

UW-150742

OldWater Company, Inc.  
84 Stayput Ave. NW  
Seaview, WA 98888

March 10, 2015

RECEIVED  
REGULATORY MANAGEMENT  
2015 APR 23 PM 2:08  
STATE OF WASH.  
UTIL. AND TRANSP.  
COMMISSION

Steve V. King  
Acting Executive Director and Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive SW  
Olympia, WA 98504-7250

RE: *600 into H2O*  
Sale and Transfer *to Bob tersel (3 systems)*  
*and Mike McCantley (3 systems)*

Dear Secretary:

Enclosed you will find the joint application of the above-referenced sale and transfer application to include:

1. Application for transfer (with exhibits),
2. Tariff Adoption notice for existing rates and prices,
3. Signed copy of Instrument of Transfer,
4. ~~Income Statement, Balance Sheet, Asset Listing, Depreciation Schedule, and Summary of outstanding securities for the new company.~~  
*my accountant Ken Storey is mailing these*
5. Copy of customer notice telling them of sale and transfer of water system.

If you have any question, please call me at 123-456-7890.

Sincerely



Enclosures as noted

*I HAD both tersel and McCantley contact  
UTC AS we started to negotiate the  
SALE/transfer. It is up to them if they  
want to remain with UTC. They have indicated  
no home*  
*Dan*

SERVICE AREA

Water System List:

<u>System Name</u>	<u>County</u>	<u>DOH</u> <u>WFI #</u>
Columbia Crest Estates I-II	Cowlitz	07299v
SOLD TO Columbia Crest Estates Water Association Inc. ON 8-15-2012 for \$1.00 Exhibit "A"		

Columbia Crest Estates III	Cowlitz	aa974
The View Estates I	Cowlitz	ab059e
The View Estates II	Cowlitz	ab162
SOLD TO KALAMA WATER LLC (Bob Terslev) ON JUNE 15-2014 Then RE-FINALISED ON Oct 11-2014 Exhibit "B" IN LIEU OF FORECLOSURE		

Columbia View Estates I	Cowlitz	0-00114
Columbia View Estates II	Cowlitz	
Columbia View Estates III	Cowlitz	08265
SOLD TO MICA MCCARTY FOR \$5,000 ON OCT 8-2014 Exhibit "C"		

Daella 360-984-1011

3-10-2015

exhibit  
u Bll

## PERSONAL PROPERTY BILL OF SALE

In consideration of the terms and conditions below, and other good and valuable consideration, Daniel Class individually and as the managing member of Green Mt. H2o, LLC (Seller) hereby sell, transfers, and assigns, the tangible and intangible personal property described below, to Kalama Water, LLC and or his assigns( Buyer) this 11 day of Oct, 2014.

### 1. Property Sold

- a. THE VIEW WATER SYSTEM # 1 – ID # AB059E
- b. THE VIEW WATER SYSTEM # 2 – ID # AB1624
- c. THE COLUMBIA CREST III WATER SYSTEM – ID # AA979D
- d. Tangible and intangible property needed and necessary for the continuous operation of the above water systems, including but not limited to water rights, the books and records, pumps, pipes, buildings, improvements, property rights, easements, royalties, connection fees and income stream for each of the water systems above.

### 2. Consideration

The consideration for this sale is the sum of \_\_\_\_\_, the receipt of which is acknowledged, and the release of liability from other obligations owed including but not limited claims to other assets of Seller.

### 3. Warranties

- a. Seller warrants that Seller is the legal owner of Property and that Daniel Class is the sole member of the LLC and has the authority to transfer title.
- b. Seller will execute any documents required to transfer title, if any, required by law.
- c. Seller will provide copies of warranties, operating manuals and/or agreements for the water systems, and, assigns any remaining product warranties, and claims for breach warranty, contract or negligence associated with the ownership of the Property.
- d. Seller believes Property to be in good condition except for the following:

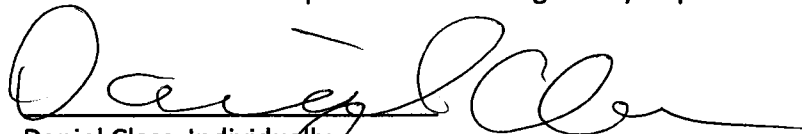
### 4. As Is

**The Buyer(s) take(s) all Property as is. Seller hereby disclaims**

the implied warranty of merchantability and all other implied warranties which may apply to the extent that such disclaims are permitted in the state having jurisdiction over this bill of sale.

**5. Appointment As Agent For Limited Purpose/ No Joint Business**

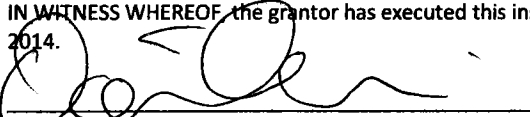
This transaction is the sale of assets only and by accepting the Property Buyer is not assuming the liabilities or obligations of the Seller. For purposes of effectuating the terms of this agreement Seller appoints Buyer as its Attorney in Fact with the authority to take all action necessary to complete the transfers contemplated herein and give any required notice in its name.

  
Daniel Class, Individually

  
Green Mountain H2o, LLC by Daniel Class, Managing Member

Signed on this date.  
10-11-2014  
Effective Date

IN WITNESS WHEREOF, the grantor has executed this instrument this 11 day of Oct 2014 2014.

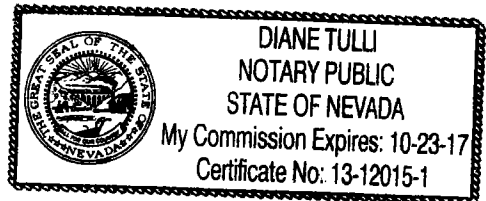
  
Daniel Class Individually and as the managing member  
Of Green Mt. H2O LLC

COUNTY OF CLARK ) ss.  
)

On 10/11, 2014, before me, Deane Tulli, a Notary Public in and for said County and State, personally appeared Daniel Class, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

NOTARY SEAL  
10-23-17  
My Commission Expires:

Deane Tulli  
Notary Public



EMAIL 10-24-2014

**View and CCE-3 Water Users**

Bob Tershel now owns the water systems. The past water rates of \$45 has been a gift. I've lost money with the water rates because I wanted them to be affordable. THATS NOT HOW YOU RUN A WATER System. Every buiseness has to make money. The rates will go up very soon I think Tershel will keep them for a while opposed to the third party he's been talking with who could do whatever he wanted and effect the future value of your investments. PLEASE work with Tershel. The bi-monthly billings are a pain in the butt. Maybe you guys could prepay 6 months at a time as Tershel has pymts due in Jan of every year. My job as the water system owner was handle system issues and collect the water use bills then pay the bills. Sounds simple but for example Al Chick who bought my old house has a huge very green lawn, lots of landscaping and 2 fountains replied to my request for an overusage consideration of \$400 per yr by saying I didn't use much water /you told me it was fr ee.

I ask everybody not to try and get things for free for whatever excuse you may have, maybe you can be fair with Tershel, help with the system if you can. Maybe its to late Tershel knows that Al Chick was not fair and to protect himself from the Chick type people and charge for x-tra useage. There will come a day that Al Chick will understand he was not fair to Class for his over water usage. Al did pay Class \$400 the first year for over-usage, and sent an x-tra \$60 for his over-usage of water in 2013 and 2014 in his last bill which Class considers a JOKE, and is refunding him the \$60. Class billed Al 6 times over the last 18 months for overusage which of course he ignored

Thank you

Dan Class

**SO PLEASE WORK WITH TERSHEL ON ALL ISSUES AS HE IS DOING YOU ARE A BIG FAVOR**  
Just so you know the varsity road water users are now paying \$100 monthly instead of the \$45 I charged for the exact same water quality I provided.  
Thank You

Dan Class  
360-984-1011

Bob Tershel 503-244-3077

11-1-2015

IMPORTANT NOTICE

~~GREEN MTD H2O~~: has requested permission from the Washington Utilities and Transportation Commission (Commission) for the transfer of ownership and operation of the ~~3 water systems~~ to ~~Bob Hershel~~. This transfer is contingent upon approval by the Commission. This transfer of ownership is being completed to allow Bob Hershel to take over and own the systems. The proposed effective date of this transfer, if approved, would be May 1, 2015. Green MTD H2O is currently providing water service to nine other water systems consisting of about 11 customers.

Your current water rates will not change because of this water system sale and transfer. Any future changes will be the responsibility of

If you have any questions about how this sale may affect you, please call the company.

If you have questions about the transfer process of your water system you may contact the Commission at the following address:

Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive SW  
Olympia, WA 98504-7250  
1-888-333-9882 or [comments@wutc.wa.gov](mailto:comments@wutc.wa.gov)

If you would like to comment on this proposal, it is important for you to do so now. Comments must be submitted in writing or presented at the commission's open meeting to be considered as part of the formal record. The commission encourages your written comments, in either favor of or opposition to, regarding this proposal. All open meetings are held in Olympia, WA. If you would like to be added to the commission's mailing list to be notified of the open meeting date please call the toll-free number listed above and leave your name, complete mailing address and the company's 1300 S. Evergreen Park Drive SW Olympia, WA 98504-7250

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

In the Matter of the Application for )  
the Sale and Transfer of Assets )  
From *GNW mtr H2O* ) DOCKET \_\_\_\_\_ )  
)  
To *Bob tershel* )  
) APPLICATION FOR SALE )  
) AND TRANSFER OF )  
) ASSETS AND TARIFF )  
) ADOPTION )  
..... )

BACKGROUND

1 Application is hereby made to the Washington Utilities and Transportation Commission for an Order authorizing the transfer of property under the provisions of chapter 80.12 RCW and chapter 480-143 WAC.

INTRODUCTION

2 *GNW mtr H2O* is a Washington corporation formed to act as a utility service company. *Bob tershel* located in *Multnomah* currently owns several water systems serving over 11 customers. The water system to be transferred consists of wells, pumps, transmission mains, ~~reservoirs~~, ~~hydrants~~, distribution mains, meters, and appurtenances to serve the customers of the *systems*

3 The water system is currently operating under a green operating permit issued by the Washington State Department of Health and has no outstanding orders or letters directing action.

4 As a result of this sale and transfer of water system assets, *Bob tershel* will maintain *the water system* currently in effect and ~~will be adopting the tariff of~~

SALE AND TRANSFER APPLICATION

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EXHIBITS

5 Pursuant to WAC 480-143-120 and WAC 480-143-130, please find attached the following exhibits:

6 Exhibit 1 - Instrument of Transfer.

7 Exhibit 2 - Water Company 1 - Income Statement, Balance Sheet, Asset Listing, Depreciation Schedule, and Summary of outstanding securities.

8 Exhibit 3 - Water Company 2 - Income Statement, Balance Sheet, Asset Listing, Depreciation Schedule, and Summary of outstanding securities.

9 Exhibit 4 - Adoption of Tariff Notice.

10 Exhibit 5 - Customer notice of sale and transfer of water system(s).

METHOD OF FINANCE

11 The purchase price for the water system assets is \$ 0, payable by annual payments until paid.

TRANSFER IS IN THE PUBLIC INTEREST

12 The benefits of this acquisition of these water system assets include expanded financial resources, in-house engineering, and water quality staff to provide all aspects of water system repair and operations. The owners of *the water systems* no longer desire to own and operate public water system. Customers were notified of the sale and transfer along with their most recent billings. The proposed tariff adoption bears an effective date of November 1, 2011. This date is to coincide with company billing periods and allows a mutually agreed closing date. For accounting purposes the bookkeeping records should be considered transferred and effective on that date.



SALE AND TRANSFER APPLICATION

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13 The current staff of Bob Tershel has been retained to continue operations and maintenance of the water system under the leadership of Bob Tershel

14 As a result of the sale and transfer of assets, the water rates and service charges will not change. ~~will adopt the full tariff of~~  
~~, without change at any rate or charge contained therein as~~  
~~occasioned by this transfer.~~

PRAYER

15 Based on the foregoing, the Applicants request approval of their application respectfully submitted this 1<sup>st</sup> day of April 2015.

Don Class 4-18-15

Don Class

President/Owner

3-1-2015

See attached notary  
- 4/18/15 -

\_\_\_\_\_  
President/Owner

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of Riverside )

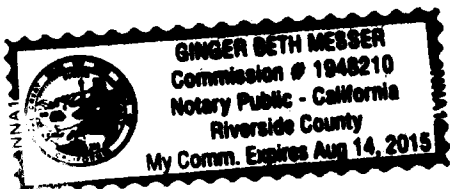
On 4/18/2015 before me, ginger beth messer, Notary Public,  
Date Here Insert Name and Title of the Officer

personally appeared Daniel David class  
Name of Signer

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 Ginger Beth Messer Notary Public  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: before the Washington utilities and transportation commission Document Date: W/A  
Number of Pages: 3 Signer(s) Other Than Named Above: WTA

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

Signer's Name: \_\_\_\_\_  
 Corporate Officer -- Title(s): \_\_\_\_\_  
 Partner --  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer -- Title(s): \_\_\_\_\_  
 Partner --  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_