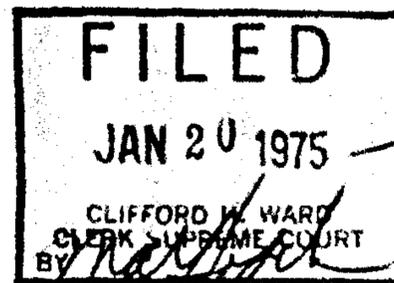


SUPREME COURT
IN THE STATE OF ARIZONA



FARMERS INVESTMENT COMPANY,)
)
 Appellant,)
)
 v.)
)
 ANDREW L. BETTWY, as State Land)
 Commissioner, and the STATE LAND)
 DEPARTMENT, a Department of the)
 State of Arizona, and PIMA MINING)
 COMPANY, a corporation,)
)
 Appellees.)

Supreme Court
No. 11439-2

Pima County
No. 116542

STIPULATION

Subject to the approval of the Court, it is agreed between FARMERS INVESTMENT COMPANY, PIMA MINING COMPANY, and ANAMAX MINING COMPANY, a partnership:

1. That the setting of the above cause for oral argument be vacated to be reset as directed by the Court.

2. That at such time as the cause now on appeal to the Court of Appeals, Division 2, entitled FARMERS INVESTMENT COMPANY, a corporation, Appellant vs. THE ANACONDA COMPANY, a corporation, AMAX COPPER MINES, INC., and THE ANACONDA COMPANY, as partners in and constituting ANAMAX MINING COMPANY, a partnership; ANAMAX MINING COMPANY, a partnership, Appellees, No. 2CA-CIV-1756, is at issue in the Court of Appeals a Petition for the Transfer of the cause from the Court of Appeals to the Arizona Supreme Court, pursuant to Rule 47(e) of the Supreme Court will be filed either jointly by the parties thereto or separately by any party and will not be resisted by the other parties and, in the event said Petition is granted the parties hereto shall jointly request that said cause be consolidated with this cause number 11439-2 for argument and set for oral argument.

3. The parties represent to the Court that unnecessary delay will not result if this Stipulation is approved by the Court but that on the contrary the legal issues critical to both the causes aforesaid will be more efficiently, informatively and expeditiously presented for resolution by the Court.

DATED this 16th day of January, 1975.

SNELL & WILMER

By

Mark Wilmer
Mark Wilmer

Attorneys for FARMERS INVESTMENT
COMPANY, appellant

VERITY & SMITH

MUSICK, PEELER & GARRETT

By

Bruce A. Bevin
Bruce Bevin

Attorneys for PIMA MINING COMPANY,
appellee

CHANDLER, TULLAR, UDALL & RICHMOND

By

Thomas Chandler
Thomas Chandler

Attorneys for ANACONDA COMPANY,
appellee

O R D E R

Having considered the foregoing Stipulation, good cause appearing;

1. Oral Argument in the above numbered cause set for January 9, 1975 has been vacated, to be reset upon order of this Court.

2. Upon presentation of the Petition for Transfer, referred to in said Stipulation, the Court will at that time

make such Order as it deems appropriate.

DATED this 20 day of January, 1975.

James D. Cameron

Chief Justice

