

1 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

2 IN AND FOR THE COUNTY OF YAVAPAI

3 FORMERLY

4 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
5 OF THE TERRITORY OF ARIZONA, IN AND FOR THE COUNTY OF
6 YAVAPAI

FILED
1100
CLOCK, a.m.
149 JUL 17 1955
NELLIE M. PRINCE, Clerk
By *Sam J. Lee* Deputy

7 GEORGE W. HANCE and PARTHENY H.
8 HANCE,

9 Plaintiffs,

10 v.

NO. 4772

11 WALES ARNOLD, SARAH J. ARNOLD,
12 S. C. CHERRY, J. H. WINGFIELD,
13 CHARLES HARBESON, WILLIAM J.
14 DAVIS, E. W. MONROE, WILLIAM M.
15 GRAY, E. J. MONROE, JOHN H.
16 SCOTT, BELLE MONROE, ELIAS WINE,
17 THE VERDE DITCH COMPANY, a
18 Voluntary Association, and
19 WILLIAM STEVENS and WILLIAM LANE,
20 as Executors of the Estate of John
21 Wood, Deceased,

22 Defendants.

APPLICATION FOR APPOINT-
MENT OF WATER COMMISSION-
ERS

LOCKLEAR & WOLFINGER
ATTORNEYS AT LAW
BANK OF ARIZONA BUILDING
PRESCOTT, ARIZONA

23 COMES NOW Earl Hopper, Marion E. Davidson and H. C. Gambe ,
24 acting for themselves and on behalf of all persons and parties
25 interested in the Woods or Verde Ditch Company or the Woods or
26 Verde Ditch, and respectfully show the court:

27 I

28 That on June 8, 1953, this court approved the accounts of
29 Ralph E. Monroe and accepted his resignation as water commissioner
30 for the Woods or Verde Ditch and since that time there has been
31 no active water commissioner to administer the affairs of said
32 Woods or Verde Ditch, as provided by decree entered herein on
March 23, 1909.

II

That in order to enforce the provisions of said decree with
reference to the payment of assessments for maintenance and upkeep
of said ditch, headgate and appurtenances, it is necessary that
a water commissioner or water commissioners be appointed by this

LOCKLEAR & WOLFINGER
ATTORNEYS AT LAW
BANK OF ARIZONA BUILDING
PRESCOTT, ARIZONA

1 court with authority to enforce the provisions of said decree.
2 At a meeting of persons and parties interested in said Woods or
3 Verde Ditch, held on October 23, 1954, Earl Hopper, Marion E.
4 Davidson and H. C. Gambe were unanimously recommended for appoint-
5 ment as water commissioners to administer the affairs of said
6 Woods or Verde Ditch. That said persons are willing to undertake
7 the duties required of them as said water commissioners and the
8 best interests of persons and parties interested in said Woods or
9 Verde Ditch will be served by their appointment as water commiss-
10 ioners to administer the affairs of said ditch under the terms of
11 said decree entered herein on March 23, 1909.

12 WHEREFORE, Earl Hopper, Marion E. Davidson and H. C. Gambe ,
13 acting for themselves and on behalf of all persons and parties
14 interested in said Woods or Verde Ditch, respectfully request the
15 court to appoint them as water commissioners to fill the vacancy
16 left by the resignation of Ralph E. Monroe, accepted by this
17 court on June 8, 1953.

18 DATED this 10th day of May, 1955.

19
20 LOCKLEAR & WOLFINGER
21 By E. C. Locklear
22 E. C. Locklear

23 Attorneys for Applicants
24 The Bank of Arizona Building
25 Prescott, Arizona

24 STATE OF ARIZONA)
25 COUNTY OF YAVAPAI) SS.

26 E. C. LOCKLEAR, being first duly sworn, deposes and says:
27 That he is one of the attorneys for the applicants herein and is
28 duly authorized to make this verification on their behalf; that
29 he has read the foregoing application for appointment of water
30 commissioners and knows the contents thereof; that the matters
31 therein alleged are true in substance and in fact, except such as
32 may be stated to be on information and belief, and as to the
latter, he believes the same to be true.

30
31 E. C. Locklear
32 E. C. Locklear

32 Subscribed and sworn to before me this 10th day of May, 1955.

My commission expires 5/2/56 Jean Dickson
Jean Dickson, Notary Public