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FENNEMORE CRAIG, P.C.  
Jay L. Shapiro (No. 014650)  
Patrick J. Black (No. 017141)  
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Phoenix, Arizona 85012  
Telephone (602)916-5000  
Attorneys for Pine Water Company

2008 FEB 20 P 3:07  
AZ CORP COMMISSION  
DOCKET CONTROL

**BEFORE THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE APPLICATION  
OF PINE WATER COMPANY FOR  
APPROVAL TO (1) ENCUMBER A PART  
OF ITS PLANT AND SYSTEM  
PURSUANT TO A.R.S. § 40-285(A); AND  
(2) ISSUE EVIDENCE OF  
INDEBTEDNESS PURSUANT TO A.R.S.  
§ 40-302(A).

DOCKET NO: W-03512A-07-0362

**NOTICE OF FILING LATE FILED  
EXHIBIT**

Pine Water Company hereby submits this Notice of Filing Late Filed Exhibit in the above-referenced matter. Attached hereto is a copy of the Special Warranty Deed (see Attachment 1), recorded with Gila County and reflecting conveyance of the K2 well site to PWCo. The property subject to the conveyance is the real property subject to the Company's request pursuant to A.R.S. § 40-285(A).

DATED this 20th day of February, 2008.

FENNEMORE CRAIG, P.C.

By *Jay L. Shapiro*  
Jay L. Shapiro  
Patrick J. Black  
3003 North Central Avenue, Suite 2600  
Phoenix, Arizona 85012  
Attorneys for Pine Water Company

Arizona Corporation Commission  
**DOCKETED**

FEB 20 2008

DOCKETED BY nr

1 **ORIGINAL** and thirteen (13) copies of the  
2 foregoing filed this 20th day of February, 2008:

3 Docket Control  
4 Arizona Corporation Commission  
5 1200 W. Washington St.  
6 Phoenix, AZ 85007

7 **COPY** of the foregoing hand-delivered  
8 this 20th day of February, 2008:

9 Mr. Dwight D. Nodes  
10 Assistant Chief Administrative Law Judge  
11 Arizona Corporation Commission  
12 1200 W. Washington Street  
13 Phoenix, AZ 85007

14 Mr. Kevin Torrey, Esq.  
15 Legal Division  
16 Arizona Corporation Commission  
17 1200 West Washington Street  
18 Phoenix, Arizona 85007

19 **COPY** of the foregoing **emailed**  
20 this 20th day of February, 2008 to:

21 jgliege@earthlink.net; jgliege@gliege.com  
22 John G. Gliege  
23 Gliege Law Offices, PLLC  
24 P.O. Box 1388  
25 Flagstaff, AZ 86002-1388

26 By:   
2032781.1/75206.015

# **ATTACHMENT 1**

WHEN RECORDED, RETURN TO:

Pine Water Co., Inc.  
3101 State Road  
Bakersfield, California 93308  
Attention: Robert T. Hardcastle

2008-001928

Page: 1 of 4  
02/12/2008 03:08P  
13.00

**THIS DOCUMENT IS EXEMPT FROM THE AFFIDAVIT OF PROPERTY VALUE  
REQUIREMENT PURSUANT TO ARIZONA REVISED STATUTES § 11-1134(B)(7).**

**SPECIAL WARRANTY DEED**

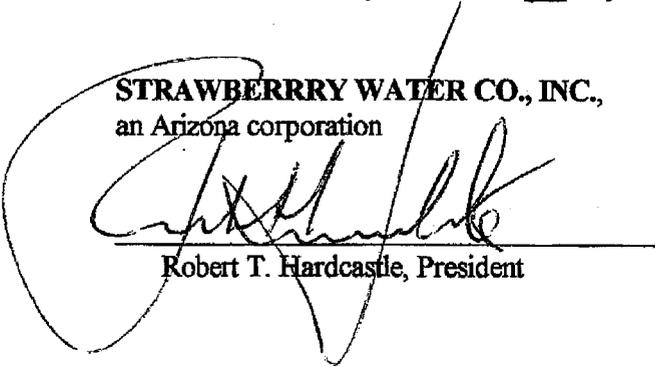
**FOR AND IN CONSIDERATION** of the sum of Ten and 00/100 Dollars and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Strawberry Water Co., Inc., an Arizona corporation, successor to United Utilities, Inc. ("Grantor"), hereby conveys unto Pine Water Co., Inc., an Arizona corporation ("Grantee"), that certain real property located in the County of Gila, State of Arizona, and described on Exhibit "A" attached hereto and incorporated herein by reference, together with all rights, interests, privileges, and easements appurtenant thereto and any improvements now or hereafter thereon.

**SUBJECT TO** taxes and assessments not yet delinquent, reservations, easements, rights of way, encumbrances, liens, conditions, restrictions, obligations and all other matters of record, and further subject to all matters which an accurate ALTA survey or physical inspection of the property would reveal.

**TO HAVE AND TO HOLD** the above described real property, together with all and singular rights and appurtenances thereunto belonging, unto the said Grantee, its successors and assigns, and Grantor does hereby warrant the title against all acts of the Grantor and no other, subject to the matters set forth above.

**IN WITNESS WHEREOF**, Grantor has executed this Warranty Deed this 17<sup>th</sup> day of February, 2008.

**STRAWBERRY WATER CO., INC.,**  
an Arizona corporation

  
Robert T. Hardcastle, President

### CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of KERN

On FEBRUARY 7, 2008 before me, DENYS THEDE, NOTARY PUBLIC  
Date Here Insert Name and Title of the Officer

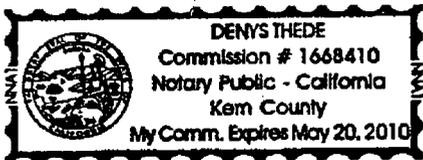
personally appeared ROBERT T. HANDCASTLE  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]  
Signature of Notary Public



Place Notary Seal Above

#### OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

#### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

#### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

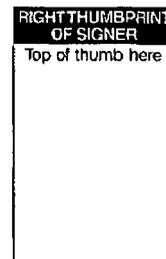
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Exhibit "A"

Legal Description

A parcel of land located in the Southeast Quarter of the Southwest Quarter of Section 22, Township 12 North, Range 8 East of Gila and Salt River Meridian, Gila County, Arizona, lying adjacent to the westerly line of Strawberry Knolls Unit 4 Amended as shown on Map 592, Gila County Records, the said parcel is more particularly described as follows:

Beginning at the southwest corner of Lot 2 of Strawberry Knolls Unit 4 Amended;

Thence: N 09°37'01" W, along the west line of said Lot 2, 79.80 feet;

Thence: S 79°22'31" W, 64.00 feet;

Thence: S 09°37'01" E, 15.00 feet;

Thence: N 79°22'31" E, 44.00 feet;

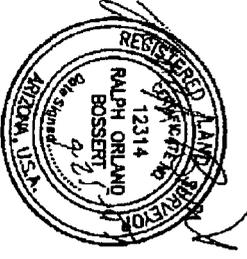
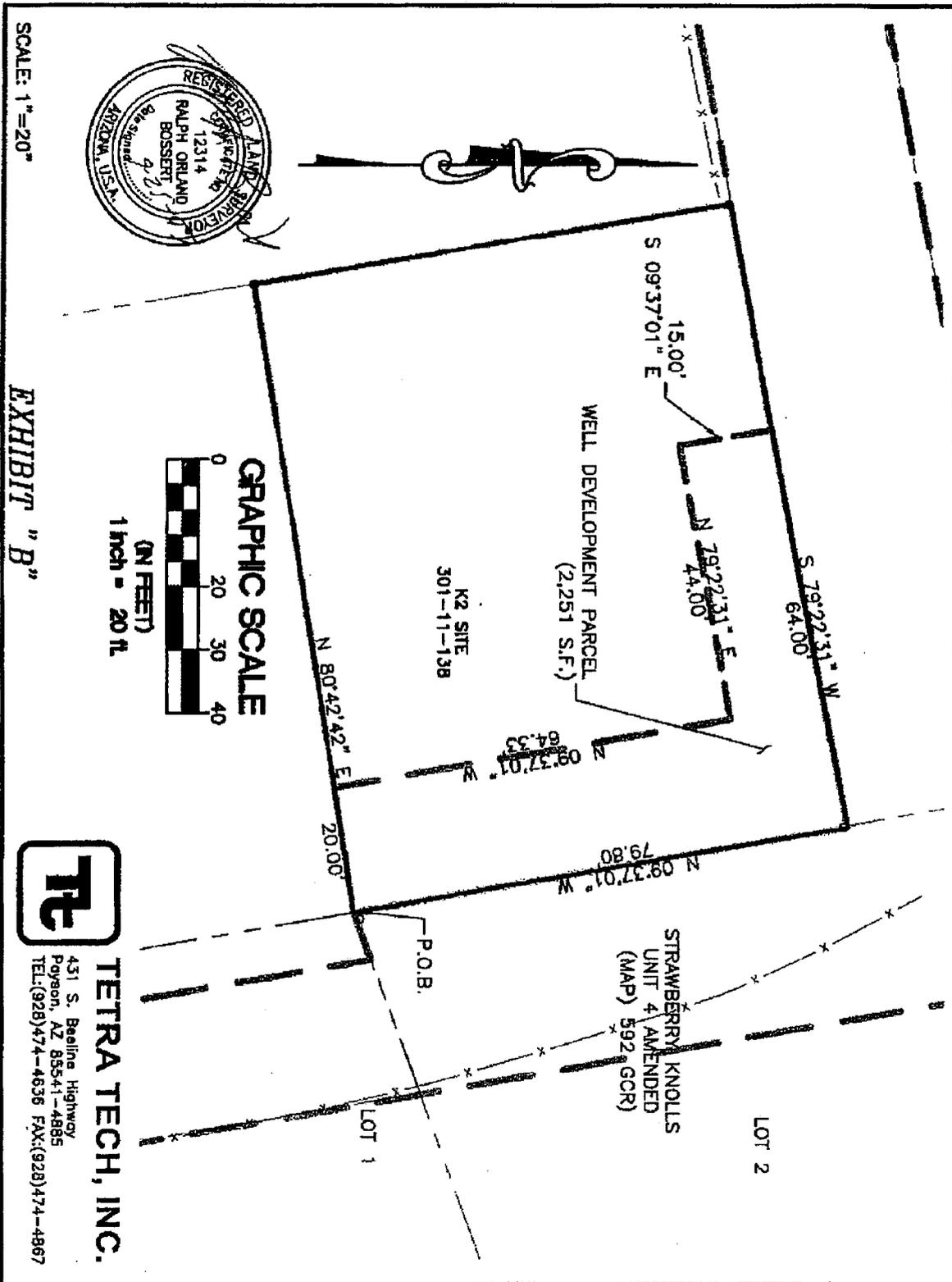
Thence: S 09°37'01" E, 64.33 feet;

Thence: N 80°42'42" E, 20.00 feet to the POINT OF BEGINNING.

Said parcel contains 2,251 square feet as shown on attached Exhibit "B".

**Tetra Tech, Inc.**  
**Project No. 1333.0015**





SCALE: 1"=20'

EXHIBIT "B"



**TETRA TECH, INC.**  
 431 S. Beeline Highway  
 Payson, AZ 85541-4885  
 TEL:(928)474-4636 FAX:(928)474-4867

N 80°42'42" E  
 20.00'

K2 SITE  
 301-11-13B

WELL DEVELOPMENT PARCEL  
 (2,251 S.F.)

STRAWBERRY KNOLLS  
 UNIT 4 (AMENDED)  
 (MAP) 592 GCR

LOT 2

LOT 1

P.O.B.

N 09°37'01" E  
 15.00'

N 09°37'01" E  
 64.33'

N 09°37'01" W  
 79.80'

S 79°22'31" W  
 64.00'

S 09°37'01" E  
 15.00'

N 79°22'31" E  
 44.00'