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2004 MAY 21 PM 2: 34

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 NO. 278)
_____)

CASE NO. EAG-W-04-02

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.

Jan G. Troutner has requested that Eagle Water provide water service to two parcels of land located just east of Old Highway 55/Horseshoe Bend Road, and immediately south of the Farmers Union Canal. *See* Letter from Ms. Troutner to Eagle Water, attached hereto as **Exhibit A**. In addition, Dorthy McKay has requested that Eagle Water serve two additional parcels in the same vicinity as the Troutner property. In particular, the McKay property is located just east of the Troutner property, and immediately south of the Farmers Union Canal. *See* Letter from Ms. McKay, attached hereto as **Exhibit B**. Finally, Dry Creek Cemetery Maintenance District has requested service from Eagle Water for potable water and fire protection. *See* letter from Nancy Howe, attached hereto as **Exhibit C**.

VI.

Service to the above-identified properties 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 these four parcels 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 \$15,000 and \$20,000 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 June, 2004 and complete construction in August 2004.

The proposed expansion will add three to five customers to Eagle Water's customer base. The estimated monthly gross revenue per such customer is \$20.00 to \$30.00.

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

VIII.

Eagle Water has an adequate source of supply to provide service to the above-described properties in a safe and reliable manner. *See* Letter from James M. Rees, P.E., MTC, Inc. attached hereto as **Exhibit D**.

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 21st day of May, 2004.

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

By


Molly O'Leary
Attorneys for Eagle Water Company, Inc.

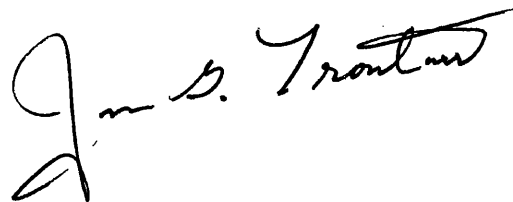
March 26, 2004

Ref: See Attachments

To Whom It May Concern:

I Jan G. Troutner, request of Eagle Water Co. to provide potable water and fire protection service to the above referenced property.

Respectfully,

A handwritten signature in black ink that reads "Jan G. Troutner". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke extending to the right.

attachments

EXHIBIT A

**LEGAL DESCRIPTION
EXHIBIT 'A'**

Order No.: 5000212741JG

Exhibit A

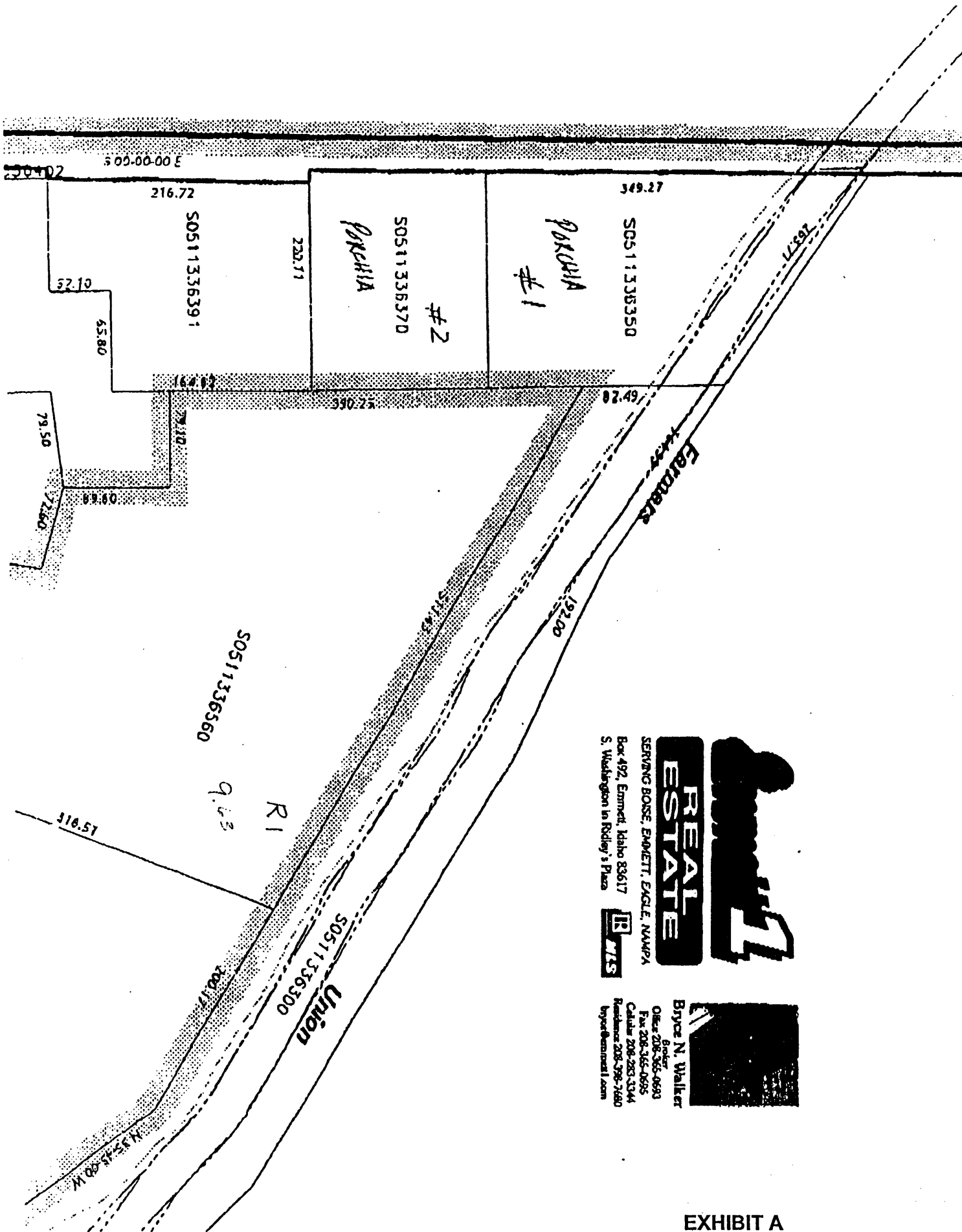
PARCEL I

Beginning at the Section corner common to Sections 10, 11, 14 and 15, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence North 726.22 feet along the Section line common to Section 10 and 11 to the REAL POINT OF BEGINNING; thence North 90° 00' East, 219.94 feet; thence North 0° 04' West, 203.40 feet to a point on the Northerly bank of the Farmers Union Canal Right-of-Way; thence North 56° 25' West, along said bank of Farmers Union Canal Right of Way, 263.71 feet; thence South 349.27 feet to the REAL POINT OF BEGINNING.

PARCEL II

Beginning at the Section corner common to Sections 10, 11, 14 and 15, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence North 576.22 feet along the Section line common to Sections 10 and 11 to the REAL POINT OF BEGINNING; thence North 90° 00' East, 220.11 feet; thence North 0° 04' West, 150.00 feet; thence North 90° 00' West, 219.94 feet; thence South 0° 00', 150.00 feet, to the REAL POINT OF BEGINNING.

EXCEPT that portion deeded to the State of Idaho for road right of way



EMMETT ONE
REAL ESTATE
 SERVING BOISE, EMMETT, EAGLE, NAMPY
 Box 492, Emmett, Idaho 83617
 S. Washington in Rodley's Plaza

Bryce N. Walker
 Broker
 Office 208-365-0693
 Fax 208-365-0695
 Cellular 208-283-3344
 Residence 208-756-7480
 bryce@emmett1.com

EXHIBIT A

EXHIBIT B

LARGE MAP

SEE CASE FILE

February 20, 2004

Eagle Water Co., Inc.
172 W. State St.
Eagle, Id. 83616

To Whom It May Concern:

Would it be possible for you to bring water to the property just east of McKay Construction Co., property off Hillroad and Highway 55. As of now I own the property and it will be a Church property in the future, we will be building on that property soon.

Sincerely,

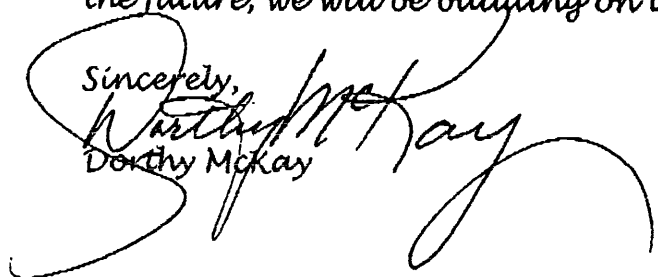

Dorothy McKay

EXHIBIT B

TOTAL P.02

Dry Creek Cemetery

2600 HILL RD. • BOISE, ID 83703 • (208) 853-1940 • FAX (208) 853-8242

March 23, 2004

Robert DeShazo
Eagle Water Co.
P. O. Box 455
Eagle, ID 83616

Dear Mr. DeShazo,

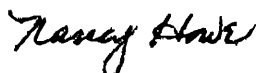
This is a letter requesting connection to Eagle Water Company for potable water and fire protection for Dry Creek Cemetery Maintenance District.

The legal description for Dry Creek Cemetery Maintenance District is as follows:

SW ¼, Section 11, T. 4 N, R 1 E., B. M.

Thank you for your attention in this matter

Sincerely,



Nancy Howe
Office manager

EXHIBIT C



MTC, INC.

CONSULTING ENGINEERS, SURVEYORS, AND PLANNERS

707 N. 27TH ST. BOISE, IDAHO 83702-3113 (208) 345-0780 FAX (208) 343-8967

May 20, 2004

Mr. Robert DeShazo
Eagle Water Co.
P. O. Box 455
Eagle, Idaho 83616

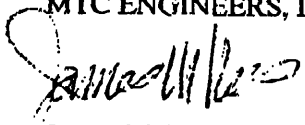
Dear Robert,

As you requested, we have evaluated the water requirement for the cemetery and related area and it is my opinion that the existing system, Eagle Water Company, can serve the additional customers without an additional source.

We have approval from the Department of Environmental Quality and the Department of Water Resources for an additional well that can be drilled when a well-qualified well driller is available.

I hope this answers your question. Call if you need additional information.

Sincerely,
MTC ENGINEERS, INC.



James M. Rees PE

EXHIBIT D