

FILED
9:00 O'Clock, A M

FEB 6 1989

ETHEL BOUTON, Clerk
By Wanda C. Hassengale
Deputy

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3 L. Richard Mabery, Esquire
4 101 E. Gurley St., Suite 203
5 Prescott, Arizona 86301
6 (602) 778-1116
7 Arizona State Bar I.D. No. 005188

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

10 GEORGE W. HANCE, et al.,)
11 Plaintiffs,) No. 4772
12 vs.) Division 2
13 WALES ARNOLD, et al.,) ORDER
14 Defendants.)

15 UPON STIPULATION being filed and good cause appearing
16 therefrom,

17 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED as
18 follows:

19 1. A.L. HIETT and HAZELDELL HIETT, husband and wife,
20 shall pay to the VERDE DITCH COMPANY the sum of \$578.49 including
21 interest thereon at the rate of one (1%) percent per month until
22 paid, representing past unpaid assessments.

23 2. A.L. HIETT and HAZELDELL HIETT, husband and wife,
24 shall not, and are hereby prohibited from:

25 A. Restricting, retarding or interfer-
26 ing with the flow of the Verde
Ditch;

27 B. Diverting water from the Verde Ditch
28 except on the dates and times

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L. RICHARD MABERY, P.C.
101 E. GURLEY • SUITE 203
PRESCOTT, ARIZONA 86301
(602) 778-1116

1 regularly scheduled and approved by
2 the Verde Ditch Commissioners;

3 Specifically, A.L. HIETT and HAZEL-
4 DELL HIETT, husband and wife, shall
5 not divert, use, impound or restrict
6 the flow of water flowing in the
7 Verde Ditch on the following days
8 and times:

9 Mondays: 6:00 A.M. - 6:00 P.M.

10 Tuesdays: 6:00 A.M. - 6:00 P.M.

11 C. Placing, building or constructing
12 any crossings, bridges or other
13 structures over or across the Verde
14 Ditch;

15 D. Adding, constructing or placing any
16 further irrigation headgates into
17 the Verde Ditch, except as provided
18 in paragraph 3(B);

19 E. Modifying or changing the Verde
20 Ditch banks;

21 F. Allowing water to be diverted so
22 that it flows over the top of the
23 Verde Ditch banks; and

24 G. Wasting water from the Verde Ditch.

25 3. A.L. HIETT and HAZELDELL HIETT, husband and wife,
26 shall within thirty (30) days from the date hereon:

27 A. Remove the recent bridge or crossing
28 installed across the Verde Ditch;

29 B. Install non-leaking headgates (as
30 approved by the Verde Ditch Commis-
31 sioners) to divert water from the
32 Verde Ditch in such locations as
33 designated by the Soil Conservation
34 Service; and

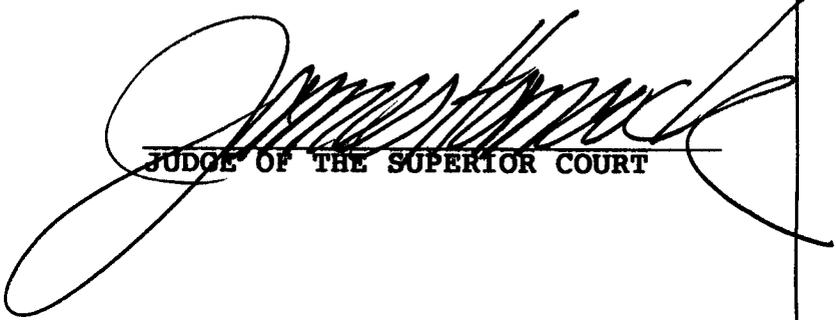
35 C. Abide by the water delivery sched-
36 ules of the Verde Ditch Company.

37 4. A.L. HIETT and HAZELDELL HIETT, husband and wife,
38 shall pay to the VERDE DITCH COMPANY the sum of ~~\$300.00~~^{\$350.00} as and
39 for Plaintiff's attorney's fees ~~incurred herein~~^{and costs H} ~~and \$168.50 as~~
40 ~~and for Plaintiff's costs incurred herein,~~ together with interest

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thereon at the rate of ten (10%) percent per annum from the date hereon until paid.

DONE IN OPEN COURT this 6 day of Feb, 1988.



JUDGE OF THE SUPERIOR COURT

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L. RICHARD MABERY, P.C.
101 E. GURLEY • SUITE 203
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