

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

7/17/2008

CLERK OF THE COURT  
FORM V000

HONORABLE EDDWARD BALLINGER, JR.

R.Tomlinson  
Deputy

W-1, W-2, W-3, W-4 (Consolidated)

**COPY**

FILED: August 15, 2008

In Re the General Adjudication  
of All Rights to Use Water in  
The Gila River System and  
Source

In Re Belsher Investments' and  
Salt River Project's  
Application for Order to Show  
Cause and Request for  
Injunction Against Michael L.  
Golder

MINUTE ENTRY

11:17 a.m. This is the time set for a Status Conference re Belsher Investments' and Salt River Project's Application for Order to Show Cause and Request for Injunction Against Michael L. Golder. All parties appear telephonically. Appearing are: Jeffrey Ehlers on behalf of Salt River Project; Patrick B. Sigl on behalf of the Arizona Attorney General's Office; Kirsten L. Copeland and Andrea L. Gonzales on behalf of Michael L. Golder; Mark A. McGinnis on behalf of Belcher Investments, L.P. and Salt River Project; and Jenny J. Pelton on behalf of Arizona Public Service Company, Roosevelt Water Conservation District and Freeport-McMoRan Copper and Gold Company.

Court reporter, Melody O'Donnell, is present as well as a record of the proceedings being made by CD/videotape.

Discussion is held with respect to the Notice of Appeal filed on behalf of Mr. Golder. Determination of the proper jurisdiction in which the appeal should be filed is deferred by the Court to counsel.

The parties are advised of the Court's preliminary findings with respect to Belsher Investments' Application for Attorneys' Fees.

Ms. Copeland and Mr. McGinnis present argument to the Court with respect to Mr. Golder's Motion to Dissolve or Modify Injunction - In the Alternative - Request for Security on Injunction; specifically addressing the amount of the bond that should be posted for obtaining the provisional injunctive relief ordered in this case.

The parties are advised that the Court will determine the amount of the bond and will enter an order in that regard; however the order will be modifiable in the event that the parties have a factual basis in support of an opposition thereto.

11:21 a.m. Matter concludes.

LATER:

After listening to the argument of counsel and reviewing the materials on file, the Court finds that there is not an entitlement to an award of attorneys' fees under A.R.S. §12-349 or to have the Court order the injunction quashed. The Court also finds that a bond is required to be posted in this case. Accordingly,

**IT IS ORDERED:**

1. Denying the pending request for an award of attorneys' fees and costs without prejudice to the request for costs being renewed upon final resolution of this case.
2. Directing that as a condition for obtaining the provisional injunctive relief ordered in this case, movants shall post a bond in accordance with A.R.C.P 65(e) in the amount of Ten Thousand (\$10,000.00) Dollars.

**IT IS FURTHER ORDERED** signing this minute entry as an Order of the Court.

/s/ Eddward P. Ballinger, Jr.  
JUDICIAL OFFICER OF THE SUPERIOR  
COURT

A copy of this minute entry is mailed to all parties on the Court-approved W-1, W-2, W-3 and W-4 (Consolidated) mailing list dated July 25, 2008, Kirsten L. Copeland, Lewis and Roca, L.L.P., 40 North Central Avenue, Phoenix, Arizona 85044-4429, and Michael L. Golder, P.O. Box 956, Tonto Basin, Arizona 85533.