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 APR 26 2011 ✓  
 JEANNE HICKS, Clerk  
 by ~~Sandra McClintock~~  
 Deputy

L. Richard Mabery  
 L. RICHARD MABERY, P.C.  
 234 N. Montezuma Street  
 Prescott, Arizona 86301  
 (928) 778-1116  
 maberypc@cableone.net

State Bar I.D. No. 005188

Attorney for The Verde Ditch Company

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

GEORGE W. HANCE, et al., )

Plaintiffs, )

vs. )

WALES ARNOLD, et us., et al., )

Defendants, )

THE VERDE DITCH COMPANY, )

Petitioner, )

v. )

ROSCOE M. OWSLEY, a married man, )

Respondent. )

No. P1300CV 4772

Division 7

AFFIDAVIT FOR AWARD OF  
 ATTORNEY'S FEES

Law Offices of  
 L. Richard Mabery, P.C.  
 234 North Montezuma Street  
 Prescott, Arizona 86301-3008  
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STATE OF ARIZONA        )  
                                          ) ss.  
County of Yavapai        )

L. Richard Mabery, being duly sworn upon oath, deposes and states as follows:

1. I am the attorney for Petitioner The Verde Ditch Company (hereinafter "Verde Ditch"), in this action, and am admitted to the practice of law in the State of Arizona.

2. Under the fee arrangement between Verde Ditch and L. Richard Mabery, P.C., Verde Ditch is responsible for all attorney's fees as they are incurred. This fee arrangement specified that attorney's fees would be billed to Verde Ditch on an hourly-rate basis, setting forth the time spent on the work was performed and the nature of the work performed.

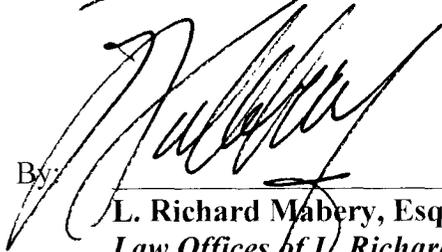
3. I am generally familiar with rates charged by other lawyers in this community with similar experience, education and training and the rate charged herein of \$250.00 per hour for attorney time, and \$105.00 per hour for legal assistant time, is consistent with those rates.

4. Through the date of this Affidavit, Verde Ditch has incurred over \$750.00 (3.0 hours) in undersigned counsel's time and over \$630.00 (6 hours) in legal assistant time in this action. After reviewing the time records maintained by L. Richard Mabery, P.C., the billings to Verde Ditch in connection with this matter, and evaluating the efforts necessary to conduct this matter, I believe the amount reasonable and appropriate for award by this Court, to the date of submission hereof, would be not less than eight hundred dollars (\$800.00). In its Motion for Order to Show Cause, Verde Ditch requested the sum of eight hundred dollars (\$800.00) if this matter was uncontested, or such reasonable amount as the Court may deem appropriate if contested. Detailed monthly billings are maintained and can be provided upon request.

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RESPECTFULLY SUBMITTED this 25<sup>th</sup> day of April, 2011.

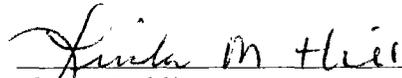
L. RICHARD MABERY, P.C.

By: 

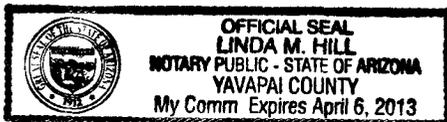
L. Richard Mabery, Esq.  
Law Offices of L. Richard Mabery, P.C.  
234 North Montezuma Street  
Prescott, Arizona 86301  
Attorney for The Verde Ditch Company

STATE OF ARIZONA     )  
                                          ) ss.  
County of Yavapai     )

SUBSCRIBED AND SWORN TO before me this 25<sup>th</sup> day of April, 2011, by L. Richard Mabery.

  
Notary Public

My Commission Expires:



/ckw

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