

Judge Richard Anderson  
Divison 1  
Superior Court  
Yavapai County  
County Annex House  
Prescott, Arizona

**FILED**  
9:30 O'Clock, A. M

**JUL 24 1989**  
By Ethel Bouton Clerk  
Deputy

RECEIVED  
JUL 12 1989  
SUPERIOR CT.  
DIV. 1

The Honorable Judge Anderson:

These are comments in the matter of the Verde Ditch "Rules":

Comment #1

It appears to me the "Commissioners" so appointed should, at least, be a shareholder(s).

Comment #2

At the present time, as in the past, the Commissioners (at least two of them) as "Bosses", hire themselves, work for themselves, determine their pay, the number of hours to work and under what circumstances - and the shareholder must "grin and bear it". Apparently, this cozy arrangement has been protected in the "rules" and this "situation for abuse" continues.

Comment #3

At the present time under executive order of President Theodore Roosevelt, the Ditch Association has no right-of-way and only a "loose" easement of 10 feet for the "maintenance of the ditch".

The rules, with the force and effect of law, take my private property (without compensation) and says that they can come on my property at any time, use any amount of land,

do anything with any equipment, leaving any mess or grade change as they so desire - I don't believe that is reasonable. (My property runs on both sides of the ditch).

Comment #4

I note there is no way pursuant to the rules to amend the rules - the shareholder cannot even (specifically) recommend changes.

Comment #5

Fortunately, there appears to be a somewhat "appeal procedure" in the rules. This is helpful, hopefully - as the only "appeal" before, against arbitrary and capricious action by a Commissioner (and there were some ) - was to "go to court".

Comment #6

The rules say "---shareholders shall be able to vote on the basis of their valid shares - - " - and then it talks of 51% of shareholders etc. - - it is ambiguous - - are the rules speaking of 51% of shareholders? - or 51% of shares? Does 40 acres have one vote - as has one acre? I should think it could be written a little more clearly ( I presume everyone wants it clear?)

Sincerely yours,



Frank N. Blake  
P.O. Box 428  
Camp Verde, AZ 86322  
602-567-4332