

2015 SEP 23 PM 2:06

DOMINIC M. FEICHTER, CLERK

M FEICHTER

BY: \_\_\_\_\_

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5 Indian Resources Section  
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12 Attorneys for the United States of America

13 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

14 **IN AND FOR THE COUNTY OF YAVAPAI**

15 GEORGE W. HANCE, *et al.*,

16 Plaintiffs

17 v.

18 WALES ARNOLD, *et ux., et al.*,

19 Defendants

20 In the matter of the VERDE DITCH  
21 COMPANY

No. P1300CV4772


Division 1

**NOTICE OF APPEAL**

22  
23 NOTICE IS HEREBY GIVEN that the United States, by and  
24 through undersigned counsel, and pursuant to Arizona Rules of Civil  
25 Appellate Procedure 8 and 9, hereby appeals to the Court of Appeals of  
26 the State of Arizona, Division One, from the Court's ruling dated and  
27

1 entered as judgment in this action on August 26, 2015, overruling the  
2 United States' Objection, and holding, *inter alia*, that the Court has  
3 historic authority to adjudicate Verde River water use; that no action by  
4 any shareholder, Verde Ditch Commissioners or attorneys authorized  
5 by the Verde Ditch Commissioners, has divested the Court of that  
6 historic authority; and that the Court's historic authority has not been  
7 modified by court decisions that did not specifically address it.

8  
9 Dated this 22nd day of September, 2015.



A handwritten signature in black ink, appearing to read 'Yosef M. Negose', is written over a horizontal line. The signature is stylized and extends above and below the line.

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11  
12 Yosef M. Negose  
13 F. Patrick Barry  
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1 **One ORIGINAL and One Copy** of the foregoing sent by Federal Express this 22nd  
2 day of September, 2015 for filing to:

3 Clerk of the Superior Court  
4 Yavapai County, Division 1  
5 120 South Cortez Street  
6 Prescott, Arizona 86303

7 **One Copy** of the foregoing sent by Federal Express this 22nd day of September, 2015 to  
8 the following parties:

9 Mr. Don Ferguson (email unavailable)  
10 1695 W. Bronco Dr.  
11 Camp Verde, Arizona 86322

12 Leroy Miller (email unavailable)  
13 1733 W. Park Verde Rd.  
14 Camp Verde, Arizona 86322

15 **Per the Court's Order of July 31, 2015, COPIES** of the foregoing sent  
16 electronically by email this 22nd day of September, 2015 to the following:

17 Honorable David L. Mackey (jjaramil@courts.az.gov)  
18 Judge of the Superior Court and Master of the Verde Ditch  
19 Yavapai County Courthouse, 120 S. Cortez Street RM 207  
20 Prescott, Arizona 86303

21 L. Richard Mabery (maberypc@cableone.net)  
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