

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

08/28/2003

CLERK OF THE COURT
FORM V000

HONORABLE EDDWARD BALLINGER, JR.

R. Luiszer
Deputy

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

FILED: August 29, 2003

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

MINUTE ENTRY

The Court has reviewed the Motion for Partial Summary Judgment requesting a declaration of full appropriation in Gila River Stream Adjudication and the Motion for Order Directing the Arizona Department of Water Resources to Implement Listed Statutes that were previously filed on behalf of the San Carlos Apache Tribe, the Tonto Apache Tribe and the Yavapai-Apache Nation (collectively, the "Apache Tribes"). The Court has also reviewed the amendments and materials filed in support of and in opposition to these requests for relief, and the requests that consideration of the motions be postponed. Oral argument is necessary to permit discussion of questions that arise as a result of this review. For this reason,

IT IS ORDERED setting a hearing on the Apache Tribes' motions and the requests for relief for 2:00 p.m. on Friday, November 14, 2003, East Court Building, 101 W. Jefferson, Courtroom #513.

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To facilitate effective argument on the matters to be considered at the hearing, the following schedule will be in effect:

- A. 2:00 p.m. to 3:30 p.m. - Argument regarding the Motion for Partial Summary Judgment for Declaration of Full Appropriation in Gila River Stream Adjudication. The Apache Tribes will have 40 minutes for argument, and the other parties will have 50 minutes for argument.
- B. 3:45 p.m. to 4:45 p.m. - Argument regarding the Motion for Order Directing the Arizona Department of Water Resources to Implement Listed Statutes. The Apache Tribes will have 25 minutes for argument, and the other parties will have 35 minutes for argument.

The Court believes it would be helpful if counsel for parties holding similar positions would agree among themselves as to who will present argument on each motion. Any party wishing to be heard must have filed motion papers relating to the matters to be heard, or a terse statement adopting the position of another party.

Counsel shall present to the Court a written schedule of the presentations prior to commencement of the arguments.

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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 May 6, 2003.