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Arizona Corporation Commission  
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AZ CORP COMMISSION  
DOCUMENT CONTROL

5 Attorneys for Harvard Simon I, L.L.C.

6  
7 **BEFORE THE ARIZONA CORPORATION COMMISSION**

8 **IN THE MATTER OF THE**  
9 **APPLICATION OF ICR WATER**  
10 **USERS ASSOCIATION FOR AN**  
11 **EXTENSION OF ITS EXISTING**  
12 **CERTIFICATE OF**  
**CONVENIENCE AND**  
**NECESSITY**

Docket No. W-02824A-01-0450

**Notice of Filing Corrected Legal  
Descriptions**

13 Harvard Simon I, L.L.C. ("Harvard"), by and through its undersigned counsel, hereby  
14 gives notice of filing the attached corrected legal descriptions for the extension area requested by  
15 ICR Water Users Association ("ICR"). The legal descriptions submitted with ICR's application  
16 were correct, however, the descriptions utilized public roadways for certain boundaries. The  
17 corrected legal descriptions have been revised so as to describe the area covered by ICR's  
18 application without the use of public roadways.

19 DATED this 18<sup>th</sup> day of September, 2001.

20 FENNEMORE CRAIG, P.C.

21  
22 By *Karen E*  
23 Jay L. Shapiro  
Karen Errant  
Suite 2600  
24 3003 North Central Avenue  
Phoenix, Arizona 85012  
25 Attorneys for Harvard Investments  
26

1 ORIGINAL AND TEN COPIES  
2 of the foregoing hand-delivered  
3 this 18<sup>th</sup> day of September, 2001, to:

3 Arizona Corporation Commission  
4 Docket Control  
5 1200 West Washington Street  
6 Phoenix, Arizona 85007

5 COPIES OF THE FOREGOING  
6 hand-delivered this 18<sup>th</sup> day  
7 of September, 2001, to:

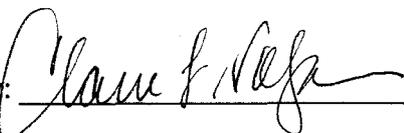
7 Marc Stern  
8 Hearing Division  
9 ARIZONA CORPORATION COMMISSION  
10 1200 West Washington Street  
11 Phoenix, Arizona 85007

10 Jim Fisher  
11 Utilities Division  
12 Arizona Corporation Commission  
13 1200 West Washington Street  
14 Phoenix, Arizona 85007

13 Janice Alward  
14 Chief Counsel  
15 Legal Division  
16 Arizona Corporation Commission  
17 1200 West Washington Street  
18 Phoenix, Arizona 85007

17 COPIES OF THE FOREGOING  
18 mailed this 18<sup>th</sup> day  
19 of September, 2001, to:

19 Thomas H. Campbell  
20 Michael T. Hallam  
21 Lewis & Roca L.L.P.  
22 40 N. Central Avenue  
23 Phoenix, Arizona 85007

22  
23 By: 

24 9225377.1/47094.005

25  
26

EXHIBIT "B"

PARCEL I:

All of Sections 15 and 16, Township 16 North, Range 3 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona.

PARCEL II:

A portion of the Northeast quarter of Section 17, Township 16 North, Range 3 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Beginning at the northeast corner of said Section 17, thence along the north line of said Section 17 South  $89^{\circ}48'52''$  West, a distance of 1155.64 feet; thence along the east line of the old Prescott-Simmons Road as it existed on June 10, 1920, South  $34^{\circ}48'23''$  East, a distance of 514.97 feet; thence South  $89^{\circ}51'21''$  West, a distance of 527.42 feet to a point of cusp on a curve concave to the west having a radius of 567.99 feet and a central angle of  $7^{\circ}13'38''$  and being subtended by a chord which bears South  $21^{\circ}01'55''$  East 71.60 feet; thence southeasterly and southerly along said curve, a distance of 71.65 feet; thence South  $17^{\circ}24'21''$  East, a distance of 44.11 feet to the beginning of a curve tangent to said line; thence southerly and southwesterly a distance of 203.97 feet along the curve concave to the west, having a radius of 284.00 feet and a central angle of  $41^{\circ}09'03''$ ; thence South  $23^{\circ}44'43''$  West tangent to said curve, a distance of 80.13 feet to the beginning of a curve tangent to said line; thence southwesterly and southerly a distance of 87.20 feet along the curve concave to the east, having a radius of 366.00 feet and a central angle of  $13^{\circ}39'05''$ ; thence South  $10^{\circ}05'36''$  West tangent to said curve, a distance of 322.23 feet to the beginning of a curve tangent to said line; thence southerly a distance of 117.67 feet along the curve concave to the east, having a radius of 366.00 feet and a central angle of  $18^{\circ}25'17''$ ; thence South  $08^{\circ}19'41''$  East tangent to said curve, a distance of 107.97 feet to the beginning of a curve concave to the northeast having a radius of 566.00 feet and a central angle of  $31^{\circ}32'23''$  and being subtended by a chord which bears South  $24^{\circ}09'13''$  East 307.65 feet; thence southerly and southeasterly along said curve, a distance of 311.57 feet; thence South  $39^{\circ}59'53''$  East, a distance of 501.97 feet to the beginning of a curve tangent to said line; thence southeasterly and southerly a distance of 222.25 feet along the curve concave to the southwest, having a radius of 634.00 feet and a central angle of  $20^{\circ}05'07''$ ; thence South  $19^{\circ}54'45''$  East tangent to said curve, a distance of 211.70 feet to the beginning of a curve concave to the east having a radius of 2966.00 feet and a central angle of  $1^{\circ}44'11''$  and being subtended by a chord which bears South  $20^{\circ}49'16''$  East 89.88 feet; thence southerly along said curve, a distance of 89.88 feet; thence South  $21^{\circ}41'22''$  East tangent to said curve, a distance of 61.81 feet to a point on the latitudinal centerline of Section 17; thence along the latitudinal centerline of Section 17, South  $89^{\circ}38'48''$  East, a distance of 547.78 feet to the east quarter corner of said Section 17; thence along the east line of said Section 17 North  $4^{\circ}56'35''$  East a distance of 2,644.48 feet to the point of BEGINNING.

PARCEL III:

All of Sections 21 and 22, Township 16 North, Range 3 West of the Gila and Salt River Base and Meridian.

EXCEPT THEREFROM all coal, oil, gas and other mineral deposits as reserved in the Patent recorded in Book 25 of Official Records, page 106.

(Affects Section 22, Township 16 North, Range 3 West)

EXCEPT for that portion lying within the following described Parcels:

PARCEL A:

Section 21 and Section 22 of Township 16 North, Range 3 West of the Gila and Salt River Base and Meridian, County of Yavapai, State of Arizona, described as follows:

BEGINNING at the intersection of the South line of said Section 22 and the Westerly sideline of Williamson Valley Road, 100 feet wide (also known as Prescott-Simmons Highway), whence the south quarter corner of said Section 22 bears South 88 degrees, 51 minutes, 40 seconds East, a distance of 112.82 feet;

Thence along said Westerly line, North 30 degrees, 31 minutes, 54 seconds West, 945.97 feet;

Thence parallel with the Southerly line of said Section 22, North 88 degrees, 54 minutes, 05 seconds West, 2,215.12 feet to the East line of said Section 21;

Thence parallel with the Southerly line of said Section 21, South 86 degrees, 23 minutes, 15 seconds West 2,826.98;

Thence continuing along said parallel line, South 88 degrees, 48 minutes, 30 seconds, West, 1,170.00 feet;

Thence South 03 degrees, 42 minutes, 29 seconds East, 805.67 feet to the South line of said Section 21;

Thence along said Section line, North 88 degrees, 48 minutes, 30 seconds East, 1,151.53 feet to the Southerly quarter corner of said Section, said corner is monumented with a 3 inch diameter brass disk set in concrete, stamped "WJ Cheek 1961 PE 2398";

Thence continuing along said South line North 86 degrees, 23 minutes, 15 seconds East, 2,804.18 feet to the Southeast corner of said Section 21; said corner is monumented with a 3 inch diameter brass disk set in concrete, stamped "WJCHEEK 1961 PE 2398";

Thence along the Southerly line of said Section 22, South 88 degrees, 54 minutes, 05 seconds East, 2,684.88 feet to the POINT OF BEGINNING.

PARCEL B

Section 21 and Section 22 described as follows:

COMMENCING at the intersection of the South line of said Section 22 and the Westerly sideline of said Williamson Valley Road;

Thence along said Westerly line, North 30 degrees, 21 minutes, 54 seconds West, 945.97 feet to the POINT OF BEGINNING.

Thence parallel with the southerly line of said Section 22, North 88 degrees, 54 minutes, 05 seconds West, 2,215 feet to the East line of said Section 21:

Thence parallel with the southerly of said Section 21, South 86 degrees, 23 minutes, 15 seconds West, 2,826.98 feet;

Thence continuing along said parallel line, South 88 degrees, 48 minutes, 30 seconds West, 1,170 feet:

Thence North 3 degrees, 42 minutes, 29 seconds West, 2,001.74 feet;

Thence North 89 degrees, 13 minutes, 31 seconds East, 5,210.05 feet to the Westerly sideline of Williamson Valley Road;

Thence along said sideline South 30 degrees, 32 minutes, 28 seconds East 1,961.02 feet:

Thence South 30 degrees, 31 minutes, 54 seconds East, 254.31 feet to the POINT OF BEGINNING.

PARCEL C:

Any portion lying south of the northerly right of way line of Nancy Drive as recorded in Book 16 of Maps, page 63, and East of the Easterly right of way of Williamson Valley Road, generally described as follows:

Beginning at the southeast corner of said Section 22; thence along the east line of the section, North 00°24'03" West, a distance of 733.34 feet to a point on the north right-of-way line of Nancy Drive; thence generally along said right-of-way line, South 84°20'32" West, a distance of 532.77 feet; thence North 86°51'41" West, a distance of 71.48 feet; thence North 77°34'10" West, a distance of 330.48 feet; thence South 89°24'59" West, a distance of 172.39 feet; thence South 65°15'47" West, a distance of 128.62 feet; thence South 50°39'08" West, a distance of 317.42 feet; thence South 65°21'35" West, a distance of 118.18 feet; thence South 89°09'58" West, a distance of 126.26 feet; thence North 83°07'30" West, a distance of 992.49 feet; thence North 77°41'53" West, a distance of 120.26

feet; thence North 61°38'09" West, a distance of 195.37 feet; thence North 85°52'18" West, a distance of 132.45 feet; thence South 70°08'27" West, a distance of 56.13 feet to a point on the easterly right-of-way line of Williamson Valley Road; thence along the easterly right-of-way line of Williamson Valley Road South 30°29'25" East, a distance of 718.99 feet to a point on the south line of said Section 22; thence along the south line of said Section 22, South 88°50'59" East, a distance of 2793.16 feet to the Point of Beginning.

PARCEL IV:

The North half of Section 28, Township 16 North, Range 3 West of the Gila and Salt River Base and Meridian.

EXCEPT for the following described Parcel:

That portion of Section 28, Township 16 North, Range 3 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the Northeast corner of said Section 28, said corner is monumented with a 3 inch diameter brass disk set in concrete, stamped "WJ Cheek PE 2398";

Thence, along the North line of said Section 28, South 86 degrees 23 minutes, 15 seconds West, 2,804.18 feet to the North quarter corner of said Section 28, said corner is monumented with a 3 inch diameter brass disk set in concrete, stamped "WJ Cheek PE 2398";

Thence, continuing along said North line of Section 28, South 88 degrees, 48 minutes, 30 seconds West, 1,151.53 feet to a line parallel with the East line of said Section 28;

Thence, along said parallel line, South 03 degrees, 42 minutes, 29 seconds East, 2,614.40 feet to the mid-section line of said Section 28;

Thence, along said mid-section line, North 88 degrees, 26 minutes, 14 seconds East, 3,957.37 feet to the East quarter corner of said Section 28, said corner is monumented with a 3 inch diameter brass disk set in concrete stamped "WJ Cheek PE 2398";

Thence, along the East line of said Section 28, North 03 degrees, 42 minutes, 29 seconds West, 2,707.30 feet to the POINT OF BEGINNING.

PARCEL V:

Section 33 of Township 16 North, Range 3 West of the Gila and Salt River Base and Meridian, County of Yavapai, State of Arizona, lying Northerly and Northwesterly of the following described line:

BEGINNING on the West line of the said Section, North 0 degrees, 12 minutes, 47 seconds West, 1,992.80 feet from the Southwest corner of said Section, said corner is monumented with a General Land Office survey monument;

Thence North 89 degrees, 47 minutes, 13 seconds East, 1,051.14 feet to an existing 4 strand barbed wire fence;

Thence generally, along said fence line North 55 degrees, 49 minutes, 36 seconds East, 5,326.57 feet to the East line of said section.

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

An Irregular shaped portion of Section 33 of Township 16 North, Range 3 West of the Gila and Salt River Base and Meridian, County of Yavapai, State of Arizona, described as follows:

Beginning at the Northeast corner of said Section, said corner is monumented with a 3 inch diameter brass disk set in concrete, stamped "WJ Cheek 1961 PE 2398";

Thence, along the North line of said Section, South 89 degrees, 15 minutes, 14 seconds West 2,737.46 feet, to the North quarter corner of said Section, said corner is monumented with a 3 inch diameter brass disk set in concrete, stamped "WJ Cheek 1961 PE 2398";

Thence, continuing along said line, South 89 degrees, 16 minutes, 37 seconds West 1,222.44;

Thence, departing said line, South 3 Degrees, 42 minutes, 29 seconds East, 2,896.81 feet to an existing 4 strand barbed wire fence line;

Thence, generally along said fence line, North 55 degrees 49 minutes 36 seconds East 4,556.29 feet to the East line of said Section;

Thence along said line, North 0 degrees, 23 minutes, 28 seconds East 382.57 feet to the POINT OF BEGINNING.

EXCEPT from all Parcels I, II and III, any portion lying within Prescott-Simmons Highway right of way.

PARCEL VI:

A portion of Section 11, Township 16 North, range 3 West of the Gila and Salt River Meridian Yavapai County, Arizona, described as follows:

BEGINNING at the Southwest corner of said Section 11, as depicted on the Survey Plat recorded in Book 53 of Land Surveys, Page 30, records of said Yavapai County;

Thence South 88 degrees, 11 minutes, 05 seconds east along the South line of said Section 11, a distance of 2,711.26 feet to the South Quarter corner of said Section 11, as depicted on said Plat.

Thence South 88 degrees, 10 minutes, 26 seconds East (of record South 88 degrees, 13 minutes East), along said South line, a distance of 164.88 feet (of record 165.00 feet) to the Southwest corner of that certain parcel described in Book 2195 of Official Records, Page 746 and Book 3603 of Official Records, Page 873, records of Yavapai County, said corner being monumented with a one-half inch bar;

Thence North 00 degrees, 08 minutes, 09 seconds west (of record North 00 degrees, 06 minutes, 45 seconds West), along the West line thereof, a distance of 1,826.06 feet (of record 1,826.19 feet) to the Northwest corner of said parcel, being also the Southwest corner of that certain parcel described in Book 2633 of Official Records, Page 474, records of said Yavapai County, said corner being monumented with a one-half inch iron bar;

Thence North 00 degrees, 05 minutes, 23 seconds West ( record North 00 degrees. 06 minutes, 45 seconds West) along the West line of said parcel described in Book 2633 of Official Records, Page 474, a distance of 1,829.86 feet (of record 1,837.24 feet) to the Northwest corner thereof, being also the Southwest corner of that certain parcel described in Book 2439 of Official Records, page 517, records of said Yavapai County, said corner being monumented with a one-inch iron bar;

Thence North 00 degrees, 07 minutes, 54 seconds West (of record of 00 degrees, 07 minutes, 00 seconds West), along the West line of said parcel described in Book 2439 of Official Records, Page 517, a distance of 1,832.47 feet (of record 1,832.48 feet) to the Northwest corner of said parcel, said corner being a point on the North line of said Section 11 and being monumented with a on-half inch iron bar;

Thence North 88 degrees, 56 minutes, 36 seconds West (of record North 88 degrees, 56 minutes, 06 seconds West) along said North line, a distance of 165.03 feet (of record 165.00 feet) to the North quarter corner of said Section 11, as depicted on said Plat.

Thence North 88 degrees, 56 minutes, 16 seconds West along said North line, a distance of 2,778.19 feet to the Northwest corner of said Section 11, as depicted on said Plat;

Thence South 00 degrees, 50 minutes, 19 seconds, East along the West line of said Section 11, a distance of 2,726.26 feet to the West quarter corner of said Section 11, as depicted on said Plat;

Thence South 00 degrees, 49 minutes, 50 seconds East along said West line, a distance of 2726.10 feet to the POINT OF BEGINNING.