



November 7, 2023

RE: Docket No. 23-010-01: Notice of Filing and Comment Period; Highlands Water Company, Inc.

Public Service Commission
160 East 300 South, 4th Floor
PO Box 4558
Salt Lake City, UT 84114-4558

To Whom It May Concern,

It was recently brought to the attention of Cottonwood Mutual Water Company (CMWC) (formally known as the Wilkinson Cottonwood Mutual Water Company) that the Highlands Water Company filed a request to update its service area on September 20, 2023 before the Division of Public Utilities and that the division "recommends that the Commission accept...the Company's request to expand its service area." (letter dated October 17, 2023; Docket No. 23-010-01)

Please know that CMWC is opposed to this expansion of the Highlands Water Company service area since the proposed area encroaches upon the service area long identified as being in the CMWC service area and which infrastructure has been constructed (i.e. 1.0 million gallon tank and three wells in various stages of development, the use and/or ownership of which Cottonwood Mutual is in the process of obtaining an agreement with the developers regarding this tank and wells).

The Cottonwood Mutual Water Company received an exemption from the Public Service Commission dated October 3, 2006 (Letter of Exemption No. 0210). In the filing for this exemption the service area of the then Wilkinson Cottonwood Mutual Water Company was identified in the application which included property located north of Old Highway Road and east of Trapper's Loop Road (please see highlighted area of pg. 2 of application, map of proposed service area).

In 2016, Mr. Duane Johnson approached CMWC requesting his property be included in the CMWC service area, which CMWC adopted through resolution in 2017. Mr. Johnson's property is located south of Old Highway Rd from approximately 4785 Old Highway Rd to east of the Mountain Green Sewer District (please see attached map).

CMWC has been working with Mr. Duane Johnson in developing the infrastructure to serve not only his property, but also the property located north of Old Highway Road and east of Trapper's Loop Road. Infrastructure that has been constructed to date to meet the water demand of these areas include a 1.0 million gallon storage tank with three wells drilled with two going through the final approval process with the Division of Drinking Water. As noted above, although there is no final agreement with the

developers regarding the wells and tank, Cottonwood Mutual Water Company is currently in discussions with the developers regarding this infrastructure.

In addition, we understand that a 10-inch water line with a fire hydrant has been stubbed into Mr. Johnson's property from a 10-inch water line that is located in Old Highway Road between Mr. Johnson's property and the property north of Old Highway Road and east of Trapper's Loop Road.

Cottonwood Mutual Water Company would respectfully request that this matter be continued for approximately 90 days so that it may continue negotiations and consider entering into agreements with the developers of the water tank and wells to allow service to these areas. Therefore, CMWC respectfully requests that the Public Service Commission and Division of Public Utilities reconsider the approval of the Highlands Water Company service area and deny this expansion or at least delay this decision for another 90 days so that CMWC may attempt to reach a final resolution with respect to these matters.

Sincerely,



Mike Johanson
General Manager
Cottonwood Mutual Water Company

Attachments:

pg. 2 of original exemption application and service area map Wilkinson Water Company
expansion area map Johnson's property

By Email:

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Marjalee Smith (highlandswaterco@gmail.com)
President, Highlands Water Co

5. The type of service (water, sewer or both) which applicant proposes to render is (indicate here and on page 1): Water

6. Applicant is in compliance with and agrees to comply with all regulations and requirements of all state and local government agencies. Copies of all required permits and approvals are made a part of this application. Applicant will be receiving through its water distribution system water from a Commission approved supplier or has attached to this application proof of ownership of sufficient water rights, of sufficient storage, of an approved source with sufficient water flow and of an approved point of diversion.

7. If the applicant is conducting operations at the present time, furnish the following information:
 - (a). A description of the nature and extent of the service rendered.
Sale of water for culinary, municipal, secondary, and irrigation purposes.

 - (b). The date applicant commenced rendering such service.
September 10, 1971

8. The areas which the applicant proposes to serve, and those presently served, if any, are as described below (legal description) and as shown on a map attached hereto (for public utilities a map should also be part of the tariff).
Proposed Service Area:
T5N, R1E: SW ¼ & SE¼ Sec. 13; NW¼, NE¼, & SE¼ of SE¼ Sec. 14; NE¼ & SE¼ of NE¼ Sec.23; Sec. 24; NW¼, NE¼, SE¼, & NE¼ of SW¼ Sec. 25; NE¼ & SE¼ of NE¼ Sec.26; NE¼ of NE¼ Sec.36. T5N, R2E: SW¼ & SE¼ Sec. 16; SW¼ & SE¼ Sec. 17; SW¼ & SE¼ Sec. 18; Sec. 19; Sec. 20; Sec. 21; Sec. 28; Sec. 29; Sec. 30; NW¼, NE¼, & SE¼ Sec. 31; Sec. 32; Sec.33.

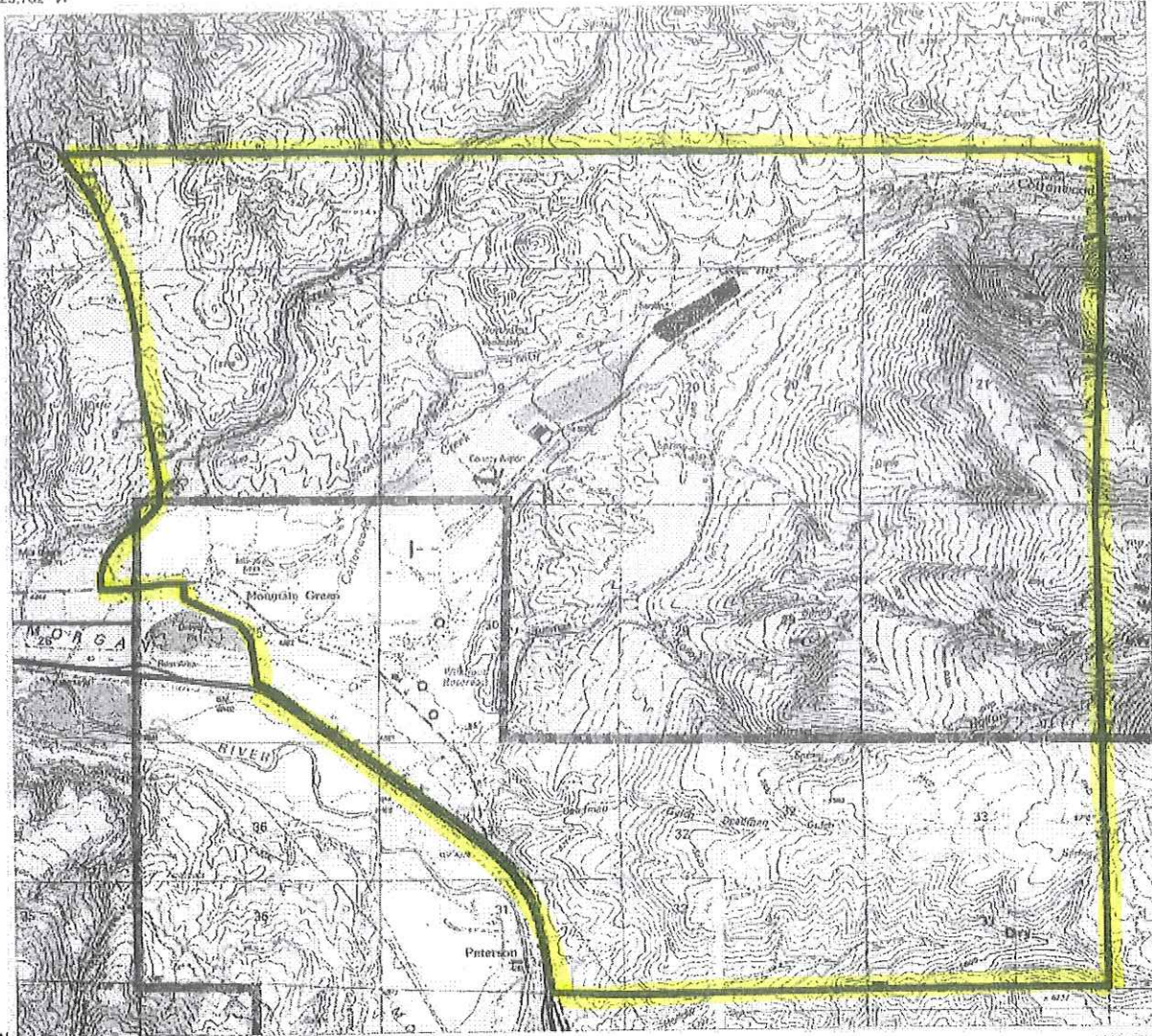
Current Service Area:
T5N, R1E: S ½ Sec. 25.
T5N, R2E: All of Sec. 30; N ½ of Sec. 31.

9. How Many Connections will the company serve? Currently: approximately 200 connections. Projected: approximately 750 connections.

10. The names of any water companies that are providing (or proposing to provide) similar service near or in any part of the area covered by this applicant are as

111° 48' 25.702" W
41° 10' 40.942" N

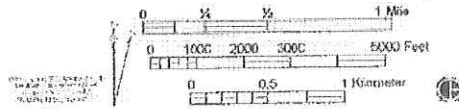
111° 42' 54.846" W
41° 10' 43.129" N



41° 6' 55.900" N
111° 48' 22.943" W

41° 6' 58.082" N
111° 42' 52.402" W

1927 North American Datum; UTM grid zone 12
Generated by GgTopo7 (www.igage.com)
Map compiled from USGS Quads: Snow Basin; UT: Dunst Mountain; UT
Peterson; UT Morgan; UT











Change Application for 35-8247



Proposed Wilkinson Cottonwood Mutual Water Company Service Area

CMWC

Culinary Water

-  CMWC Service Area Outline
-  Potential Expansion of Service Area
-  NEW WATER LINE - Johnson Well to System
-  New Water Tank 5077.5
-  Existing Direct tank line
-  New direct tank line
-  Existing Water tank 5077.5
-  Existing Subdivision lines

Potential expansion of service area to Johnson property, with new 1 million gallon water tank.

