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ORIGINAL

# Ashcreek Water Co

P.O. Box 825 Thatcher, AZ 85552  
3776 Main St, Thatcher, AZ

965-2934 for emergencies  
428-3357 for billing questions  
428-5420 for all other contact

February 2, 2009

## ARIZONA CORPORATION COMMISSION

Mike Gleason, Chairman  
Kristin K. Mayes  
William Mundell  
Jeff Hatch-Miller  
Gary Pierce

Arizona Corporation Commission

DOCKETED

FEB 17 2009

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AZ CORP COMMISSION  
DOCKET CONTROL

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RECEIVED

Re: Docket # W-02494A-06-0561  
W-02494A-07-0286

Ashcreek Water Company will not be able to comply with Decision #70409 of Docket # W-02494A-07-0681 which Orders Ashcreek Water Company to submit as a Compliance Item a copy of the ADEQ Approval of Construction of the 20,000 gallon storage tank by December 31, 2008. Ashcreek Water Company requests an extension of time to complete the requirement.

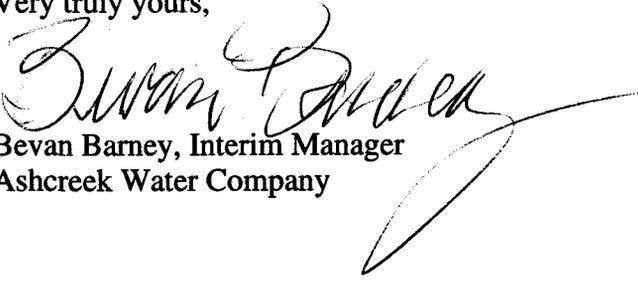
In addition it is further Ordered that the Decision #70409 granting the requested CC&N extension be considered null and void, after due process, should Ashcreek Water Company fail to meet the above condition within the time specified. Ashcreek Water Company also requests a similar extension of time before declaring the Extension of the CC&N null and void.

**Reason:** Four Easements were necessary prior to construction of the planned transmission line. Three of these have been secured and recorded. The additional one presently in escrow and has real property attached. The escrow is waiting for a resolution of the Application For Sale of Assets, Docket # W-02494A-08-0557, and cannot proceed without action from the Commission

**Corrective Action:** Receive permission from the Commission to sell the asset in Docket # W-02494A-08-0557. Close the escrow, advertise for bids, monitor construction and secure "ADEQ Approval of Construction" to submit as a Compliance Item. These later tasks are within my control and can proceed at a reasonable pace.

**Duration:** The bid and construction process should move swiftly due to the downturn in economic activity in the area. ADEQ Approval to Construct will process at a normal pace. I request an additional 6 months of time to comply.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Bevan Barney". The signature is written in black ink and extends to the right with a long, sweeping tail.

Bevan Barney, Interim Manager  
Ashcreek Water Company