

**FILED**

4:30 O'Clock, P M

OCT 6 1989

ETHEL BOUTON, Clerk

By *[Signature]*  
Deputy

1 L. Richard Mabery, Esquire  
2 101 E. Gurley St., Suite 203  
3 Prescott, Arizona 86301  
4 (602) 778-1116  
5 Arizona State Bar I.D. No. 005188

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

8 GEORGE W. HANCE, et al. )  
9 Plaintiffs, ) No. 4772  
10 vs. ) Division 1  
11 WALES ARNOLD, et ux., et al. ) MOTION FOR AUTHORIZATION TO  
12 Defendants. ) RECORD ORDER PROMULGATING  
 ) NEW RULES AND REGULATIONS  
 ) FOR THE OPERATION OF THE  
 ) VERDE DITCH

13 VINCE V. HIGGINBOTHAM, GLEN W. EVERETT, HOWARD D. FERGU-  
14 SON, JOHN REDDELL and GORDON BROCK, duly appointed and acting  
15 Commissioners of the Verde Ditch Company, through undersigned  
16 counsel, respectfully request that the Court authorize said  
17 Commissioners to record with the Yavapai County Recorder a certi-  
18 fied copy of the Order Promulgating New Rules and Regulations for  
19 the Operation of the Verde Ditch adopted August 8, 1989.

20 Pursuant to a Court Order dated February 16, 1984, the  
21 then applicable 1963 Rules and Regulations of the Verde Ditch  
22 Company were recorded with the Yavapai County Recorder. The  
23 Rules and Regulations adopted August 8, 1989 should likewise be  
24 recorded with the Yavapai County Recorder in order to keep the  
25 public records accurate, to evidence the modification of the 1963  
26 Rules and Regulations, to avoid problems of encroachments along  
27 the ditch and violation of the new Rules and Regulations, and to  
28

LAW OFFICES OF  
L. RICHARD MABERY, P.C.  
101 E. GURLEY • SUITE 203  
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1 place the new Rules and Regulations of official record for use by  
2 title companies.

3 DATED this 5th day of October, 1989

4  
5  
6   
7 L. Richard Mabery  
8 101 E. Gurley St., Suite 203  
9 Prescott, Arizona 86301  
10 Counsel for VERDE DITCH COMPANY

11 ORDER

12 Upon motion being duly made and good cause appearing  
13 therefrom,

14 NOW, THEREFORE, IT IS ORDERED that the Verde Ditch  
15 Commissioners be, and hereby are, authorized to record a certi-  
16 fied copy of the Order Promulgating New Rules and Regulations for  
17 the Operation of the Verde Ditch adopted August 8, 1989 in the  
18 office of the Yavapai County Recorder.

19 DONE IN OPEN COURT this 11 day of October, 1989.

20   
21 JUDGE OF THE SUPERIOR COURT

22  
23  
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25  
26  
27  
28 Mh/5/6