

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

January 28, 2020

CLERK OF THE COURT

SPECIAL WATER MASTER
SUSAN WARD HARRIS

T. DeRaddo

Deputy

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

FILED: 02/04/2021

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

**TRIAL MINUTE ENTRY
DAY 53**

Courtroom: CCB 301

9:00 a.m. Trial to the Court continues from January 27, 2021. The following attorneys and parties appear telephonically:

- Colin Campbell, Grace Rebling, Phillip Londen and Payslie Bowman for the Hopi Tribe
- Vanessa Boyd Willard, Sarah Foley, Cody McBride, Emmi Blades, and Rebecca Ross for the United States Department of Justice, Indian Resources Section
- Brian J. Heiserman, David A. Brown, Lauren J. Caster, Bradley J. Pew for LCR Coalition
- Mark A. McGinnis and Hannah Woner for the Salt River Project
- Carrie J. Brennan and Kevin Crestin for the Arizona State Land Department
- Lee A. Storey, Sara Ransom, Alexandra Arboleda, and Ethan B. Minkin for the City of Flagstaff
- Jeffrey S. Leonard, Judith M. Dworkin, Evan F. Hiller, and Kathryn Hoover for the Navajo Nation
- Doreen McPaul, Attorney General for the Navajo Nation
- Michelle Brown-Yazzie and Kimberly Dutcher, Deputy Attorneys General for the Navajo Nation
- Kimberly Parks observing for ADWR
- Frederick Lomayesva, General Counsel for the Hopi Tribe

Court Reporter, Kristin DeCasas, is present. A record of the proceedings is also made digitally.

Discussion is held regarding LCR Coalition's Exhibit # 963 that was received in evidence yesterday, January 27, 2021, and LCR Coalition's Exhibit 110.

For the reasons stated on the record,

LCR Coalition's Exhibit #110 is received in evidence, and is substituted for LCR Coalition's Exhibit #963. LCR Coalition's Exhibit #963 is not received in evidence.

Discussion is held regarding LCR Coalition's Exhibits #72, LCR #1457, LCR #1456, and LCR #1458 which were offered January 27, 2021. Mr. Heiserman states that he is awaiting word from Mr. Campbell about the land descriptions in the aforementioned exhibits.

Mr. Campbell states that he is trying to find documents regarding the legal descriptions of the Hopi Partition Lands. The parties stipulate that this matter will be taken up on February 3, 2021.

Discussion is held regarding LCR Coalition's Exhibits #965 and #966 (learned treatises). Mr. Pew states that Mr. Heiserman is still reviewing the documents and requests that discussion on these exhibits be taken up on February 3, 2021, as well.

Mr. Leonard states that Hopi Exhibit #4393 and LCRC's Exhibit #965 are essentially the same exhibit and Hopi Exhibit # 4394 and LCRC's Exhibit #966 are essentially the same exhibit. Mr. Leonard continues to assert the hearsay objections as to the document.

Mr. Leonard will review the exhibits and highlight the portions that are acceptable to the Navajo Nation. Discussion will be held on this issue on February 3, 2021.

Dr. Jim Chang is sworn and testifies.

ASLD Exhibit # 008 is received in evidence.

ASLD Exhibit #011 is received in evidence.

10:31 a.m. The Court stands at recess.

10:45 a.m. Court reconvenes with the parties and respective counsel present.

Court Reporter, Kristin DeCasas, is present. A record of the proceedings is also made digitally.

Dr. Jim Chang continues to testify.

12:02 p.m. The Court stands at recess.

1:30 p.m. Court reconvenes with the parties and respective counsel present.

Court reporter Luz Franco is present. A record of the proceedings is also made digitally.

Dr. Jim Chang continues to testify.

Hopi Tribe Exhibit #1285 is received in evidence.

Hopi Tribe Exhibit #1271 is received in evidence.

US Exhibit #953 is received in evidence.

3:00 p.m. The Court stands at recess.

3:15 p.m. Court reconvenes with the parties and respective counsel present.

Court reporter Luz Franco is present. A record of the proceedings is also made digitally.

Dr. Jim Chang continues to testify.

4:41 p.m. The Court stands at recess until February 3, 2021 at 9:00 a.m.

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