

SUPREME COURT OF ARIZONA

IN THE MATTER OF THE GENERAL) Arizona Supreme Court
 ADJUDICATION OF ALL RIGHTS TO) No. WC-02-0001-IR,
 USE WATER IN THE GILA RIVER) WC-02-0002-IR,
 SYSTEM AND SOURCE) WC-02-0003-IR
)
) Maricopa County
) Superior Court
) Nos. W-1, W-2, W-3, W4
) (Consolidated)
)
) [Contested Cases No.
) W1-203 and W1-206]
)
) O R D E R
)

The Court has received a "Motion by the Gila River Indian Community Requesting Concurrent Interlocutory Review," several responses thereto, the "United States' Motion for Concurrent Interlocutory Review," and the "Cities' Response to the Gila River Indian Community's Motion for Concurrent Interlocutory Review and Cities' Conditional Notice of Appearance." Upon consideration,

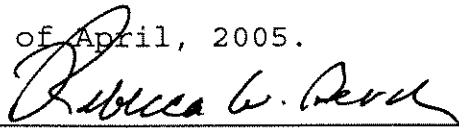
IT IS ORDERED denying concurrent review at this time. The Court has concluded that the order filed February 23, 2005, which set the briefing schedule for the issues granted in the interlocutory review petition filed by the San Carlos Apache Tribe, gives the Gila River Indian Community adequate opportunity to address any issue presented by the Tribe as a participating party under

paragraphs 3 and 4 of that order. The Court further has concluded that the United States, as a participating party under paragraphs 2 and 6 of the February 23, 2005 order, will also have adequate opportunity to address any issue presented for interlocutory review by the Tribe. The Court reserves the discretion to revisit or reconsider the utility of concurrent review.

IT IS FURTHER ORDERED acknowledging the conditional notice of appearance filed by the Cities of Chandler, Glendale, Mesa, and Scottsdale, and to the extent that the Gila River Indian Community, as a participating party under paragraphs 3 and 4 of the February 23 order, addresses the issues presented by the San Carlos Apache Tribe in a manner that implicates the Cities' water portfolios, the Cities are granted leave to participate in briefing under paragraph 3 and 4 of the order as they deem necessary.

IT IS FURTHER ORDERED that the briefing schedule set in the Order filed February 23, 2005 in Arizona Supreme Court No. WC-02-0003-IR remains in full effect.

Dated this 20th day of April, 2005.



Rebecca White Berch, Justice

A copy of the foregoing mailed this 20th day of April, 2005, to those parties who appear on the Court-Approved mailing list for the Gila River Water case.