

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

08/28/2006

CLERK OF THE COURT
FORM V000

HONORABLE EDDWARD BALLINGER, JR.

M. L. SMITH
Deputy

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

FILED: 09/06/06

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

In Re Oral Argument

MINUTE ENTRY

NORTHEAST COURTROOM 112

1:36 p.m. This is the time set for hearing oral argument on Salt River Project's Motion for Summary Judgment Against Henry M. Shill and Don H. Shill, dba Shield Ranch, Inc. M. Byron Lewis, Mark A. McGinnis, and Jeff Ehlers on behalf of Salt River Project; William H. Anger on behalf of Cities of Chandler, Glendale, Mesa, and Scottsdale; M. James Callahan on behalf of City of Phoenix; Bill Staudenmaier on behalf of Roosevelt Water Conservation District; Scott K. Risley on behalf of Shield Ranch, Inc. Special Master George A. Schade is also present

Court Reporter, Patty Connolly, is present.

A record of the proceedings is made by CD/videotape.

Oral argument is presented to the Court.

IT IS ORDERED taking this matter under advisement.

2:09 p.m. Hearing concludes.

LATER:

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The Court has considered argument of counsel and the materials submitted in support of and in opposition to Salt River Valley Water User's Association's and the Salt River Project Agricultural Improvement and Power District's (collectively "SRP") Motion for Summary Judgment against Henry M. Shill and Don H. Shill dba Shield Ranch, Inc. (collectively "Shield Ranch"). The Court finds that SRP has satisfied its burden and has demonstrated all requisites for issuance of a provisional remedy in the form of injunctive relief, including that Shield Ranch does not possess a colorable claim upon which it may assert a water right in this adjudication for the real property that is the subject of SRP's motion.

IT IS ORDERED Granting SRP's Motion for Summary Judgment. SRP shall lodge and serve a form of order providing for its requested relief on or before September 25, 2006. Shield Ranch may file any objections or comments it has to the form of order by October 10, 2006.

* * * *

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 July 7, 2006, and to:

Scott K. Risley
Scott K. Risley, P.C.
P. O. Box 2471
Prescott, AZ 86301
Attorney for Shield Ranch