

Molly O'Leary (ISB NO. 4996)
Richardson & O'Leary PLLC
99 East State Street, Suite 200
P.O. Box 1849
Eagle, Idaho 83616
Telephone: (208) 938-7900
Fax: (208) 938-7904

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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for Eagle Water Company, Inc.

BEFORE THE
IDAHO PUBLIC UTILITIES COMMISSION

APPLICATION OF EAGLE WATER
COMPANY, INC. TO AMEND CERTIFICATE
OF PUBLIC CONVENIENCE AND
NECESSITY

CASE NO. EAG-W-04-01

COMES NOW, EAGLE WATER COMPANY, INC. ("Eagle Water"), by and through undersigned counsel and, pursuant to Section 61-526, Idaho Code and Rule 112 of the Idaho Public Utilities Commission Rule of Procedure ("IPUCRP"), applies to the Idaho Public Utilities Commission ("Commission") to amend and revise its Certificate of Convenience and Necessity No. 278 by enlarging and extending the boundary of the area in which it is authorized to provide service. In support of this Application, Eagle Water submits the following:

I.

Eagle Water is a public utility water corporation within the meaning of the Idaho Public Utilities Law, is duly organized and existing under the laws of the State of Idaho and engaged in conducting a general water business in and about Ada County, Idaho, having its principal office and place of business at 172-D West State Street, Eagle, Idaho, 83616.

APPLICATION OF EAGLE WATER
TO AMEND CERTIFICATE

II.

Communication in reference to this Application should be addressed to:

Molly O'Leary
Richardson & O'Leary PLLC
99 E. State Street, Suite 200
P.O. Box 1849
Eagle, Idaho 83616

III.

A certified copy of Applicant's Articles of Incorporation, together with all amendments to date, is on file with the Commission.

IV.

Applicant owns and operates an extensive integrated water system in Ada County and renders general water service within such territory and to the inhabitants thereof.

V.

The developers of the Idaho State Veterans Cemetery have requested that Eagle Water provide water service to the cemetery. *See* Letter from Steven Yearsley, P.E. to Eagle Water, attached hereto as **Exhibit A**.

VI.

The area proposed to be served by this Application is adjacent to Bonita Hills subdivision, which Eagle Water currently serves. The cemetery is located just north of the Dry Creek Cemetery, off of old Horseshoe Bend Road. A legal description of the property is attached hereto in **Exhibit B**, attached hereto. It is Eagle Water's belief that some, if not all, of the new cemetery is located within its current service territory.

VII.

Service to the Idaho State Veterans Cemetery would be provided through Eagle Water's eight-inch main line located on the east side of Old Highway 55/Horseshoe Bend Road.

Extension of service to the cemetery by Eagle Water will require excavation; installation of mains, fire hydrants and service meter boxes; bedding; backfill; compaction; inspection; and testing. The estimated construction cost for this project is between \$44,500.0 and \$46,500.00 plus legal fees, all of which will be paid by the Developer pursuant to Eagle Water's standard "Main Extension Contract" as provided for in its tariff on file with the Commission. In addition to construction costs, Eagle Water will incur legal fees in connection with this Application, which fees have yet to be determined.

Eagle Water proposes to begin construction in March, 2004 and complete construction in April 2004.

The proposed expansion will add one customer to Eagle Water's customer base. The estimated monthly gross revenue per such customer is \$30.00 to \$50.00.

There will be no effect on Eagle Water's revenue requirements.

VIII.

Eagle Water has an adequate source of supply to provide service to the Idaho State Veterans Cemetery in a safe and reliable manner.

IX.

Eagle Water submits that the extension of its facilities to serve the Idaho State Veterans Cemetery is consistent with the public convenience and necessity.

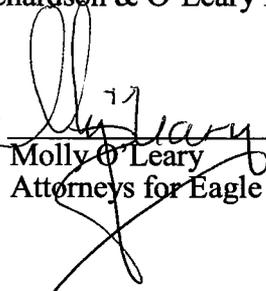
X.

Pursuant to IPUCRP Rule 201, Eagle Water respectfully requests that this application be processed pursuant to Modified Procedure.

DATED this 6th day of January, 2004.

Richardson & O'Leary P.L.L.C.

By


Molly O'Leary

Attorneys for Eagle Water Company, Inc.

DEC. 17. 2003 2:35PM



FORSGREN
ASSOCIATES / INC.
A COMPANY OF ENGINEERS AND SCIENTISTS

December 16, 2003

Mr. Robert DeSharzo Jr.
President
Eagle Water Company Inc.
P.O. Box 455
Eagle, ID 83616

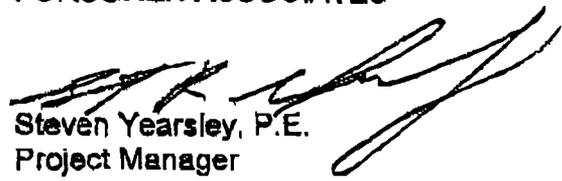
RE: Idaho State Veterans Cemetery Water Service

Dear Robert:

The Idaho State Veterans Cemetery requests water service from the Eagle Water Company. A copy of the property legal description is enclosed. The water service will be used for fire protection, domestic water in the buildings, and for a proposed future water fountain. The Idaho State Veterans Cemetery is located on Old Horseshoe Bend Road North of the Dry Creek Cemetery.

Please call me if you have any questions or comments.

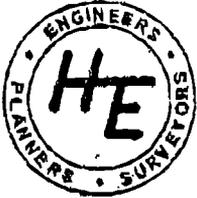
Sincerely,
FORSGREN ASSOCIATES


Steven Yearsley, P.E.
Project Manager

Enclosures

Cc: James M. Rees\MTC Consulting Engineers, Surveyors, and Planners
Dan Baird\Beck and Baird
Barry Miller\Idaho Division of Public Works

Exhibit A



HUBBLE ENGINEERING, INC.

701 S. Allen St., Suite 102 • Meridian, ID 83642

208/322-8992 • Fax 208/378-0329

Project No. 0205900

April 12, 2002

DESCRIPTION FOR STATE OF IDAHO- DRY CREEK CEMETERY DISTRICT

A parcel of land being a portion of the SW1/4 of Section 11, T.4N., R.1E., B.M., a portion of Lot 3, Block 1 of Hidden Hollow Subdivision as filed in Book 53 of Plats at Page 4784 records of Ada County, Idaho located in the SE1/4 of Section 11, T.4N., R.1E., B.M., and a portion of Lots 2 and 3 of Roberts and Hill Subdivision as recorded in Book 4 of Plats at page 159 records of Ada County, Idaho and located in the NW1/4 of the NW1/4 of Section 14 T.4N., R.1E., B.M., Ada County, Idaho, more particularly described as follows:

BEGINNING at an aluminum cap monument marking the C 1/4 corner of said Section 11 from which an aluminum cap monument marking the W 1/4 corner of said Section 11 bears North 89°04'37" West, 2621.84 feet;

thence along the East-West centerline of said Section 11 South 89°04'27" East; 1329.28 feet (formerly described as 1329.32 feet) to an aluminum cap monument marking the CE1/16 corner of said Section 11, said point also being the northeast corner of Lot 3 of said Hidden Hollow Subdivision;

thence along the easterly boundary line of Lot 3 of said Hidden Hollow Subdivision South 18°07'34" West, 2768.87 feet (formerly described as 2769.00 feet) to a 5/8" iron pin;

thence South 15°06'31" East, 435.13 feet to a 5/8" iron pin;

thence South 45°48'01" East, 72.31 feet to a 5/8" iron pin on the East boundary line of Lot 2 of said Roberts and Hill Subdivision;

thence along said East boundary line South 00°12'00" West, 26.76 feet to a 5/8" iron pin on the North boundary line of the Farmers Union Canal;

thence along said North boundary line North 74°30'09" West, 26.22 feet to a 5/8" iron pin;

thence along the easterly boundary line of that parcel of land described in that warranty deed recorded February 11, 1941 as instrument number 204813, records of Ada County, Idaho North 34°00'51" West, 597.27 feet;

thence South 88°34'37" East, 45.06 feet to a 5/8" iron pin;

thence North 00°36'07" West, 1155.64 feet;

thence North 66°32'18" East, 87.12 feet;

thence North 07°30'58" East, 209.48 feet to a 1/2" iron pin;

thence North 56°52'19" West, 132.09 feet to a 5/8" iron pin;

thence North 59°35'49" West, 124.37 feet to a 5/8" iron pin;

thence North 78°09'47" West, 141.10 feet to a 5/8" iron pin;

thence North 87°19'05" West, 173.42 feet to a 5/8" iron pin marking a point on a non-tangent curve to the left;

thence along said curve 193.01 feet, said curve having a radius of 80.94 feet, a central angle of 136°37'45" and a long chord of 150.42 feet which bears South 77°21'27" West to a 5/8" iron pin;

thence South 00°10'13" East, 346.11 feet to a 5/8" iron pin;

thence North 88°41'29" West, 1166.05 feet to a 5/8" iron pin;

thence North 87°54'35" West, 360.88 feet to a 5/8" iron pin;

thence South 89°57'02" West, 307.41 feet to a 5/8" iron pin;

thence North 00°43'41" West, 30.01 feet to a 5/8" iron pin;

thence North 89°57'02" East, 308.14 feet to a 5/8" iron pin;

thence South 87°54'35" East, 360.50 feet to a 5/8" iron pin;

thence North 00°03'35" West, 121.97 feet to a 5/8" iron pin;

thence North 34°46'42" East, 1552.09 feet to a 5/8" iron pin on the South boundary line of Brenson Subdivision No. 5 as filed in Book 79 of Plats at Page 8547, records of Ada County, Idaho;

thence along said South boundary line the following 2 courses:

South 89°22'56" East, 474.00 feet to a 5/8" iron pin;
thence North 85°43'34" East, 66.99 feet to the Point of Beginning, containing
78.49 acres, more or less.

Prepared by:
HUBBLE ENGINEERING, INC.



Gregory G. Carter, P.L.S.