

ORIGINAL



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1 Steve Wene, No. 019630
2 MOYES SELLERS & HENDRICKS
3 1850 N. Central Ave. Ste. 1100
4 Phoenix, Arizona 85004
5 (602) 604-2141
6 Attorneys for the Company

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AZ CORP COMMISSION
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

10 BOB STUMP, CHAIRMAN
11 GARY PIERCE
12 SUSAN BITTER SMITH
13 BOB BURNS

14
15 **IN THE MATTER OF THE**
16 **COMMISSION ON ITS OWN MOTION**
17 **INVESTIGATING THE FAILURE OF**
18 **TRUXTON CANYON WATER**
19 **COMPANY TO COMPLY WITH**
20 **COMMISSION RULES AND**
21 **REGULATIONS**

Docket No. W-02168A-10-0247
FILING OF COMPLIANCE RE
ADEQ DOCUMENTS AND BACUS
PAYMENTS

22 Pursuant to Decision No. 72386, Truxton Canyon Water Company, Inc.

23 (“Company”) hereby files relevant documents issued by the Arizona Department of
24 Environmental Quality. See Attachment 1. The Company hereby also files proof of
25 payment to Jim Bacus. See Attachment 2.

26 RESPECTFULLY SUBMITTED this 15th day of April, 2013.

27 Arizona Corporation Commission
28 **DOCKETED**

APR 15 2013

DOCKETED BY

1 **MOYES SELLERS & HENDRICKS LTD.**

2
3 
4 _____
5 Steve Wene

6 Original and 13 copies of the foregoing
7 filed on this 15th day of April, 2013 with:

8 Docket Control
9 Arizona Corporation Commission
10 1200 W. Washington Street
11 Phoenix, Arizona 85007

12 Copy of the foregoing mailed this
13 15th day of April, 2013, to:

14 Todd Wiley
15 Fennemore Craig
16 2394 E. Camelback Rd., Ste. 600
17 Phoenix, AZ 85016-3429

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ATTACHMENT 1



Janice K. Brewer
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

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



Henry R. Darwin
Director

BY FIRST CLASS MAIL

Case ID #: 132650

March 06, 2013

Truxton Canyon Water Company Inc
Attention: Marc Neal, Owner
Attention: Mike Neal, Statutory Agent
7313 E Concho Dr.
Kingman, AZ 86401

Subject: Update of Action Resulting from a File Review conducted on March 6, 2013
Truxton Canyon Water Company, Facility ID 22548 – Public Water System #08-035

Dear Mr. Neal:

This letter constitutes the monthly update on the status of Arizona Department of Environmental Quality (ADEQ) action resulting from ADEQ's file review of the above-referenced site on , as required by A.R.S. § 41-1009(I). In providing this update, ADEQ has reviewed only those actions resulting from this file review, and has not considered other information that may be in ADEQ's files for this site or any action unrelated to this file review.

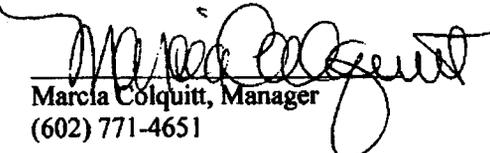
The current status of ADEQ action resulting from the above-referenced file review is as follows (the applicable items are checked):

- 1. Transmitting samples to laboratory; awaiting results
- 2. Analyzing sample data; reviewing sample analysis
- 3. Preparing inspection report
- 4. Reviewing and analyzing inspection report
- 5. Determining appropriate ADEQ response to identified violations
- 6. Awaiting response from your facility
- 7. Reviewing response from your facility
- 8. Awaiting outcome of participation in the Voluntary Remediation Program
- 9. Other

By December 1, 2012, Truxton Canyon shall complete all approved modifications or alternations and construction of the arsenic treatment system and submit an administratively complete application for an approval of Construction (AOC).

If you have any questions regarding this update, please contact the undersigned at the phone number provided.

Sincerely,


Marcia Colquitt, Manager
(602) 771-4651

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

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Janice K. Brewer
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

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



Henry R. Darwin
Director

CERTIFIED MAIL
Return Receipt Requested

Case ID #: 132650

July 25, 2012

Truxton Canyon Water Company Inc
Attention: Marc Neal
7313 E Concho Dr
B
Kingman, AZ 86401-9707

Subject: Truxton Canyon Water Company, Place ID 22548
LAT: 35d, 21', 42.9589" N LNG: 113d, 41', 37.8258" W

NOTICE OF VIOLATION

The Arizona Department of Environmental Quality (ADEQ) has reason to believe that Truxton Canyon Water Company Inc as the owner/operator of Truxton Canyon Water Company has violated a requirement of the Arizona Revised Statutes (A.R.S.), a rule within the Arizona Administrative Code (A.A.C.), or an applicable permit/license, administrative order or civil judgment. ADEQ discovered the violations alleged below during a file review completed on July 16, 2012.

I. LEGAL AUTHORITY and NATURE OF ALLEGED VIOLATION(S)

1. Administrative Order DW-02-11 - Section III (J)

No later than May 7, 2012, Truxton Canyon shall submit to ADEQ an administratively complete application for an Approval to Construct (ATC) for modifications or alterations that will affect the treatment capacity, water quality flow, distribution or operational performance, and a treatment system using best available technology (BAT) to achieve compliance with the arsenic maximum contaminant level. Truxton Canyon shall respond to any deficiencies noted by ADEQ within the time prescribed by ADEQ.

Amendment #1 to Consent Order DW-02-11 became effective February 27, 2012. The Amendment required Truxton Canyon to complete an application for an ATC for an arsenic treatment system by May 7, 2012. To date, Truxton Canyon has not submitted an ATC for the installation of an arsenic treatment system.

II. DOCUMENTING COMPLIANCE

1. Within 5 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or contact Vivian Burns, ADEQ Water Quality Enforcement Case Manager, at (602) 771-4608 to schedule a meeting with ADEQ.

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

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ATTACHMENT 2

TRUXTON CANYON WATER COMPANY
Vendor Ledgers
For the Period From Jan 1, 2011 to Apr 30, 2013

Filter Criteria includes: 1) Names from JAMES S. BACUS to JAMES S. BACUS. Report order is by ID.

Vendor ID Vendor	Date	Trans No	Type	Paid	Debit Amt	Credit Amt	Balance
JAMES S. BACUS	7/11/11	1234	PJ	*		2,800.00	2,800.00
JAMES S. BACUS	7/11/11	3158	CDJ		1,000.00		1,800.00
	8/8/11	2719	CDJ		1,000.00		800.00
	8/10/11	2719V	CDJ			1,000.00	1,800.00
	8/10/11	3199	CDJ		1,000.00		800.00
	9/7/11	090611	PJ	*		16,950.00	17,750.00
	9/8/11	3234	CDJ		1,000.00		16,750.00
	10/5/11	3271	CDJ		1,000.00		15,750.00
	11/11/11	3332	CDJ		1,000.00		14,750.00
	12/6/11	3365	CDJ		1,000.00		13,750.00
	1/9/12	3409	CDJ		1,000.00		12,750.00
	2/16/12	3444	CDJ		1,000.00		11,750.00
	3/6/12	3464	CDJ		1,000.00		10,750.00
	4/7/12	3492	CDJ		1,000.00		9,750.00
	5/3/12	3546	CDJ		1,000.00		8,750.00
	5/9/12	3409V	CDJ			1,000.00	9,750.00
	6/4/12	3587	CDJ		1,000.00		8,750.00
	7/9/12	3627	CDJ		1,000.00		7,750.00
	8/2/12	3666	CDJ		1,000.00		6,750.00
	9/4/12	3691	CDJ		1,000.00		5,750.00
	10/3/12	3722	CDJ		1,000.00		4,750.00
	10/8/12	100812	PJ	*		423.11	5,173.11
	10/8/12	3734	CDJ		423.11		4,750.00
	11/2/12	3764	CDJ		1,000.00		3,750.00
	12/3/12	3789	CDJ		1,000.00		2,750.00
	1/1/13	11313	PJ			2,822.81	5,572.81
	1/22/13	4322	CDJ		1,000.00		4,572.81
	2/7/13	4336	CDJ		1,000.00		3,572.81
	3/4/13	4362	CDJ		1,000.00		2,572.81
	4/3/13	4387	CDJ		1,000.00		1,572.81
Report Total					23,423.11	24,995.92	1,572.81