeepers relocated to Ehrenberg.<sup>[2]</sup>

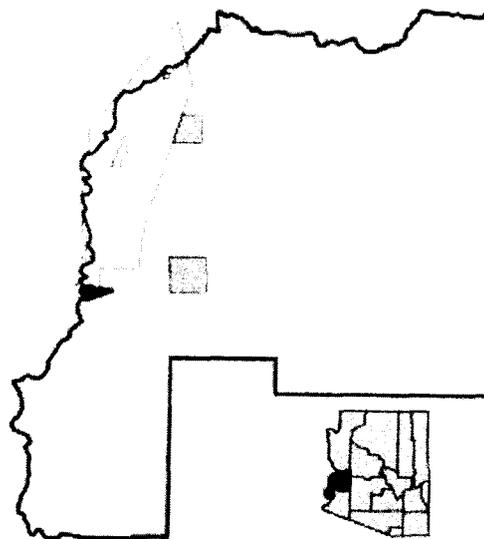
Around the start of the 20th century, railroads began to surpass the river as the major means of transporting goods. The town's population declined,

## Ehrenberg, Arizona

— CDP —



Ehrenberg in 1911.



Location in La Paz County and the state of Arizona

Coordinates: 33°36′53″N 114°30′53″W﻿ / ﻿33.61472°N 114.51472°W﻿ / 33.61472; -114.51472

<b>Country</b>	United States
<b>State</b>	Arizona
<b>County</b>	La Paz
<b>Area</b>	
• <b>Total</b>	12.2 sq mi (31.6 km <sup>2</sup> )
• <b>Land</b>	11.9 sq mi (30.9 km <sup>2</sup> )
• <b>Water</b>	0.3 sq mi (0.7 km <sup>2</sup> )
<b>Elevation</b>	305 ft (93 m)

and it lost its post office on December 31, 1913.<sup>[3]</sup>

Many of the surviving older buildings in town were torn down in the 1950s to make way for a trailer park.<sup>[3]</sup>

## Geography

Ehrenberg is located at 33°36′53″N 114°30′53″W﻿ / ﻿33.614617, -114.514766﻿ / 33.614617; -114.514766.<sup>[4]</sup>

<b>Population</b> (2000)	
• <b>Total</b>	1,357
• <b>Density</b>	111.2/sq mi (42.9/km <sup>2</sup> )
<b>Time zone</b>	MST (no DST) (UTC-7)
<b>ZIP code</b>	85334
<b>Area code(s)</b>	928
<b>FIPS code</b>	04-21800
<b>GNIS feature ID</b>	0004361

According to the United States Census Bureau, the CDP has a total area of 12.2 square miles (32 km<sup>2</sup>), of which, 11.9 square miles (31 km<sup>2</sup>) of it is land and 0.3 square miles (0.78 km<sup>2</sup>) of it (2.13%) is water.

## Demographics

As of the census<sup>[1]</sup> of 2000, there were 1,357 people, 545 households, and 348 families residing in the CDP. The population density was 113.7 people per square mile (43.9/km<sup>2</sup>). There were 824 housing units at an average density of 69.1 per square mile (26.7/km<sup>2</sup>). The racial makeup of the CDP was 82.76% White, 1.11% Black or African American, 1.62% Native American, 0.07% Asian, 0.07% Pacific Islander, 10.54% from other races, and 3.83% from two or more races. Hispanic or Latino of any race were 30.14% of the population.

There were 545 households out of which 31.9% had children under the age of 18 living with them, 45.7% were married couples living together, 8.8% had a female householder with no husband present, and 36.1% were non-families. 27.7% of all households were made up of individuals and 9.5% had someone living alone who was 65 years of age or older. The average household size was 2.49 and the average family size was 3.07.

In the CDP the population was spread out with 28.0% under the age of 18, 8.0% from 18 to 24, 27.3% from 25 to 44, 23.9% from 45 to 64, and 12.7% who were 65 years of age or older. The median age was 37 years. For every 100 females there were 110.7 males. For every 100 females age 18 and over, there were 110.6 males.

The median income for a household in the CDP was \$27,000, and the median income for a family was \$28,000. Males had a median income of \$35,956 versus \$18,100 for females. The per capita income for the CDP was \$14,372. About 17.0% of families and 22.7% of the population were below the poverty line, including 25.7% of those under age 18 and 17.9% of those age 65 or over.

## References

- ↑ *<sup>a</sup>* *<sup>b</sup>* "American FactFinder" (<http://factfinder.census.gov>) . United States Census Bureau. <http://factfinder.census.gov>. Retrieved 2008-01-31.
- ↑ *<sup>a</sup>* *<sup>b</sup>* Hinckley and James, p. 44.
- ↑ *<sup>a</sup>* *<sup>b</sup>* Hinckley and James, p. 46.

- <sup>4</sup> ^ "US Gazetteer files: 2010, 2000, and 1990" (<http://www.census.gov/geo/www/gazetteer/gazette.html>) . United States Census Bureau. 2011-02-12. <http://www.census.gov/geo/www/gazetteer/gazette.html>. Retrieved 2011-04-23.

## Sources

- Hinckley, Jim; James, Kerrick (2010), *Ghost Towns of the Southwest: Your Guide to the Historic Mining Camps and Ghost Towns of Arizona and New Mexico*, Voyageur Press, ISBN 978-0-7603-3221-4

## Further reading

- Setzler, Grady. *Ramblings of a Country Editor*. Mesa: Central, 1970.
- Setzler, Grady. *Another Wilderness Conquered*. Blythe: Palo Verde Times, 1967.
- Dekens, Camile. *Riverman, Desertman*. Riverside: Press Enterprise, 1962.

Retrieved from "[http://en.wikipedia.org/w/index.php?title=Ehrenberg,\\_Arizona&oldid=540443706](http://en.wikipedia.org/w/index.php?title=Ehrenberg,_Arizona&oldid=540443706)"

Categories: Census-designated places in La Paz County, Arizona

Communities in the Lower Colorado River Valley | Populated places in the Sonoran Desert

Populated places established in 1863 | 1863 establishments in the United States

- 
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# Ehrenberg, Arizona

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City, County or Zip Code

Back to [Ehrenberg, AZ housing info](#), [La Paz County, Arizona, AZ](#)

Like

One person likes this. Sign Up to see what your friends like.

## U.S. Census Records

Ancestry.com/Census

Search the U.S. census collection 1790-1940. Find mil

We are giving away **\$1200** in prizes - enter simply by sending us !

Click here for promotion details and to upload your Ehrenberg,



77°F

10 miles

Wind: 12 mph  
Pressure: 29.80 in  
Humidity: 22%

Current weather forecast  
for Ehrenberg, AZ

[La Paz County](#)

Population in 2010: 1,470. Population  
change since 2000: +8.3%

Males: 805 (54.8%)

Females: 665 (45.2%)

Median resident  
age: 43.3  
years

Arizona median  
age: 37.1 years

Zip codes: [85334](#).

Estimated median household income in  
2009: \$28,083 (it was \$27,000 in 2000)

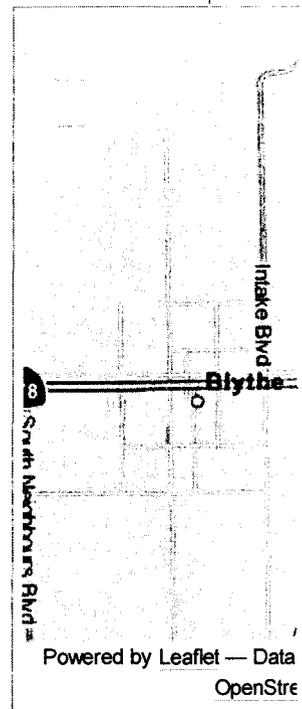
Ehrenberg: \$28,083

Arizona: \$48,745

Estimated per capita income in 2009: \$19,123

[Ehrenberg CDP income, earnings, and wages data](#)

OSM M



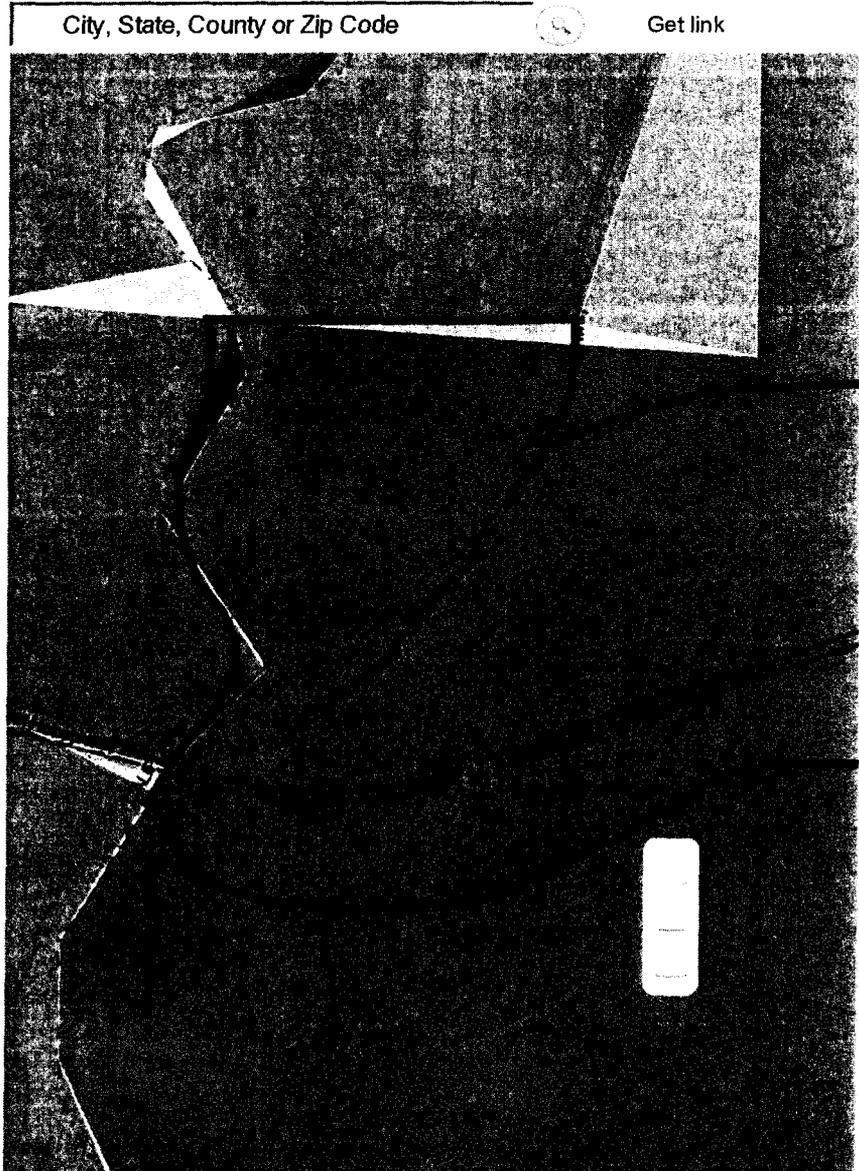
Estimated median house or condo value in 2009: \$81,560 (it was :  
Ehrenberg: \$81,560  
Arizona: \$187,700  
Mean prices in 2009: All housing units: \$157,944; Detached houses:  
Occupied boats, RVs, vans, etc.: \$29,601

Median gross rent in 2009: \$801.

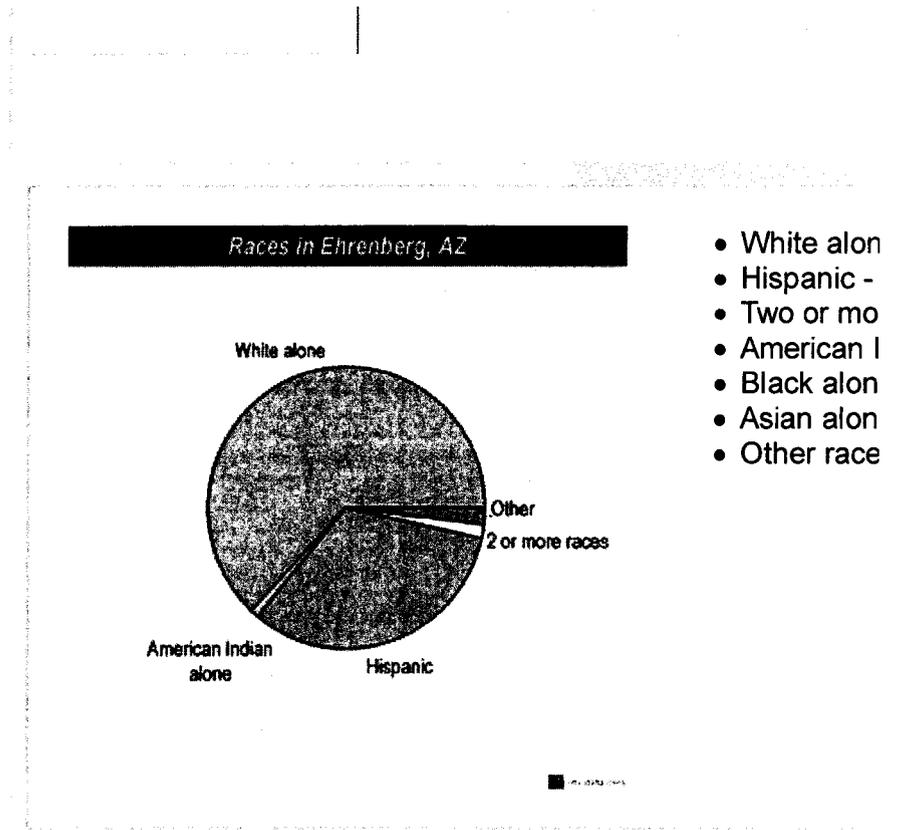
Ehrenberg, AZ residents, houses, and apartments details

Business Search - 14 Million verified businesses  
Search for:  near:

Data:



Displaying: block groups. Series data available down to the block group level.



Races in Ehrenberg detailed stats: ancestries, foreign born reside

Mar. 2012 cost of living index in Ehrenberg: 79.6 (low, U.S. averag



Recent posts about Ehrenberg, Arizona on our local forum with o  
Ehrenberg is mentioned 13 times on our forum:

- [Anyone here familiar with Ehrenberg, AZ? Good plac](#)
- [Status of current Border Checkpoints on I 8 and I 10](#)
- [KOA uproar in Chino valley \(48 replies\)](#)
- [What's Prescott like and why isn't it larger than Pho](#)
- [Best "in between" climate. Not too hot, not too cold.](#)
- [Quartzsite questions \(1 reply\)](#)

**Latest news from Ehrenberg, AZ collected exclusively by city-data.co  
stations**

**Arias recalls details of sex encounters past lovers - CBS 5 - KPHO**  
phone almost every day and met each other at a motel in Ehrenberg, AZ, a mon

- 2 minor monitoring violations
- 2 regular monitoring violations

Percentage of residents living in poverty in 2009: 15.5%  
(18.4% for White Non-Hispanic residents, 0.0% for Hispanic or Latino residents, 0.0% for American Indian residents, 0.0% for other race residents, 0.0% for two or more races residents)

Average household size:

This place: ██████████ 2.3 people

Arizona: ██████████ 2.8 people

Percentage of family households:

This place: ██████████ 53.5%

Whole state: ██████████ 68.6%

Percentage of households with unmarried partners:

This place: ██████████ 8.6%

Whole state: ██████████ 6.2%

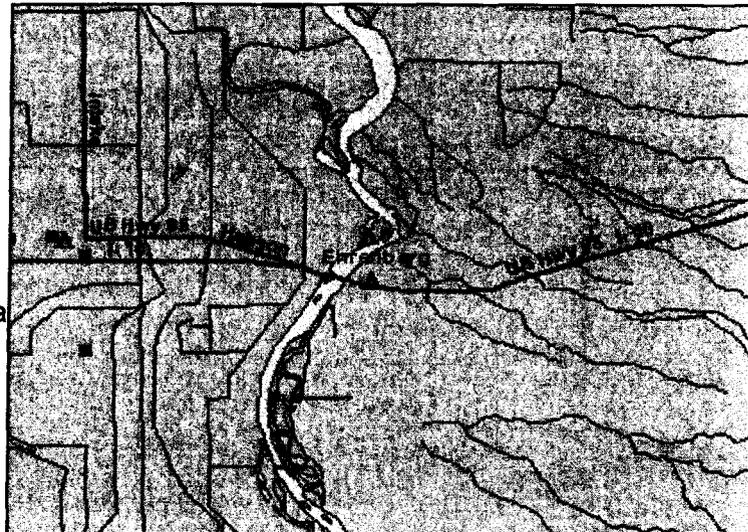
*Likely homosexual households (counted as self-reported same-sex unmarried-partner households)*

- Lesbian couples: 0.0% of all households
- Gay men: 0.6% of all households

Detailed information about poverty and poor residents in Ehrenberg, AZ

### **Ehrenberg compared to Arizona state average:**

- Median household income below state average.
- Median house value significantly below state average.
- Black race population percentage significantly below state average.
- Foreign-born population percentage significantly below state average.
- Number of rooms per house below state average.
- Number of college students below state average.
- Percentage of population with a bachelor's degree or higher significantly below state average.



# Exhibit 2

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**Homes For Rent**

www.HOMES.com/Phoenix - Search By Price Range, Baths, & Rooms. Find Your Next Home...

**Rent To Own Mobile Homes**

RentToOwnHomeGroup.com - 3 BR/1 BA Mobile Home. \$524/Mth. Bad Credit...

**Affordable Park Homes**

ParkHolidays.com/ParkHomeSales - Coastal Parks - upto 50 week season Holiday...

You have refined by: Mobile Home Parks [undo]

**Copper State Mobile Home & Rv**

(928) 923-7869  
48998 Sourdough Rd, Ehrenberg, AZ  
Get Directions

Average Rating: 5 out of 5 stars (1)  
 Yahoo! Local user - "Oh how I miss the trips to Ehrenberg--- And seeing all..." more

**Rivers Edge Mobile Home Park**

(928) 923-7830  
Ehrenberg Parker Hwy, Ehrenberg, AZ  
Get Directions

Be the first to rate  
Write a review

**Villa Verde Rv & Mobile Park**

(928) 923-7911  
50221 Ehrenberg Parker Hwy, Ehrenberg, AZ  
Get Directions

Be the first to rate  
Write a review

**Del Rio Homes Incorporated**

(928) 923-9957  
50020 Ehrenbrg Postn Hwy, Ehrenberg, AZ  
Get Directions

Be the first to rate  
Write a review

**River Breeze Rv Resort**

(928) 923-7483  
50202 Ehrenberg-Parker Hwy, Cibola, AZ  
Get Directions

Be the first to rate  
Write a review 1.21 mi.

**Vista Del Rio River Resort**

(928) 923-8197  
50020 Ehrenbrg Poston Hwy Ehrenberg Az 85334, Ehrenberg, AZ  
Get Directions  
"THE HOMES IN THE FRONT ... you space there. Buying a mobil home here was the worst..."

Average Rating: 1.5 out of 5 stars (2)  
 Yahoo! Local user - "THE HOMES IN THE FRONT ARE VERY NICE - the back ones not..." more 0.07 mi.

**Sunset Rv Park**

(928) 923-7810  
Juneau Ave, Cibola, AZ  
Get Directions

Be the first to rate  
Write a review 0.12 mi.

**El Rancho Mobile Home Estates**

(760) 921-6333  
2450 E Hobson Way, Blythe, CA  
Get Directions

Be the first to rate  
Write a review 2.47 mi.

**Valley Palms Trailer Supplies**

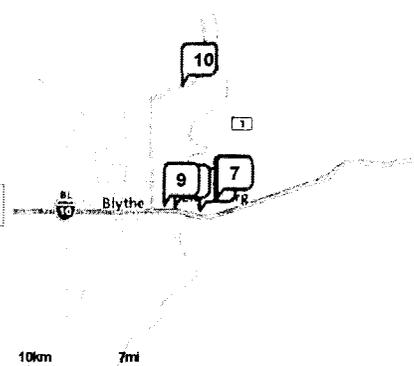
(760) 922-7335  
8401 E Hobsonway, Blythe, CA  
Get Directions

Be the first to rate  
Write a review 3.10 mi.

**Glades Hidden Valley Mobile Home Parks**

(760) 922-6745  
State Highway 95, Blythe, CA  
Get Directions

Be the first to rate  
Write a review 6.81 mi.



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www.americanhomes-rv1.com

**Manufactured Home Loan 2%**  
See Today's Manufactured Home Mortgage Rates. Refinance Now & Save!  
Refinance.LeadSteps.com

# Exhibit 3

**JUDGMENT INFORMATION STATEMENT**  
**Pursuant to A.R.S. Section 33-967**

**Name and last known address of debtor(s):**

Dynamic Financial & Investment Services, Inc.  
800 S. Barranca Avenue, #260  
Covina, CA 91723

Henry Melendez  
800 S. Barranca Avenue, #260  
Covina, CA 91723

**Address debtor(s) received the Summons:**

Same

**Name and address of Judgment Creditor(s):**

Pacific Western Bank  
c/o Amy D. Reyes, Esq.  
Quarles & Brady LLP  
One Renaissance Square  
Two North Central Avenue  
Phoenix, AZ 85004-2391

**Amount of Judgment:**

1. Damages: \$246,310.49;
2. Prejudgment Interest: \$25,809.871;
3. Attorney's Fees: \$4,611.20;
4. Costs: \$605.00;
5. The Collateral described on "Attachment A" of the judgment.

**Debtor(s) social security number, date of birth and driver's license number:**

N/A

**Has a stay of enforcement been ordered by the Court? \_\_\_\_\_ YES \_\_\_X\_\_\_ NO**

**If YES, the date the stay expires: \_\_\_\_\_**

Certified Copy MAR 09 2011

FILED PM 3:39

MICHAEL K. JEANES, Clerk

By *[Signature]* Deputy

005051

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, number, and address): Larry G. Ivanjack, Bar No. 66291 Gary Tokumori, Bar No. 149952 Parker, Milliken, Clark, O'Hara & Samuelian 555 South Flower Street, 30th Floor Los Angeles, CA 90071 TELEPHONE NO.: (213) 683-6500 FAX NO. (Optional): (213) 683-6669 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Plaintiff): PACIFIC WESTERN BANK		RECEIVED 25 ROOM 111 FOR COURT USE ONLY FILED LOS ANGELES SUPERIOR COURT JUL 23 2010 JOURNAL CLERK CV2011 005051
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 NORTH HILL STREET MAILING ADDRESS: CITY AND ZIP CODE: LOS ANGELES, CA 90012 BRANCH NAME: CENTRAL - UNLIMITED PLAINTIFF: PACIFIC WESTERN BANK DEFENDANT: DYNAMIC FINANCIAL & INVESTMENT SERVICES		
JUDGMENT <input type="checkbox"/> By Clerk <input checked="" type="checkbox"/> By Default <input type="checkbox"/> After Court Trial <input checked="" type="checkbox"/> By Court <input type="checkbox"/> On Stipulation <input type="checkbox"/> Defendant Did Not Appear at Trial		CASE NUMBER: BC421488

- 1.  BY DEFAULT**
- a. Defendant was properly served with a copy of the summons and complaint.
  - b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
  - c. Defendant's default was entered by the clerk upon plaintiff's application.
  - d.  Clerk's Judgment (Code Civ. Proc., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
  - e.  Court Judgment (Code Civ. Proc., § 585(b)). The court considered
    - (1)  plaintiff's testimony and other evidence.
    - (2)  plaintiff's written declaration (Code Civ. Proc., § 585(d)).
- 2.  ON STIPULATION**
- a. Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
  - b.  the signed written stipulation was filed in the case.
  - c.  the stipulation was stated in open court     the stipulation was stated on the record.
- 3.  AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.
- a. The case was tried on (date and time):  
before (name of judicial officer):
  - b. Appearances by:
 

<input type="checkbox"/> Plaintiff (name each):	<input type="checkbox"/> Plaintiff's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
<input type="checkbox"/> Defendant (name each):	<input type="checkbox"/> Defendant's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
  - c.  Defendant did not appear at trial. Defendant was properly served with notice of trial.
  - d.  A statement of decision (Code Civ. Proc., § 632)  was not  was requested.

PLAINTIFF: PACIFIC WESTERN BANK	CASE NUMBER:
DEFENDANT: DYNAMIC FINANCIAL & INVESTMENT SERVICES, I	

JUDGMENT IS ENTERED AS FOLLOWS BY:  THE COURT  THE CLERK

4.  Stipulated Judgment. Judgment is entered according to the stipulation of the parties.
5. Parties. Judgment is
- a.  for plaintiff (name each): PACIFIC WESTERN BANK, a California state-chartered bank, formerly known as PACIFIC WESTERN NATIONAL BANK and against defendant (names): DYNAMIC FINANCIAL & INVESTMENT SERVICES, INC., a California corporation; HENRY MELENDEZ, an individual  
 Continued on Attachment 5a.
- b.  for defendant (name each):
- c.  for cross-complainant (name each):  
 and against cross-defendant (name each):  
 Continued on Attachment 5c.
- d.  for cross-defendant (name each):

6. Amount.
- a.  Defendant named in item 5a above must pay plaintiff on the complaint:
- b.  Cross-defendant named in item 5c above must pay cross-complainant on the cross-complaint:

(1)	<input checked="" type="checkbox"/> Damages	\$ 246,310.49
(2)	<input checked="" type="checkbox"/> Prejudgment interest at the 6% & 9.5% annual rate of / %	\$ 25,809.87
(3)	<input checked="" type="checkbox"/> Attorney fees	\$ 4,611.20
(4)	<input checked="" type="checkbox"/> Costs	\$ 605.00
(5)	<input type="checkbox"/> Other (specify):	\$ 0.00
(6)	<b>TOTAL</b>	<b>\$277,336.56</b>

(1)	<input type="checkbox"/> Damages	\$ 0.00
(2)	<input type="checkbox"/> Prejudgment interest at the annual rate of %	\$ 0.00
(3)	<input type="checkbox"/> Attorney fees	\$ 0.00
(4)	<input type="checkbox"/> Costs	\$ 0.00
(5)	<input type="checkbox"/> Other (specify):	\$ 0.00
(6)	<b>TOTAL</b>	<b>\$ 0.00</b>

- b.  Plaintiff to receive nothing from defendant named in item 5b.  
 Defendant named in item 5b to recover costs \$ 0.00  
 and attorney fees \$ 0.00
- d.  Cross-complainant to receive nothing from cross-defendant named in item 5d.  
 Cross-defendant named in item 5d to recover costs \$ 0.00  
 and attorney fees \$ 0.00

7.  Other (specify): POSSESSION OF COLLATERAL DESCRIBED ON ATTACHMENT "A"; PROVIDED, HOWEVER, THAT AT SUCH TIME AS PLAINTIFF TAKES POSSESSION OF THE COLLATERAL, IT SHALL SELL SAME IN A COMMERCIALY REASONABLE MANNER AND PROVIDE DEFENDANTS WITH CREDIT FOR THE NET PROCEEDS OF THE SALE BY FILING A PARTIAL OR FULL SATISFACTION OF JUDGMENT AS APPROPRIATE.

Date: 7-23-10

  
 MARY ANN MURPHY, CLERK OF COURT

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

(REAL)

**CLERK'S CERTIFICATE (Optional)**

I certify that this is a true copy of the original judgment on file in the court.

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

Clerk, by \_\_\_\_\_, Deputy

SHORT TITLE: PACIFIC WESTERN BANK v. DYNAMIC FINANCIAL & INVESTMENT SERVICES, INC. et al.	CASE NUMBER:   
--	--------------------------

MC-025

ATTACHMENT (Number): "A"

(This Attachment may be used with any Judicial Council form.)

- 1996 Mack 600 Dump Truck (VIN 1M1AA14Y0TW064581);
- 1996 Mack 600 Dump Truck (VIN 1M1AA14Y2TW064582);
- 1996 Mack 600 Dump Truck (VIN 1M1AA14Y3TW064588);
- 1996 Mack 600 Dump Truck (VIN 1M1AA14Y1TW064587);
- 1995 KW DS Water Truck (VIN 1XKDA68X8SS682074);
- 1996 Ford TN Water Truck (VIN 1FDYY95W2TVA04115);
- Wastewater Treatment System (ID Number PP-20-ESC-517-A);
- 1993 Oshkosh Water Truck FA-2546 (VIN 10T2DOEF4P1047834);

In addition, the word "Collateral" also includes all of the following, whether now owned or hereafter acquired, whether now existing or hereafter arising, and wherever located:

- A) All accessions, attachments, accessories, tools, parts, supplies replacements of and additions to any of the collateral described herein, whether added now or later.
- B) All products and produce of any of the property described in this Collateral section.
- C) All accounts, general intangibles, instruments, rents, monies, payments, and all other rights, arising out of a sale, lease, consignment or other disposition of any of the property described in this Collateral section.
- D) All proceeds (including insurance proceeds) from the sale, destruction, loss, or other disposition of any of the property described in this Collateral section, and sums due from a third party who has damaged or destroyed the Collateral or from that party's insurer, whether due to judgment, settlement or other process.
- E) All records and data relating to any of the property described in this Collateral section, whether in the form of a writing, photograph, microfilm, microfiche, or electronic media, together with all of Grantor's right, title, and interest in and to all computer software required to utilize, create, maintain, and process any such records or data on electronic media.

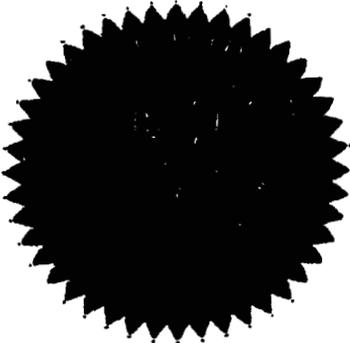
(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page \_\_\_\_\_ of \_\_\_\_\_  
(Add pages as required)

**EXEMPLIFICATION**

<b>Petitioner:</b> PACIFIC WESTERN BANK	<b>CASE NUMBER:</b>
<b>Respondents:</b> DYNAMIC FINANCIAL & INVESTMENT SERVICES	BC 421488

**STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES**



I, JOHN A. CLARKE, Executive Officer/Clerk of the Superior Court of the State of California for the County of Los Angeles do hereby certify and attest that I am the custodian of records of the said Court, and that the foregoing is a full, true and correct copy of the original JUDGMENT BY DEFAULT BY COURT FILED JULY 23, 2010.//////  
////////////////////////////////////  
////////////////////////////////////  
////////////////////////////////////

on file or of record in my office, and that I have carefully compared the same with the original.

Executed and Seal of Said Court Affixed at Los Angeles, California on FEBRUARY 23, 2011

EXECUTIVE OFFICER/CLERK OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES

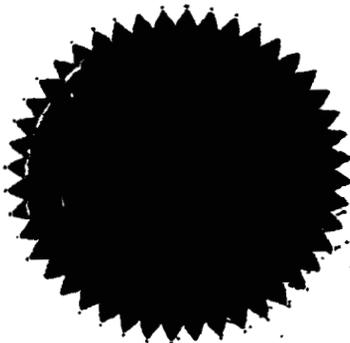
**STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES**

I, CHARLES W. McCOY Jr., Presiding Judge of the Superior Court of the State of California for the County of Los Angeles do hereby certify that JOHN A. CLARKE is Executive Officer/Clerk of the Superior Court of the State of California for the County of Los Angeles (which is a court of record having by law a seal); that the signature to the foregoing certificate and attestation is the genuine signature of the said JOHN A. CLARKE as such officer, that the seal annexed thereto is the seal of said Superior Court, that said JOHN A. CLARKE as such officer is the legal custodian of the original records or documents described and referred to in the foregoing certificate; is the proper officer having the authority to execute and said certificate and attestation, and such attestation is in due and proper form according to the laws of the State of California.

Executed at Los Angeles, California on FEBRUARY 23, 2011

PRESIDING JUDGE OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES

**STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES**



I, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, State of California, the same being a public entity having by law a seal, do hereby certify that CHARLES W. McCOY Jr., whose name is subscribed to the foregoing certificate of due and proper attestation was, at the time of signing same, Presiding Judge of the Superior Court aforesaid and was duly commissioned, qualified and authorized by law to execute said certificate. And I do further certify that the path of office, or a true and correct copy thereof, of the judge above named is on file or of record in my office, that I am well acquainted with his handwriting, and verily believe the signature of the said judge to the said certificate to be genuine.

Executed and Seal of Said Registrar-Recorder/County Clerk Affixed at Los Angeles, California on FEBRUARY 23, 2011

REGISTRAR-RECORDER/COUNTY CLERK OF THE COUNTY OF LOS ANGELES

**EXEMPLIFICATION**