

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2016 JUN -8 PM 1:37

JONNA L. QUALITY, CLERK ✓

BY: L. Malone

Peter J. Mollick Pro Se
3124 W. Sunnyside Ave
Phoenix, AZ 85029
602-942-5151
pmollick@cox.net

Verde Ditch Shareholder
1185 S. Canal Circle, Camp Verde, AZ 86322

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

GEORGE W. HANCE, et. Al.,)
)
 Plaintiffs,)
)
 Vs.)
)
 WALES ARNOLD. Et ux., et al.,)
)
 Defendants,)
)
)
 In the matter of the VERDE DITCH)
 COMPANY)
)
 -----)

No. P1300CV4772
Division 1

**MOTION TO MODIFY
MASTERS ORDER
TO INCLUDE SERVICE OF
SUMMONS ON CLAIMANTS
ARCP RULE 53(h)**

In reference to the May 24th 2016 Commissioners meeting with the
Master of the Verde Ditch at the Yavapai County Superior Court in Camp
Verde Arizona.

1. Motion of Notice to shareholders of an adjudication of water use and rights

Motion is made for the Master of the Verde Ditch to compel the Commissioners to serve summons on all affected shareholders of this MOU agreement and adjudication as prescribed in ARS 45-253(A)(1).

Summons service would be in accordance of ARS 45-253(A)(2) with the Commissioners performing service.

Summons would also request information from the claimants as per ARS 45-254 (A) Through (D) with section (E) being modified by the Commissioners to fit the Commissioners schedule.

Many of the "Orange and Purple Land" shareholders may not have been contacted by SRP or the VDC in relation to the MOU agreement and how each party should prepare their respective evidence of water use and water rights. These affected shareholders could get a head start in compiling material evidence before hand to provide for a more complete status of their water use and rights prior to the Commissioners signing the MOU agreement if the signing does take place in the future.

This certified notice with return receipt required would likely convey the importance of shareholder participation in this adjudication process and

likely save valuable time and expense to the shareholders as a whole easily compensating for the expense of the summons to shareholders.

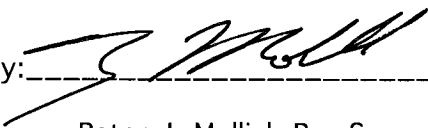
2. Comments on preliminary classification of compiled water use data.

The preliminary Working Understandings classifications of the MOU agreement as it stands may not be easy to change if the MOU agreement is signed by the Commissioners. As stated in section 5.4 of the MOU, it will take a common determination by the parties to modify the Working Understandings in this MOU. Otherwise as stated in section 5.4, any water user on the Verde Ditch may present information to the Master of the Verde Ditch for consideration at an evidentiary hearing. The evidentiary hearing would likely have a time constraint and may not accommodate a large amount of shareholder input. The Preliminary Working Understandings in this MOU may become binding after the parties sign the MOU if both parties (SRP and the VDC) do not agree to change.

It is evident that completing the process of determining the water use and water rights status of all property parcels before signing of this MOU would seem to be preferable. I am certain early participation of the shareholders would hasten this process and reduce costs.

RESPECTFULLY SUBMITTED this 8th day of June 2016.

PETER J. MOLLICK

By: 

Peter J. Mollick Pro Se
3124 W, Sunnyside Ave
Phoenix, AZ 85029
Shareholder of the VERDE DITCH COMPANY

Original Hand Delivered this 8th day of June, 2016, to:

Clerk of the Court
Yavapai County – Division 1
2840 Commonwealth Drive
Camp Verde, AZ 86322

AND COPY sent by U.S. mail this 8th day of June, 2016, to:

Hon. David L. Mackey
Judge of the Superior Court
Yavapai County Courthouse
120 S. Cortez Street RM207
Prescott, AZ 85301

AND COPY sent by email this 8th day of June, 2016,

Karen Philips
1861 N. River View Drive
Camp Verde, AZ 86322
Karen.Philips@honeywell.com

Carrie J. Brennan
Theresa M. Craig
Office of the Attorney General

Mark A. McGinnis - Patrick Sigi
John B. Weldon, Jr.
Salmon, Lewis & Weldon, P.L.C.
2850 E. Camelback Rd., Suite 200
Phoenix, AZ 85016

L. Richard Mayberry
Law Offices of L. Richard Mabery, P.C.

1275 W. Washington
Phoenix, AZ 85007-2997

Janet L. Miller
Nicole D. Klobas
Arizona Department of Water Resources
3550 N. Central Avenue
Phoenix, AZ 85012

Douglas A. Brown
David A. Brown
J. Albert Brown
Brown & Brown Law Offices, P.C.
Post Office Box 489
Eagar, AZ 85929

234 N. Montezuma Street
Prescott, AZ 86301

Robyn L. Interpreter
Susan B. Montgomery
Montgomery & Interpreter, P.L.C.
4835 E. Cactus Rd., Suite 210
Scottsdale, AZ 85254-4194

Patrick Barry
Yosef Negose
U. S. Department of Justice
Indian Resources Section, ENRD
P.O. Box 7611
Ben Franklin Station

AND COPY sent by U.S. mail this 8th day of June, 2016.

Don Ferguson
1695 W. Bronco Drive
Camp Verde, AZ 86322

Leroy Miller
1733 W. Park Verde Road
Camp Verde, AZ 86322

Bradford Gordon
PO Box 830
Camp Verde, AZ 86322