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SEP 23 2005
BY JEANNE HICKS, Clerk
SHEETAL DATEI
Deputy

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

GEORGE W. HANCE, et al.,

Plaintiffs,

vs.

WALES ARNOLD, et us., et al.,
In the matter of VERDE DITCH COMPANY)

Defendants.

No. CV 4772

Division 1

PETITION FOR AUTHORIZATION
AND APPROVAL OF A SPECIAL
ASSESSMENT (EX PARTE)

GORDON WILLIAMS, JOHN TEAGUE, DAVID STUTZMAN, VERNON HILBERS

and JOHN REDDELL, the duly appointed Commissioners of the Verde Ditch Company, respectfully petition the Master of the Verde Ditch Company for an order authorizing and approving the Commissioners' request for a special assessment of FIFTY and 00/100 DOLLARS (\$50.00) per share per annum to provide adequate funds for the Verde Ditch Company to engage surveyors, title companies, cartographers, accountants, hydrologists, researchers, and attorneys as deemed necessary in the ongoing project to develop, examine and document the historical and present use of Verde River water delivered to the Verde Ditch shareholders under and pursuant to the 1909 Hance v. Arnold decree.

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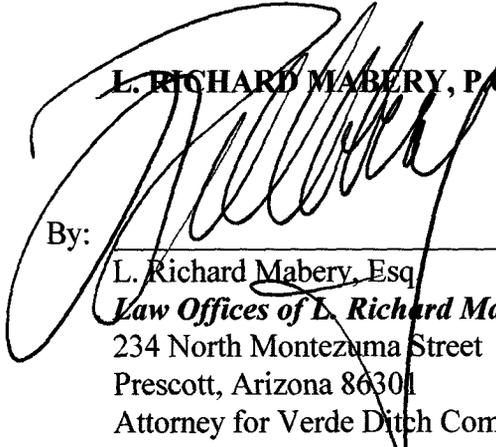
The Commissioners propose that all funds received under the special assessment will be set aside in a special account and will only be utilized for the expressed purposes as stated herein.

The Commissioners propose that the assessment be established as an annual assessment due and payable on or before December 1st of each year, commencing December 1, 2005, and further request that the Court authorize the Commissioners, in the event of a shareholder hardship, to accept monthly installments together with interest thereon at the rate of TEN PERCENT (10%) per annum for any shareholder who requests a hardship extension, and that the Commissioners be authorized to grant such requests provided such installment payments not exceed FIVE (5) monthly payments, commencing as of January 10, 2006 and continuing on or before the 10th day of each and every consecutive month thereafter. Interest accrued shall be paid in addition to the special assessment.

All provisions of the Rules and Regulations dated August 8, 1989, pertaining to the Verde Ditch as to assessments and collection thereof shall remain in full force and effect, except as expressly modified herein.

DATED this 3rd day of September, 2005.

L. RICHARD MABERY, P.C.

By: 

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