

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

11/29/2004

CLERK OF THE COURT
FORM V000

HONORABLE EDDWARD BALLINGER, JR.

R. Luiszer
Deputy

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

FILED: DECEMBER 2, 2004

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

ORDER RE: OCTOBER 1, 2004 SRP HEARING

At the October 1, 2004, hearing on Salt River Project's ("SRP") applications for injunctive relief, the Court provided direction on initial actions to be taken to bring settlement to fruition or otherwise resolve the disputes. In accordance with those directions,

IT IS ORDERED:

1. Materials generated by the Court, the Special Master or the Arizona Department of Water Resources ("ADWR") in these matters shall be served upon the persons appearing on the Gila River Adjudication Court-Approved Mailing List.
2. Materials generated by SRP, the respondents, or any claimant in the Gila River Adjudication shall be served only on the Court, the Special Master, ADWR and the parties involved in each separate application for injunctive relief. The parties involved in the

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five matters are listed in Attachment A to this Order.

**Respondents Henry M. Shill and Don H. Shill
dba Shield Ranch, Inc.**

3. With respect to SRP's applications against Henry M. Shill and Don H. Shill dba Shield Ranch, Inc., the parties may submit a stipulation resolving all or a portion of their disputes on or before December 19, 2004. To the extent all disputes are not resolved by settlement, the parties shall prior to January 10, 2005, exchange disclosure statements and joint memoranda suggesting time limits and procedures for completing discovery and other relevant pretrial matters.
4. On November 29, 2004, SRP filed a motion requesting that the Court vacate the previously set December 1, 2004, date for filing summary judgment motions and ordering that the litigants in this matter file disclosure statements by December 31, 2004. As the Court has set January 10, 2005, as the date for exchanging disclosure statements, this motion is deemed moot, and responses need not be filed. The December 1, 2004, date for filing summary judgment motions is vacated.

**Respondents Linda S. and Paul R. Robinson,
Chester-Campbell, L.L.C., Josephine C. Leslie,
and Verde River Ranch, L.L.C.**

5. With respect to SRP's applications against Linda S. and Paul R. Robinson, Chester-Campbell, L.L.C., Josephine C. Leslie, and Verde River Ranch, L.L.C., the parties may submit a stipulation resolving all or a portion of their disputes on or before December 19, 2004. To the extent all disputes are not resolved by

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settlement, the parties shall prior to January 10, 2005, exchange disclosure statements and joint memoranda suggesting time limits and procedures for completing discovery and other relevant pretrial matters.

Respondents

**Kovacovich Investment Ltd. Partnership,
Wiertzema Family Trust, and
NBJ Ranch Ltd. Partnership**

6. As to SRP's applications against Kovacovich Investment Ltd. Partnership, Wiertzema Family Trust, and NBJ Ranch Ltd. Partnership, the parties requested that resolution of their disputes await the Court's ruling regarding issues concerning the Special Master's Subflow Report. The parties shall file Arizona Rule of Civil Procedure 16 joint pretrial statements and exchange disclosure statements within sixty (60) days after the Court's final ruling on the report.

**Respondents Myron G. Ray, and
Jim and Linda Wyman**

7. With respect to SRP's applications against Myron G. Ray and Jim and Linda Wyman, the parties may submit a stipulation resolving all or a portion of their disputes on or before December 19, 2004. To the extent all disputes are not resolved by settlement, the parties shall prior to January 10, 2005, exchange disclosure statements and joint memoranda suggesting time limits and procedures for completing discovery and other relevant pretrial matters.

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**Respondents David M. and Diane F. Kober,
Justin J. and Chelise C. Largent, and
Jerry D. and Shawn L. Stryker**

8. SRP has indicated it intends to seek relief in these matters against the following individuals or entities: David M. and Diane F. Kober, Justin J. and Chelise C. Largent, and Jerry D. and Shawn L. Stryker. The Court will set a telephonic conference to determine how to include these litigants within the framework described above.

* * * *

A copy of this minute entry is mailed to all parties on the Court-approved W-1, W-2, W-3 and W-4 mailing list dated October 21, 2004, and the parties listed below.

NBJ Ranch Ltd. Partnership
P. O. Box 9
Camp Verde, AZ 86322

Chester-Campbell, LLC
c/o Betty Chester & Dowling Campbell
P. O. Box 2166
Camp Verde, AZ 86322

Kovacovich Investment Ltd. Partnership
c/o George Kovacovich
P. O. Box 578
Camp Verde, AZ 86322

Josephine C. Leslie
6101 E. Naumann Dr.
Paradise Valley, AZ 85251

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Verde River Ranch, LLC
c/o Richard W. MacMillan
6333 E. Mariposa
Scottsdale, AZ 85251

Josephine C. Leslie
c/o Hahn Howard & Greene, LLP
Attn: Michael E. Neumann
3200 N. Central Ave., Suite 1560
Phoenix, AZ 85012

Myron Ray
P. O. Box 1356
Camp Verde, AZ 86322

Shield Ranch, Inc., Don & Henry Shill
c/o Scott K. Riskey, P.C.
P. O. Box 2471
Prescott, AZ 86302

Linda S. & Paul R. Robinson
P. O. Box 237
Camp Verde, AZ 86322

Wiertzema Family Trust
c/o Terry Wiertzema
2120 W. Encanto Blvd.
Phoenix, AZ 85009

Jim & Linda Wyman
4545 N. 36th St., Suite 117
Phoenix, AZ 85018

Jerry D. & Shawn L. Stryker
P. O. Box 938
Camp Verde, AZ 86322

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Justin T. & Chelise C. Largent
515 E. Carefree Highway
Phoenix, AZ 85085

David M. & Diane F. Kober
8775 Crystal View Lane
Flagstaff, AZ 86004

Attachment A:

Applications of the Salt River Project for Orders to
Show Cause and Requests for Injunctions
Named Parties and Their Attorneys

1. In re Salt River Project's Application for Order to Show Cause and Request for Injunction Against Claimants **Henry M. Shill and Don H. Shill, dba Shield Ranch, Inc.**, an Arizona Corporation.

Salmon, Lewis & Weldon, P.L.C.
M. Byron Lewis & Mark A. McGinnis
2850 E. Camelback Rd., Suite 200
Phoenix, AZ 85016

Shield Ranch, Inc.; Henry M. & Don H. Shill
c/o Scott K. Risley, P.C.
P. O. Box 2471
Prescott, AZ 86301

2. In re Salt River Project's Application for Order to Show Cause and Request for Injunction Against Claimant **Kovacovich Investment Ltd. Partnership; Wiertzema Family Trust; Jim & Linda Wyman; Myron G. Ray; David M. & Diane F. Kober; Justin J. & Chelise C. Largent; Jerry D. & Shawn L. Stryker.**

Salmon, Lewis & Weldon, P.L.C.
M. Byron Lewis & Mark A. McGinnis
2850 E. Camelback Rd., Suite 200
Phoenix, AZ 85016

L. Richard Mabery, P.C.
234 N. Montezuma St.
Prescott, AZ 86301

Kovacovich Investment Ltd. Partnership
c/o George Kovacovich
P. O. Box 578
Camp Verde, AZ 86322

Wiertzema Family Trust
c/o Terry Wiertzema
2120 W. Encanto Blvd.
Phoenix, AZ 85009

Jim & Linda Wyman
4545 N. 36th St., Suite 117
Phoenix, AZ 85018

Myron Gale Ray
P. O. Box 1356
Camp Verde, AZ 86322

David M. & Diane F. Kober
8775 Crystal View Lane
Flagstaff, AZ 86004

Justin J. & Chelise C. Largent
515 E. Carefree Highway
Phoenix, AZ 85085

Jerry D. & Shawn L. Stryker
P. O. Box 938
Camp Verde, AZ 86322-0938

3. In re Salt River Project's Application for Order to Show Cause and Request for Injunction Against **Linda S. & Paul R. Robinson** and **Chester-Campbell, L.L.C.**

Salmon, Lewis & Weldon, P.L.C.
M. Byron Lewis & Mark A. McGinnis
2850 E. Camelback Rd., Suite 200
Phoenix, AZ 85016

L. Richard Mabery, P.C.
234 N. Montezuma St.
Prescott, AZ 86301

Linda S. & Paul R. Robinson
P. O. Box 237
Camp Verde, AZ 86322

Chester-Campbell, L.L.C.
c/o Betty Chester & Dowling Campbell
P. O. Box 2166
Camp Verde, AZ 86322

4. In re Salt River Project's Application for Order to Show Cause and Request for Injunction Against Claimant **NBJ Ranch Ltd. Partnership.**

Salmon, Lewis & Weldon, P.L.C.
M. Byron Lewis & Mark A. McGinnis
2850 E. Camelback Rd., Suite 200
Phoenix, AZ 85016

Brown & Brown Law Offices, P.C.
David A. Brown & Michael J. Brown
P. O. Box 3128
Pinetop, AZ 85935

NBJ Ranch Ltd. Partnership
P. O. Box 9
Camp Verde, AZ 86322

5. In re Salt River Project's Application for Order to Show Cause
and Request for Injunction Against Claimant **Josephine C.
Leslie and Verde River Ranch, L.L.C.**

Salmon, Lewis & Weldon, P.L.C.
M. Byron Lewis & Mark A. McGinnis
2850 E. Camelback Rd., Suite 200
Phoenix, AZ 85016

Josephine C. Leslie
c/o Hahn Howard & Greene, L.L.P.
Attn: Michael E. Neumann
3200 N. Central Ave., Suite 1560
Phoenix, AZ 85012

Josephine C. Leslie
6101 E. Naumann Dr.
Paradise Valley, AZ 85251

Moyes Storey Ltd.
Lee A. Storey & Steve Wene
1850 N. Central Ave., Suite 1100
Phoenix, AZ 85004

Verde River Ranch, L.L.C.
c/o Richard W. MacMillan
6333 E. Mariposa
Scottsdale, AZ 85251