

SUPERIOR COURT OF ARIZONA  
APACHE COUNTY

07/31/2020

CLERK OF THE COURT  
FORM V000

SPECIAL WATER MASTER SUSAN WARD  
HARRIS

S. Ortega

Deputy

FILED: 08/13/2020

In re: Hopi Reservation HSR  
Contested Case No. CV 6417-203

In re: the General Adjudication  
of All Rights to Use Water in the  
Little Colorado River System and Source

CV6417-203

In re: Pre-Trial Conference re: Future Use Trial

**MINUTE ENTRY**

**Courtroom: CCB 301**

1:37 p.m. This is the time set for a pre-trial conference.

The following attorneys appear via GoToMeeting:

- Emmi Blades, Vanessa Boyd Willard, Rebecca Ross, and Sarah Foley for U.S. Department of Justice
- Colin F. Campbell, Phillip Londen, Payslie Bowman, Grace R. Rebling, and Thayne Lowe for the Hopi Tribe
- Jeffrey S. Leonard, Evan F. Hiller, Judith M. Dworkin, and M. Kathryn Hoover for the Navajo Nation
- David A. Brown, Lauren J. Caster, Brian J. Heiserman, and Bradley J. Pew for LCR Coalition
- Mark A. McGinnis, Patrick B. Sigl and Greg Kornrumpf for SRP
- Carrie J. Brennan and Kevin Crestin for Arizona State Land Department
- Sara Ransom, Lee A. Storey, Alexandra Arboleda, and Ethan B. Minkin for the City of Flagstaff
- Kimberly R. Parks observing for ADWR
- Robin L. Interpreter observing for the San Juan Southern Paiute Tribe

The following parties appear via GoToMeeting:

- Carroll Onsaie and Frederick Lomayesva, Representatives of the Hopi Tribe

A record of the proceedings is made digitally in lieu of a court reporter.

The Court lists the following pending motions:

- Navajo Nation's Motion regarding Cross-Examination
- Three (3) motions dealing with Dr. Hammerman and issues dealing with social cost of benefit analysis
- Redaction Motions from City of Flagstaff, SRP and the LCR Coalition
- Motion in Limine re Mr. Bass

Counsel agree that the list of pending motions is accurate.

Discussion is held regarding the parties' lists of witnesses for trial.

Mr. Campbell stated that the Hopi Tribe intends to call its expert witnesses first and lay witnesses last. He advised the Court that the Hopi Tribe expected to conclude by Veterans' Day.

Based on the discussion as held on the record,

IT IS ORDERED that the Hopi Tribe shall file a list of witnesses along with the date(s) each witness will be called to testify by **September 1, 2020**.

IT IS FURTHER ORDERED that the objecting parties shall meet to discuss the order in which the objecting parties will present their respective cases and shall file their order of witnesses along with dates each witness will be called to testify by **September 11, 2020**. The date the first witness will be called after the conclusion of the Hopi Tribe's case is November 18, 2020.

The trial schedule is discussed as it relates to the holidays. The Court will hold trial on November 23, 24, and the morning only on November 25. Mr. Campbell proposes breaking for the Christmas holiday on December 22, 2020. There are no objections from counsel. Trial will resume on January 11, 2021.

Trial logistics are discussed including GoToMeeting and Bridge Line issues.

For public access to the trial, each party or lawyer wanting to appear at the proceeding must call **602-506-9695**. The system will prompt the caller to enter the conference pass code. Enter the code **357264** followed by the # (pound) sign. If disconnected for any reason, repeat instructions above. **Note:** Participants who call in prior to the Moderator (Court staff) opening the bridge will hear music while waiting.

Mr. Campbell requests the presence of a court reporter for the trial.

Discussion is held regarding tracking trial time and presentation of exhibits. The Court will limit time for opening statements to 45 minutes. Direct examination of expert witnesses will be limited to 30 minutes. The 30-minute limitation does not apply to direct examination of lay witnesses. Presentation of exhibits will be practiced at the next pretrial conference.

Discussion is held regarding original sealed depositions to be used at trial. The Court will address the issue at the next pretrial conference.

**IT IS FURTHER ORDERED affirming the Pretrial Conference on August 14, 2020 at 1:30 p.m.**

**IT IS FURTHER ORDERED changing the time only for the Pretrial Conference on August 28, 2020 from 1:30 p.m. to 2:30 p.m. (1 hour).**

2:12 p.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court-approved mailing list.