

w/10

FILED
DATE: 12-14-07
3:37 O'Clock P. M.
JEANNE HICKS, CLERK
BY: Belinda Guay
Deputy

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

DIVISION 1

JEANNE HICKS, Clerk of Superior Court

HON. DAVID L. MACKEY

BY: Belinda Guay, Deputy Clerk

CASE NO. CV 4772

DATE: December 14, 2007 ✓

TITLE:

GEORGE W. HANCE, et al.,
(Plaintiff)
vs

COUNSEL:

(For Plaintiff)

WAKES ARNOLD, et ux., et al.,
(Defendant)

(For Defendant)

GREGORY A. BLUE,
(Petitioner)

In Propria Persona
95 East Cliff House Drive #A
Camp Verde, Arizona 86322
(For Petitioner)

vs

and

THE VERDE DITCH COMPANY,
(Respondent)

L. Richard Mabery, Esq.
L. Richard Mabery, P.C.
234 North Montezuma Street
Prescott, Arizona 86301
(For Respondent)

**HEARING ON:
ORDER TO SHOW CAUSE**

NATURE OF PROCEEDINGS

**COURT REPORTER
Denae Hovland**

APPEARANCES:

Gregory Blue, Plaintiff
Richard Mabery, Counsel for Respondent

Start time: 1:37 p.m.

Commissioners Reddell, Dupuy, and Hilbers are present in the courtroom.

Petitioner Gregory Blue, and Counsel Mabery make an opening statement.

Petitioner states that he withdraws his offer to pay for one-third of the cost (No. 3 of his Petition), which will affect No. 2 of page 2 of the Petition.

Gregory Blue is sworn and testifies.

CV 4772
Hance vs Arnold
Order to Show Cause Hearing
December 14, 2007

Exhibit 15 is offered and admitted into evidence without objection.

George Harper, James Rohr, Ray Floyd, and Dr. Richard Thomas McDonald are sworn and testify.

Counsel for Respondent requests the Court consider a view of the property.

John Reddell is sworn and testifies.

Exhibits 1,2, 5, 6, 7, and 20 are offered and admitted into evidence without objection.

Ralph A. Lizotte and Henry Hoover are sworn and testify.

At 3:26 testimony ends.

Petitioner has no objection to the Court visiting the site.

The Court requests of Petitioner testimony regarding the breach in the ditch.

The Court will set a further hearing for early January with one-half day allotted by separate minute entry to complete the testimony and visit the site.

The Court discusses the cases cited in Mr. Blue's Petition.

The Court requests documents be provided regarding the cost associated with the past proposal.

The Court explains to Petitioner that the exhibits marked but not admitted into evidence will not be considered by the Court. The Court will address this at the next hearing.

End time: 3:37 p.m.

THEREAFTER, off the record, IT IS ORDERED setting further Order to Show Cause Hearing on Friday, January 11, 2008, at 1:30 p.m. before Division 1 in Camp Verde, Division Pro Tem A's courtroom.

cc: Division 1