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MAY 17 2005

JEANNE HICKS, Clerk

BY *Shirley A. [Signature]* Deputy

L. Richard Mabery  
L. RICHARD MABERY, P.C.  
234 N. Montezuma Street  
Prescott, Arizona 86301  
(928) 778-1116

State Bar I.D. No. 005188

Attorney for The Verde Ditch Company

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

GEORGE W. HANCE, et al., )  
)  
Plaintiffs, )

No. 4772  
Division 1

vs. )

WALES ARNOLD, et us., et al., )  
)  
Defendants, )

AFFIDAVIT FOR AWARD OF  
ATTORNEY'S FEES

\_\_\_\_\_  
THE VERDE DITCH COMPANY, )  
)  
Petitioner, )

v. )

MARK A. KEITZ, )  
)  
Respondent. )

STATE OF ARIZONA )  
) ss.  
County of Yavapai )

L. RICHARD MABERY, being duly sworn upon oath, deposes and states as follows:

Law Offices of  
L. Richard Mabery, P.C.  
234 North Montezuma Street  
Prescott, Arizona 86301-3008  
(928) 778-1116

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1. I am the attorney for Petitioner **THE VERDE DITCH COMPANY** (hereinafter “**VERDE DITCH**”), in this action, and am admitted to the practice of law in the State of Arizona.

2. Under the fee arrangements between **VERDE DITCH** and **L. RICHARD MABERY, P.C.**, **VERDE DITCH** is responsible for all attorney’s fees as they are incurred and **VERDE DITCH** has paid **L. RICHARD MABERY, P.C.** the amounts set forth below. This fee arrangement specified that attorney’s fees would be billed to **VERDE DITCH** on an hourly-rate basis, the time the work was performed, and the nature of the work performed.

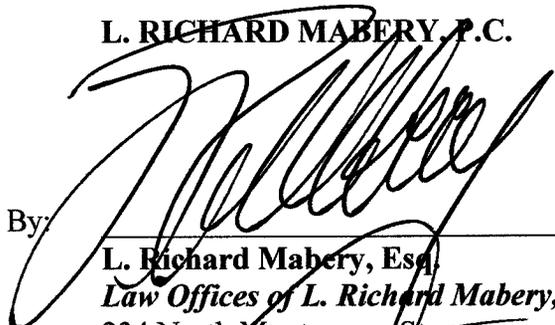
3. I am generally familiar with rates charged by other lawyers in this community with similar experience, education and training and the rate charged herein of \$220.00 per hour for attorney time, and \$55.00 per hour for legal assistant time, is consistent with those rates.

4. Through the date of this Affidavit, **VERDE DITCH** has expended over 2 hours in undersigned counsel’s time and 3.5 hours in legal assistant time in this action. After reviewing the time records maintained by **L. RICHARD MABERY, P.C.**, the billings to **VERDE DITCH** in connection with this matter, and evaluating the efforts necessary to conduct this matter, I believe the amount reasonable and appropriate for award by this Court, to the date of submission hereof, would be not less than FIVE HUNDRED DOLLARS (\$500.00). In its Motion for Order to Show Cause, **VERDE DITCH** requested the sum of FIVE HUNDRED DOLLARS (\$500.00) if this matter was uncontested, or such reasonable amount as the Court may deem appropriate if contested. Detailed monthly billings are maintained.

...  
...  
...

RESPECTFULLY SUBMITTED this 17th day of MAY, 2005.

L. RICHARD MABERY, P.C.

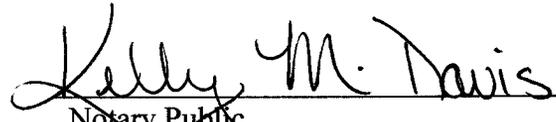
By: 

L. Richard Mabery, Esq.  
Law Offices of L. Richard Mabery, P.C.  
234 North Montezuma Street  
Prescott, Arizona 86301  
Attorney for The Verde Ditch Company

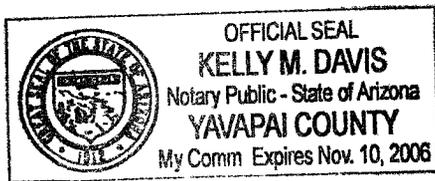
STATE OF ARIZONA     )  
  ) ss.  
County of Yavapai     )

SUBSCRIBED AND SWORN TO before me this 17th day of May, 2005, by L.

Richard Mabery.

  
Notary Public

My Commission Expires:



/ckw

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