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John Dougherty
PO Box 501
Rimrock, AZ 86335
Intervener

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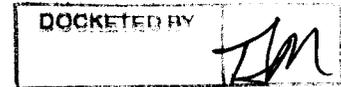
BEFORE THE ARIZONA CORPORATION COMMISSION

Commissioners
BOB STUMP – Chairman
GARY PIERCE
SUSAN BITTER SMITH
BRENDA BURNS
BOB BURNS

Arizona Corporation Commission

DOCKETED

JAN 15 2013



IN THE MATTER OF THE
APPLICATION FOR APPROVAL
OF A RATE INCREASE
BY MONTEZUMA
WATER COMPANY, LLC
AND APPROVAL OF
CERTAIN LOANS

W-04254A-12-0204
W-04254A-12-0205
W-04254A-12-0206
W-04254A-12-0207

**NOTICE OF FILING ADDITIONAL EXHIBIT
IN SUPPORT OF INTERVENER'S MOTIONS
DOCKETED ON JANUARY 14, 2013**

**MOTION TO REQUIRE COMPANY TO
SUBMIT CAPITAL LEASES TO
COMMISSION FOR APPROVAL**

By The Intervener:

ADDITIONAL EXHIBIT

Intervener hereby submits Exhibit 7 to the Several Motions docketed on January 14, 2013. Exhibit 7 includes two documents:

1. Uniform Commercial Code Financing Statement between Montezuma Rimrock Water Company, LLC and Nile River Leasing, LLC for the "Arsenic Treatment Plant Building" filed with the Arizona Secretary of State on Aug. 31, 2012.
2. Uniform Commercial Code Financing Statement between Montezuma Rimrock Water Company, LLC and Financial Pacific Leasing, LLC, secured party, and Wells Fargo Capital Finance, LLC, secured party, filed with the Arizona Secretary of State on May 9, 2012.

*ADDITIONAL EVIDENCE THAT MONTEZUMA AND COUNSEL VIOLATED
PROCEDURAL ORDERS AND SUBMITTED FALSE STATEMENTS IN AN APRIL 27,
2012 LEGAL BRIEF*

On March 12, 2012 the Administrative Law Judge, in Docket W-4254A-08-361, W-4254A-08-362, ordered Montezuma to docket all lease agreements signed personally by Ms. Patricia Olsen, or by the Company, by March 30, 2012. (1) On April 9, 2012, the judge extended the deadline to April 13, 2012. (2)

On April 13, 2012, Montezuma's counsel docketed two lease agreements for an Arsenic Treatment Building and Arsenic Treatment System. Ms. Olsen, personally, signed the leases on March 16, 2012. The lease agreements were with Nile River Leasing, LLC. (See Exhibit 1 from Intervener's Jan. 14 filing.)

Contrary to the Company's April 13 filing that Ms. Olsen, personally, entered into the Arsenic Treatment Building lease agreement, the Aug. 31, 2012 UCC filing in Exhibit 7 provides additional evidence that it was Montezuma that actually entered into the lease agreement for the Arsenic Treatment Building. (Intervener docketed a copy of a March 22, 2012 lease agreement between Montezuma and Nile River for the Arsenic Treatment Building as Exhibit 2 in Intervener's Jan. 14 filing.)

In addition, contrary to the Company's April 13 filing and April 27 Legal Brief stating that Ms. Olsen, personally, entered into a lease agreement with Nile River for an Arsenic Treatment System, the May 9, 2012 UCC filing in Exhibit 7 reveals that it was actually Montezuma that entered into a lease agreement with Financial Pacific Leasing, LLC and Wells Fargo Capital Finance, LLC on April 3, 2012:

The May 9 UCC Financing Statement includes the following collateral:

*“All equipment and other personal property, now or hereafter the subject of that certain Lease Agreement, **relating to Lease 001-0796680-001, dated 04/03/2012** (emphasis added) between the Secured Party as Lessor and Debtor as Lessee, together with all attachments, additions, accessories, substitutions and replacements thereto, and any and all insurance and other proceeds of the foregoing.”*

1) On March 12, 2012, the Administrative Law Judge issued a Procedural Order in Docket W-4254A-08-361, W-4254A-08-362 stating “that if Montezuma has executed any contractual documents related to purchase, construction installation, operation or maintenance of an arsenic treatment facility to treat the water from its Well #1 and/or Well #4, Montezuma shall, by March 30, 2012, file a copy of all such contractual documents in this docket.”

2) On April 9, 2012, the Administrative Law Judge issued the following Procedural Order in Docket W-4254A-08-361, W-4254A-08-362: “IT IS FURTHER ORDERED that **Montezuma, through counsel, shall, by April 13, 2012, file complete copies of any and all agreements** that have been executed by Ms. Olsen individually or for Montezuma, for the purpose of Montezuma's obtaining arsenic treatment for its water supply.”

Based on information and belief submitted with Intervener's Motions docketed on Jan. 14, Lease 001-0796680-001, dated 04/34/2012, is for the Arsenic Treatment System.

The May 9 UCC filing showing an April 3, 2012 lease between Montezuma and Financial Pacific also conflicts with the date of a purported May 2, 2012 Lease agreement No. 796680.001 between the Company and Financial Pacific filed in this consolidated docket by Montezuma on Oct. 25, 2012.

Intervener included a copy of the May 2, 2012 lease in Exhibit 2 of Intervener's Jan. 14, 2013 filing. It is important to note that the purported May 2, 2012 lease agreement includes only four of the five pages of the agreement and that the Company blacked out the signatures on the first page of the lease.

Importantly, the Secretary of State UCC database has no record of a lease agreement between Montezuma and Financial Pacific dated May 2, 2012.

The two UCC filings in Exhibit 7 provide further evidence that Montezuma and its Counsel violated the March 12, 2012 and April 9, 2012 Procedural Orders in Docket Docket W-4254A-08-361, W-4254A-08-362 by failing to disclose lease agreements signed by the Company in an effort to avoid Commission approval of Capital leases.

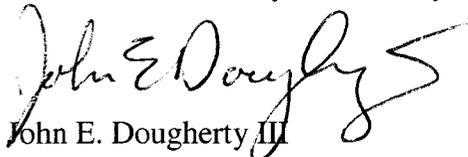
The UCC filings also directly contradict statements in Montezuma's April 27 Legal Brief by failing to disclose that the Company, rather than Ms. Olsen, had signed the effective lease agreements for the Arsenic Treatment Building and the Arsenic Treatment System.

Additional Motion Sought by Intervener

On Jan. 14, Intervener docketed a series of motions with supporting documentation showing the Company's leases for the Arsenic Treatment Building and Arsenic Treatment System are Capital leases and subject to approval by the Commission under ARS S40-302 (A).

Intervener respectfully Moves the Commission to require the Company to submit the true and complete, unredacted leases between the Company and Nile River Leasing for the Arsenic Treatment Building and the Company and Financial Pacific Leasing for the Arsenic Treatment System for Approval by the Commission as Capital Leases under ARS S40-302(A) as part of the ongoing rate case application and approval of various long term debt in this consolidated docket.

Submitted on January 15, 2013 by


John E. Dougherty III

Intervener

I certify that a copy of this Motion has been mailed on January 15, 2013 to:

Ms. Patricia Olsen
Montezuma Rimrock Water Company
P.O. Box 10
Rimrock, AZ 86335

Daniel Pozefsky
RUCO
1110 W. Washington St.
Suite 220
Phoenix, AZ 85007

Janice Alward
Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

Steve Olea
Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

Lyn Farmer
Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

Todd C. Wiley
3003 N. Central Ave.
Suite 2600
Phoenix, AZ 85012

Exhibit 7
Two Pages

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SECRETARY OF STATE

2012 MAY -9 AM 11:33

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER (optional)
Phone: (800) 331-3282 Fax: (818) 662-4141

B. SEND ACKNOWLEDGEMENT TO: (Name and Address) 11250 FINANCIAL PACI

CT Lien Solutions 32694128
P.O. Box 29071
Glendale, CA 91209-9071 AZAZ

FILED 10:15AM 000002 #7320
LITICIA
R000210
USE 1/31/12 COLL \$9.00
CHECK \$9.00

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

1a. ORGANIZATION'S NAME
MONTEZUMA RIMROCK WATER COMPANY LLC

OR

1b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

1c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
4599 E GOLDMINE RD RIMROCK AZ 86335 USA

1d. SEE INSTRUCTIONS ADD'L INFO RE ORGANIZATION DEBTOR 1e. TYPE OF ORGANIZATION 1f. JURISDICTION OF ORGANIZATION 1g. ORGANIZATIONAL ID #, if any
LLC AZ L10787594 NONE

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a. ORGANIZATION'S NAME

OR

2b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

2c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

2d. SEE INSTRUCTIONS ADD'L INFO RE ORGANIZATION DEBTOR 2e. TYPE OF ORGANIZATION 2f. JURISDICTION OF ORGANIZATION 2g. ORGANIZATIONAL ID #, if any
 NONE

3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME
Wells Fargo Capital Finance, LLC

OR

3b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

3c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
P.O. BOX 4568 FEDERAL WAY WA 98001 USA

4. This FINANCING STATEMENT covers the following collateral:

All equipment and other personal property, now or hereafter the subject of that certain Lease Agreement, relating to Lease 001-0796680-001, dated 04/03/2012, between the Secured Party as Lessor and Debtor as Lessee, together with all attachments, additions, accessories, substitutions and replacements thereto, and any and all insurance and other proceeds of the foregoing.

5. ALTERNATIVE DESIGNATION (if applicable) LESSEE/LESSOR CONSIGNEE/CONSIGNOR BAILEE/BAILOR SELLER/BUYER AG. LIEN NON-UCC FILING

6. This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS. Attach Affidavit (if applicable) 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) All Debtors Debtor 1 Debtor 2 (optional) (ADDITIONAL FEE)

8. OPTIONAL FILER REFERENCE DATA

32694128 MONTEZUMA RIMROCK WATER COMPANY LL6680-001
FILING OFFICE COPY - NATIONAL UCC FINANCING STATEMENT (FORM UCC1) (REV. 05/22/02) Prepared by CT Lien Solutions, P.O. Box 29071, Glendale, CA 91209-9071 Tel (800) 331-3282

FINANCING STATEMENT ADDENDUM					
FOLLOW INSTRUCTIONS (front and back) CAREFULLY					
9. NAME OF FIRST DEBTOR (1a or 1b) ON RELATED FINANCING STATEMENT					
9a. ORGANIZATION'S NAME					
2R					
9b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE NAME, SUFFIX	
10. MISCELLANEOUS					
32694128-AZ-0					
11250 FINANCIAL PACI					
File with: Arizona 001-0796680-001 MONTEZUMA RIMROCK WATER COMPANY LL					
THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY					
11. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one name (11a or 11b) - do not abbreviate or combine names					
11a. ORGANIZATION'S NAME					
OR					
11b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE NAME SUFFIX	
11c. MAILING ADDRESS			CITY		STATE POSTAL CODE COUNTRY
11d. SEE INSTRUCTION	ADDL INFO RE ORGANIZATION DEBTOR	11e. TYPE OF ORGANIZATION	11f. JURISDICTION OF ORGANIZATION	11g. ORGANIZATIONAL ID #, if any	
				<input type="checkbox"/> NONE	
12. <input type="checkbox"/> ADDITIONAL SECURED PARTY'S or <input checked="" type="checkbox"/> ASSIGNOR S/P's NAME - insert only one name (12a or 12b)					
12a. ORGANIZATION'S NAME					
Financial Pacific Leasing, LLC					
OR					
12b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE NAME SUFFIX	
12c. MAILING ADDRESS			CITY		STATE POSTAL CODE COUNTRY
P.O. BOX 4568			FEDERAL WAY		WA 98063-4568
13. This FINANCING STATEMENT covers <input type="checkbox"/> timber to be cut or <input type="checkbox"/> as-extracted collateral or is filed as a <input type="checkbox"/> fixture filing.			16. Additional collateral description:		
14. Description of real estate:					
15. Name and address of a RECORD OWNER of above-described real estate (if Debtor does not have a record interest):					
17. Check <u>only</u> if applicable and check <u>only</u> one box.					
Debtor is a <input type="checkbox"/> Trust or <input type="checkbox"/> Trustee acting with respect to property held in trust or <input type="checkbox"/> Decedent's Estate					
18. Check <u>only</u> if applicable and check <u>only</u> one box.					
<input type="checkbox"/> Debtor is a TRANSMITTING UTILITY					
<input type="checkbox"/> Filed in connection with a Manufactured-Home Transaction					
<input type="checkbox"/> Filed in connection with a Public-Finance Transaction					
FILING OFFICE COPY - NATIONAL UCC FINANCING STATEMENT ADDENDUM (FORM UCC1Ad) (REV. 05/21/09)				Prepared by CT Lien Solutions, P.O. Box 29071 Glendale, CA 91209-9071 Tel (800) 331-3282	



Exhibit 7

One Page



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*** ALYSSA

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UCC 1/DISP COLL \$9.00

CHECK \$9.00

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]
ROBIN RICHARDS - 480-607-6800

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

**ODYSSEY EQUIPMENT FINANCING COMPANY
 8655 E. VIA DE VENTURE, STE. E-130
 SCOTTSDALE, AZ 85258**

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

1a. ORGANIZATION'S NAME
MONTEZUMA RIMROCK WATER COMPANY LLC

OR

1b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

1c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
PO BOX 10 RIMROCK AZ 86335 USA

1d. SEE INSTRUCTIONS ADD'L INFO RE ORGANIZATION DEBTOR 1e. TYPE OF ORGANIZATION 1f. JURISDICTION OF ORGANIZATION 1g. ORGANIZATIONAL ID #, if any
LLC ARIZONA NONE

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a. ORGANIZATION'S NAME

OR

2b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

2c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

2d. SEE INSTRUCTIONS ADD'L INFO RE ORGANIZATION DEBTOR 2e. TYPE OF ORGANIZATION 2f. JURISDICTION OF ORGANIZATION 2g. ORGANIZATIONAL ID #, if any
 NONE

3. SECURED PARTY'S NAME (or NAME OF TOTAL ASSIGNEE OF ASSIGNOR/S/P) - insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME
NILE RIVER LEASING, L.L.C.

OR

3b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

3c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
9526 N. 46TH ST. PHOENIX AZ 85028 USA

4. This FINANCING STATEMENT covers the following collateral:

**1 - ARSENIC BUILDING PLANT
BUILDING CONSTRUCTION WITH ELECTRICAL CONNECTION - SIZE: 10 X 20 X 10 FEET**

5. ALTERNATIVE DESIGNATION (if applicable): LESSEE/LESSOR CONSIGNEE/CONSIGNOR BAILEE/BAILOR SELLER/BUYER AG. LIEN NON-UCC FILING

6. This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS. Attach Addendum If applicable: ADDITIONAL FEE (optional) 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) All Debtors Debtor 1 Debtor 2

8. OPTIONAL FILER REFERENCE DATA

FILING OFFICE COPY — UCC FINANCING STATEMENT (FORM UCC1) (REV. 05/22/02) International Association of Commercial Administrators (IACA)