

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

8/16/07

CLERK OF THE COURT
FORM V000

HONORABLE EDDWARD BALLINGER, JR.

L. NEVENHOVEN
Deputy

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

COPY

Contested Case No. W1-207

FILED: August 20, 2007

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

In Re Proposed Gila River Indian
Community Settlement Proceedings

MINUTE ENTRY

The Court has reviewed the materials related the Motion in Limine seeking to preclude evidence regarding issues raised in certain subparagraphs in the Amended and Restated Gila River Indian Community Water Rights Settlement Agreement (“Settlement Agreement”).

IT IS ORDERED denying the requested relief to the extent it seeks to preclude all evidence regarding the water sources described in subparagraph 4.4.1 of the Settlement Agreement. The Court notes that it appears the position of the moving parties set forth in the motion is contrary their stipulation contained in the Joint Pretrial Statement filed in this special proceeding.

IT IS FURTHER ORDERED granting the Motion in Limine with respect to the topics raised in subparagraphs 4.4.2, 4.4.6, 4.4.13, 4.4.14, and 4.4.15 of the Settlement Agreement.

IT IS FURTHER ORDERED granting, based upon the stipulations of the parties set forth in the Joint Pretrial Statement, the requested relief with respect to Settlement Agreement subparagraph 4.4.3 and water diverted from the Santa Cruz River.

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IT IS FURTHER ORDERED affirming the prior grant of relief with respect to sources set forth in Settlement Agreement subparagraph 4.4.4.

In light of the facts set forth in the Supplemental Memorandum filed in support of the motion and the partial withdraw of certain requested relief,

IT IS FURTHER ORDERED denying the relief requested other than as provided above.

IT IS FURTHER ORDERED signing this minute entry as an order of the Court.

//s/ Eddward P. Ballinger, Jr.
JUDICIAL OFFICER OF THE SUPERIOR COURT

A copy of this order is mailed to all parties on the Court-approved mailing list for Contested Case No. W1-207 dated July 26, 2007.