

3304 Colorado St.  
Cottonwood, AZ 86326  
July 17, 1989

**FILED**

11:00 O'Clock, A M

JUL 17 1989

By Ethel Bouton Clerk  
Jeanne Rementer  
Deputy

Superior Court, Division 1  
Yavapai County Courthouse  
Prescott, AZ 86301

No. 4772  
Division 1

ORDER TO SHOW CAUSE

As provided within the document dated June 28, 1989 I take this opportunity to offer these comments and suggestions concerning the proposed new rules.

Page 2, line 8: Three commissioners, one from each of the three districts shall be appointed by the Court, THREE COMMISSIONERS, ONE FROM EACH DISTRICT SHALL BE ELECTED BY THE MEMBERSHIP TO SERVE ALONG WITH THOSE APPOINTED.

Page 3, line 11: FLUMES, SYPHONS AND DITCHES SHALL BE MAINTAINED AND REPAIRED WITH REASONABLE DISPATCH IN WORKMANLIKE MANNER BY DITCH PERSONNEL.

Page 5, line 4: NOTICE BY U.S.MAIL SHALL BE INCLUDED AS NOTICE ALONG WITH PUBLISHING IN THE LOCAL NEWSPAPER AND/OR PUBLIC NOTICE BOARD.

Page 3, line 23: NOTICE SHALL BE GIVEN BY U.S.MAIL TO SHAREHOLDERS 30 DAYS IN ADVANCE OF THE ANNUAL MEETING, TO INCLUDE AGENDA AND CONDITION UNDER WHICH SHAREHOLDER MAY BE HEARD.

Page 7, line 17: A MEANS WILL BE DEFINED WHEREBY COMMISSIONERS MAY BE REMOVED FOR CAUSE BY THE MEMBERSHIP PRIOR TO THE NORMAL EXPIRATION OF THEIR TERM.

Page 7, line 21: NOTICE BY U.S.MAIL SHALL BE ONE OF THE METHODS USED BY THE DITCH TO ITS SHAREHOLDERS.

Page 6, line 26: PRIOR TO INSTITUTING A COURT ACTION AGAINST A SHAREHOLDER, ANY DISPUTE WILL BE HEARD AND ARBITRATED BY THE MASTER OF THE DITCH. THE DUTIES OF THE MASTER OF THE DITCH SHALL BE DEFINED AND PROMULGATED TO THE MEMBERSHIP AS PART OF THE RESOLUTION PROCEEDURE, AS A MEANS OF REDUCING THE PROBABILITY OF SUPERIOR COURT ACTION.

Respectfully submitted:

*Raymond F. Kreizinger*  
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