

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

IN RE THE GENERAL ADJUDICATION  
OF ALL RIGHTS TO USE WATER IN  
THE GILA RIVER SYSTEM AND SOURCE  
W-1 (Salt)  
W-2 (Verde)  
W-3 (Upper Gila)  
W-4 (San Pedro)  
Consolidated

The Court addresses the following pending matters:

Filing of ADWR's Report Concerning the Preparation  
Of New and Updated Hydrographic Survey Reports  
and Related Matters in the Gila River  
Adjudication

The Chairman of the Gila River Adjudication Steering Committee informed the Court that the Arizona Department of Water Resources' ("ADWR") "Report Concerning the Preparation of New and Updated Hydrographic Survey Reports and Related Matters," prepared in response to the Court's directive issued in the Little Colorado River Adjudication, was not filed in the Gila River Adjudication. Consequently, the report does not appear on the monthly docket sheets of the Gila River Adjudication that provide notice of pleadings and orders to parties who are not on the Gila River Adjudication Court-Approved Mailing List.

IT IS ORDERED that the Arizona Department of Water Resources is directed to file a copy of its report in the Gila River Adjudication so that the docket sheets provide notice of the report.

Motions of the Gila River Indian Community and the  
United States for Extension of Time and for an  
Expedited Ruling

On October 25, 2002, the Gila River Indian Community ("GRIC") and the United States requested an additional ninety days, or until January 29, 2003, to provide to ADWR information and supporting documentation relating to their

current and future land and water use planning within the area affected by the Gila River Indian Reservation Hydrographic Survey Report ("GRIR HSR"). The additional time would allow the United States and its experts to confer with GRIC and its experts concerning the manner in which the Pima and Maricopa Indians desire to use water on their Reservation and their plans for utilizing their claimed water rights. The additional time will allow these parties "to file more complete and polished information," which is claimed, "would be easier for ADWR to utilize." An expedited ruling was requested because the deadline was November 1, 2002.

The court finds good cause for considering the request for additional time because ninety days is not substantial, and the Court recognizes that this is the first time that an Indian Tribe and the United States have been directed to provide information to ADWR so that an Indian HSR can be prepared in light of the holdings in *In Re the General Adjudication of all Rights to Use Water in the Gila River System and Source*, 201 Ariz. 307, 35 P.3d 68 (2001), statutory requirements, and prior orders of the Court. The Court, however, desires to keep this matter on an active track, and therefore, it is unlikely further extensions of time will be granted absent extraordinary circumstances.

IT IS ORDERED granting the motions of GRIC and the United States for an extension of ninety days, or until Wednesday, January 29, 2003, for these parties to provide to ADWR information and supporting documentation relating to their current and future land and water use planning within the area affected by the GRIR HSR.

#### **Status Conference**

The Gila River Adjudication Steering Committee filed its report on November 12, 2002. This report will help the Court to identify "claims or issues that can or should be addressed during the next two years and to discuss scheduling of those matters before this Court or the Special Master," as stated in the Court's September 26, 2002, order.

The Court wishes to hear the views of the Committee, its members, and of any other parties regarding the direction the Gila River Adjudication should take in order to resolve

important issues and expedite the determination of water rights in the most efficient and effective manner.

IT IS ORDERED that a status conference shall be held on Wednesday, January 22, 2003 at 9:00 a.m. in this division.

Dated: Nov. 18, 2002

/s/Eddward P. Ballinger, Jr.  
The Honorable Eddward P. Ballinger, Jr.  
Judge of the Superior Court

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A copy of this order is mailed to all parties on the Court-approved mailing list for W-1, W-2, W-3, and W-4 dated July 16, 2002.