

1 John B. Weldon, Jr., 003701
2 Mark A. McGinnis, 013958
3 Michael K. Foy, 032736
4 **SALMON, LEWIS & WELDON, P.L.C.**
5 2850 East Camelback Road, Suite 200
6 Phoenix, Arizona 85016
7 (602) 801-9060
8 jbw@slwplc.com
9 mam@slwplc.com
10 mkf@slwplc.com

11 *Attorneys for Salt River Project Agricultural*
12 *Improvement and Power District and Salt River*
13 *Valley Water Users' Association*

14 Carla A. Consoli, 013798
15 **MAY POTENZA BARAN & GILLESPIE**
16 Central Arts Plaza
17 1850 North Central Avenue, 16th Floor
18 Phoenix, AZ 85004-4633
19 (602) 252-1900
20 CConsoli@maypotenza.com

21 *Attorneys for Arizona Chapter of*
22 *The Nature Conservancy*

23 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
24 **IN AND FOR THE COUNTY OF MARICOPA**

25 IN RE: THE GENERAL
26 ADJUDICATION OF ALL RIGHTS
27 TO USE WATER IN THE GILA
RIVER SYSTEM AND SOURCE

No. W-1 (Salt)
No. W-2 (Verde)
No. W-3 (Upper Gila)
No. W-4 (San Pedro)

MODIFIED INJUNCTION

(Assigned to the Hon. Scott Blaney)

Contested Case Name: None.

HSR Involved: None.

Descriptive Summary: The Court enters its order modifying the injunction against Henry M. Shill and Don H. Shill, dba Shield Ranch, Inc., entered by Judge Ballinger on March 7, 2007.

Number of Pages: 2 + 6 (attachments) = 8 (total).

1 On November 8, 2023, the Salt River Project Agricultural Improvement and Power
2 District and Salt River Valley Water Users' Association (collectively, "SRP") and the Arizona
3 Chapter of The Nature Conservancy (the "Conservancy," acting on behalf and with the
4 express written permission of Ms. Claudia Hauser ("Ms. Hauser")) filed a joint motion to
5 modify the injunction entered by Judge Ballinger against Henry M. Shill and Don H. Shill,
6 dba Shield Ranch, Inc., on March 7, 2007 ("2007 Injunction"). *See* Joint Motion to Modify
7 Injunction (Nov. 8, 2023).

8 For the reasons set forth in the Joint Motion and good cause appearing therefor, the
9 2007 Injunction is hereby modified as follows:

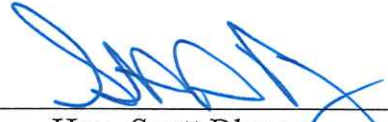
10 1. Ms. Hauser is the current owner of the property at issue in the 2007 Injunction
11 (Yavapai County Assessor's Parcel No. 404-14-004C, "Property").

12 2. Ms. Hauser and her successors in interest are hereby permanently enjoined from
13 using water on the acres depicted as "Enjoined Acres" on Exhibit 1 and described in Exhibit 2
14 attached hereto. Ms. Hauser and her successors in interest are no longer enjoined from using
15 water on the Disputed 23 Acres or the Disputed 5 Acres depicted on Exhibit 1 and described
16 in Exhibit 2 to the 2007 Injunction, except to the extent that any of those acres are also
17 included in the Enjoined Acres described above.

18 3. The 2007 Injunction and this Modified Injunction are subject to further
19 modification under the continuing jurisdiction of this Court.

20 4. The Court hereby authorizes the recording of this Modified Injunction in the
21 real property records of the Yavapai County, Arizona Recorder and at such other locations
22 where recording of injunctions is authorized by applicable law.

23
24
25 Dated: November 29, 2023



Hon. Scott Blaney
Judge of the Superior Court

Exhibit 1

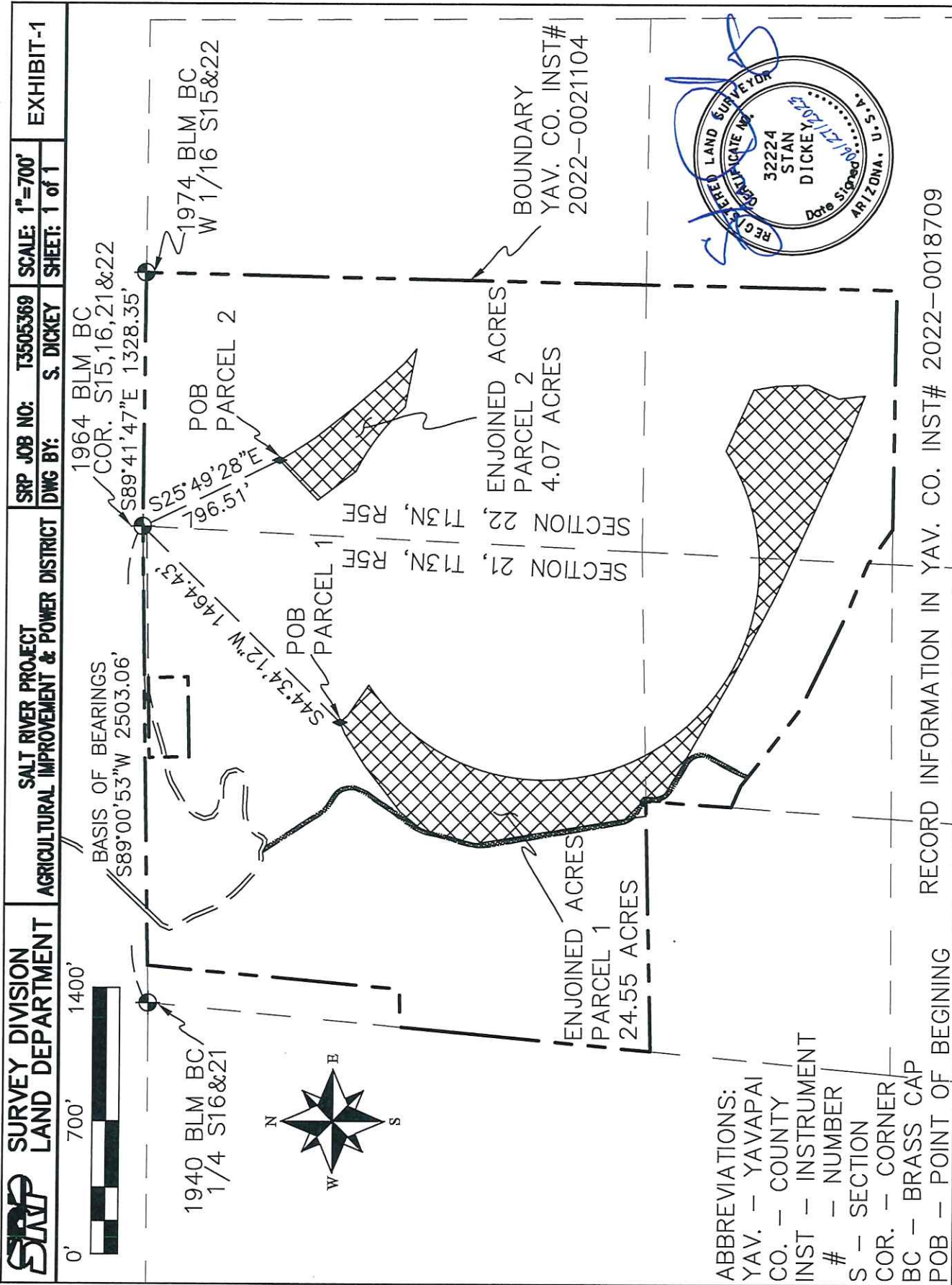


Exhibit 2

EXHIBIT 2 - PARCEL 1

LEGAL DESCRIPTION

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT

A parcel of land in the East Half of the Section 21, and the Northwest Quarter of the Southwest Quarter of Section 22, Township 13 North, Range 5 East of the Gila and Salt River Meridian, being a portion of that property depicted in Instrument Number 2022-0018709, Yavapai County Records, hereinafter referred to as **record**, Yavapai County, Arizona, more described as follows:

Commencing at the Northwest Corner of said Section 22 being a found 1964 BLM brass cap, from which the North Quarter Corner of said Section 21, being a found 1940 BLM brass cap bears South 89 degrees 00 minutes 53 seconds West, a distance of 2503.06 feet **record**, and basis of bearings for this description;

thence South 44 degrees 34 minutes 12 seconds West, a distance of 1464.43 feet to the **POINT OF BEGINNING**;

thence South 41 degrees 04 minutes 59 seconds East, a distance of 55.93 feet;

thence South 55 degrees 42 minutes 46 seconds East, a distance of 191.80 feet to the beginning of a non-tangent curve, turning to the left, having a radius of 1123.61 feet, a chord bearing of South 33 degrees 15 minutes 14 seconds East, and a chord length of 2247.13 feet;

thence along said curve through a delta angle of 178 degrees 57 minutes 02 seconds, an arc length of 3509.36 feet;

thence South 65 degrees 51 minutes 54 seconds East, a distance of 352.18 feet;

thence South 09 degrees 51 minutes 49 seconds East, a distance of 122.67 feet;

thence South 01 degrees 43 minutes 37 seconds East, a distance of 168.30 feet;

thence South 24 degrees 27 minutes 44 seconds West, a distance of 173.47 feet;

thence South 06 degrees 01 minutes 38 seconds East, a distance of 142.62 feet;

thence North 67 degrees 58 minutes 41 seconds West, a distance of 206.29 feet;

thence North 65 degrees 57 minutes 59 seconds West, a distance of 544.60 feet;

thence North 65 degrees 09 minutes 15 seconds West, a distance of 394.58 feet;

thence North 62 degrees 13 minutes 13 seconds West, a distance of 534.75 feet;

thence North 60 degrees 24 minutes 46 seconds West, a distance of 537.95 feet;

EXHIBIT 2 - PARCEL 1

thence North 58 degrees 40 minutes 45 seconds West, a distance of 174.38 feet to a point on the east line of the Northwest Quarter of the Southeast Quarter of said Section 21;

thence North 04 degrees 07 minutes 20 seconds East along said east line, a distance of 73.73 feet to the northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 21;

thence South 88 degrees 43 minutes 14 seconds West along the north line of the Northwest Quarter of the Southeast Quarter of said Section 21, a distance of 77.01 feet;

thence North 07 degrees 56 minutes 32 seconds West, a distance of 36.63 feet;

thence North 09 degrees 28 minutes 05 seconds West, a distance of 875.98 feet;

thence North 11 degrees 09 minutes 55 seconds East, a distance of 181.85 feet;

thence North 20 degrees 22 minutes 22 seconds East, a distance of 118.41 feet;

thence North 39 degrees 45 minutes 41 seconds East, a distance of 144.04 feet;

thence North 52 degrees 22 minutes 18 seconds East, a distance of 302.87 feet;

thence North 57 degrees 23 minutes 21 seconds East, a distance of 202.38 feet

thence North 67 degrees 09 minutes 14 seconds East, a distance of 65.60 feet to the **POINT OF BEGINNING.**

Containing an area of 1069220 square feet, or 24.55 acres, more or less.

End of Description

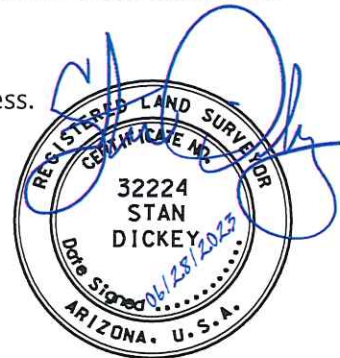


EXHIBIT 2 - PARCEL 2

LEGAL DESCRIPTION

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT

A parcel of land in the West Half of the Northwest Quarter of Section 22, Township 13 North, Range 5 East of the Gila and Salt River Meridian, being a portion of that property depicted in Instrument Number 2022-0018709, Yavapai County Records, hereinafter referred to as **record**, Yavapai County, Arizona, more described as follows:

Commencing at the Northwest Corner of said Section 22 being a found 1964 BLM brass cap, from which the North Quarter Corner of Section 21, same Township and Range, being a found 1940 BLM brass cap bears South 89 degrees 00 minutes 53 seconds West, a distance of 2503.06 feet **record**, and basis of bearings for this description;

thence South 25 degrees 49 minutes 28 seconds East, a distance of 796.51 feet to the **POINT OF BEGINNING**;

thence South 30 degrees 59 minutes 37 seconds East, a distance of 88.38 feet;

thence South 33 degrees 54 minutes 23 seconds East, a distance of 136.81 feet;

thence South 37 degrees 55 minutes 56 seconds East, a distance of 270.40 feet;

thence South 41 degrees 04 minutes 58 seconds East, a distance of 189.49 feet;

thence South 42 degrees 24 minutes 15 seconds East, a distance of 150.39 feet;

thence South 49 degrees 32 minutes 47 seconds East, a distance of 93.70 feet;

thence North 78 degrees 59 minutes 21 seconds West, a distance of 311.50 feet to the beginning of a non-tangent curve, turning to the left, having a radius of 1123.61 feet, a chord bearing of North 52 degrees 45 minutes 17 seconds West, and a chord length of 417.16 feet;

thence along said curve through a delta angle of 21 degrees 23 minutes 46 seconds, an arc length of 419.59 feet;

thence North 37 degrees 06 minutes 20 seconds West, a distance of 255.89 feet;

thence North 45 degrees 48 minutes 10 seconds East, a distance of 288.62 feet to the **POINT OF BEGINNING**.

Containing an area of 177310 square feet, or 4.07 acres, more or less.

End of Description

