

SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

COPY

3/19/07

CLERK OF THE COURT
FORM V000

HONORABLE EDDWARD BALLINGER, JR.

L. NEVENHOVEN
Deputy

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

Contested Case No. W1-208

FILED: 3/20/07

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

In re Proposed Tohono O'Odham
Nation Water Rights Settlement
Special Proceeding

MINUTE ENTRY

The Court has reviewed the Pascua Yaqui Tribe's Motion for Determination of the Applicability of the Court's January 23, 2007 Order to this proceeding and its Motion for Expedited Consideration.

The January 23, 2007 Order issued in connection with the Court's consideration of the proposed Gila River Indian Community Water Rights Settlement (the "Gila Settlement") contained the Court's decision that the scope of its review of the Gila Settlement is limited by the Arizona Supreme Court's Special Procedural Order Providing for the Approval of Federal Water Rights Settlements, Including Those of Indian Tribes dated May 16, 1991 (the "Special Order"). While certain parties disagree with the Court's resolution of this issue, the Court is unaware of any party taking the position that the Court's ruling with respect to the mandate of the Special Order does not require the Court to abide by the review limitations that apply to the Gila Settlement when considering the proposed Tohono O'Odham Nation Water Rights Settlement Agreement. These limitations restrict the Court's inquiry in connection with considering

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approval of the Tohono O'Odham Nation Water Rights Settlement Agreement to the matters explicitly set forth in the Special Order. Accordingly,

IT IS ORDERED granting the Pascua Yaqui Tribe's request to expedite its Motion for Determination.

IT IS FURTHER ORDERED that the provisions of the Special Order shall govern the Court's consideration of the request to approve the proposed Tohono O'Odham Nation Water Rights Settlement Agreement.

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. W1-208.