

1510

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

8 **FILED** A.M.
O'Clock
DEC 05 2012

State Bar I.D. No. 005188

SANDRA K. MARKHAM, Clerk
By: SAFETAL PAUL

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.,

) **No. P1300CV4772**

Plaintiffs,

) **Division 1**

vs.

) **ORDER APPROVING THE PUBLIC**
) **LAW 110-343, TITLE II GRANT FROM**
) **THE USDA FOREST SERVICE AND**
) **AUTHORIZING THE VERDE DITCH**
) **COMPANY TO ENTER INTO**
) **CONTRACT WITH THE USDA**
) **FOREST SERVICE**

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

Defendants.

The Court having considered the Application (*ex parte*) Requesting Consideration and Approval of the Public Law 110-343, Title II Grant from the USDA Forest Service, and for Authority to Enter into Contract with the USDA Forest Service, filed by Verde Ditch Commissioners John Teague, Vernon Hilbers, Albert Dupuy, Jr., Jeff Cochrane and David Myers, and the Court being fully advised in the premises and good cause appearing,

THE COURT FINDS that the recommendation of the Commissioners to approve the Public Law 110-343, Title II Grant from the USDA Forest Service is appropriate and that the Grant is in the best interests of the Verde Ditch Company and its shareholders.

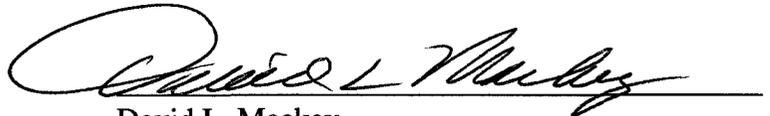
RM Pllts/Atty R. Mabery () Arb w/file
() Deft/Atty _____ TOTAL _____
() _____ () Arbitr _____
() Dispo Clk _____ () Other _____
w/file

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

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

- 1) The Grant Application (Project Submission Form) to the United States Department of Agriculture, Forest Service, for Infrastructure Improvements for Water Conveyance Efficiency under Public Law 110-343, Title II is approved.
- 2) The Commissioners of the Verde Ditch are authorized to execute a Grant Contract with the USDA Forest Service on behalf of the Verde Ditch Company pursuant to the terms of Domestic Grant 13-DG-11030905-004, to perform the work envisioned pursuant to the terms of the Grant and Contract, and to execute and deliver all documentation necessary to effectuate and complete the Grant pursuant to the terms of the Contract.
- 3) The Commissioners shall select one or more Commissioners to execute any documentation, contracts, completion or progress reports and reimbursement requests on behalf of the Verde Ditch Company.
- 4) The Verde Ditch Company shall file periodic reports with the Court on the status of the work in progress and the completion of the projects included in the Grant.

DONE IN OPEN COURT this 3rd day of December, 2012.



David L. Mackey
Master of the Verde Ditch Company and
Judge of the Superior Court