

BEFORE THE INDIAN CLAIMS COMMISSION

GILA RIVER PIMA-MARICOPA INDIAN )  
 COMMUNITY, et al., )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 THE UNITED STATES OF AMERICA, )  
 )  
 Defendant. )

Docket No. 236-C

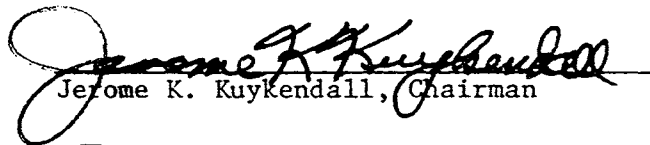
INTERLOCUTORY ORDER

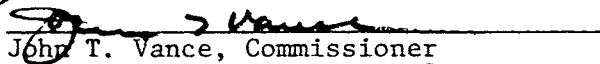
Upon the opinion entered herein today, which is hereby made a part of this order, the Commission concludes as a matter of law that:

1. Plaintiff was entitled to divert from the Gila River a maximum of 210,000 acre-feet of water per year.
2. In any given year in the past, plaintiff was entitled to divert from the Gila River only the amount of water it could put to beneficial use on its lands in that year.

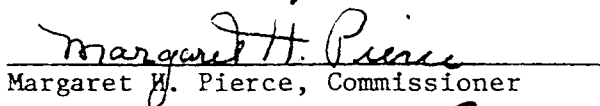
This case shall proceed to a trial on the issue whether plaintiff was deprived of the use of Gila River water it could have beneficially used, and if so whether defendant is liable for that deprivation.

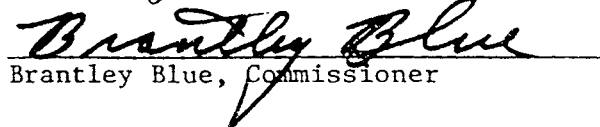
Dated at Washington, D. C., this 17<sup>th</sup> day of November 1972.

  
 Jerome K. Kuykendall, Chairman

  
 John T. Vance, Commissioner

  
 Richard W. Yarborough, Commissioner

  
 Margaret H. Pierce, Commissioner

  
 Brantley Blue, Commissioner