

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

09/12/2018

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

A. Hatfield

Deputy

FILED: 09/24/2018

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

CV 6417-203

In re: Hopi Reservation HSR

In re: Trial to the Court Day Two

MINUTE ENTRY

Courtroom: ECB 613

10:30 a.m. This is the time set for Trial to the Court before Special Water Master Susan Ward Harris.

The following attorneys and parties appear in-person: The following attorneys appear in-person: M. Kathryn Hoover on behalf of the Navajo Nation Department of Justice; Jeffrey Leonard, Judith Dworkin and Evan Hiller on behalf of the Navajo Nation; Carrie Brennan and Kevin Crestin on behalf of the Arizona State Land Department; David Brown and Brian Heiserman on behalf of the LCR Coalition; Erin Byrnes, Alexandra Arboleda, and Lee Storey on behalf of the City of Flagstaff; R. Jeffrey Heilman and Mark McGinnis on behalf of Salt River Project; Vanessa Willard and Sarah Foley on behalf of the United States Department of Justice; Grace Rebling and Colin Campbell on behalf of the Hopi Tribe; Kimberly Parks on behalf of the Arizona Department of Water Resources.

Court reporter, Luz Franco, is present and a record of the proceedings is made digitally.

Discussion is held concerning witness order in case there are objections to Neil Blandford's testimony and his testimony being cut short.

Mr. Leonard addresses the scope of cross-examination by the Hopi Tribe.

Dr. Hana Samek Norton resumes the stand and testifies further.

Mr. Leonard voir dres the witness and moves to strike the testimony from 9/11/2018 as stated on the record.

The motion is denied.

Hopi exhibit 332 is received into evidence.

Hopi exhibit 917 and Hopi 3862 is received into evidence.

U.S. exhibit 3 is received into evidence.

12:04 p.m. The Court stands at recess.

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

Court reporter, Marylynn Lemoine, is present and a record of the proceedings is made digitally.

Dr. Hana Samek Norton continues to testify.

U.S. exhibits 5 and 14 are received into evidence.

U.S. exhibit 15 is received in evidence.

U.S. exhibit 18 is received in evidence.

U.S. exhibit 23 is received in evidence.

U.S. exhibit 24 is received in evidence.

U.S. exhibit 27 is received in evidence.

U.S. exhibit 29 is received in evidence.

U.S. exhibits 31 and 32 are received in evidence.

U.S. exhibit 35 is received in evidence.

U.S. exhibit 81 and 87 are received in evidence.

U.S. exhibit 89 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, Marylynn Lemoine, is present and a record of the proceedings is made digitally.

Dr. Hana Samek Norton continues to testify.

3:22 The Court stands at recess.

3:33 Court reconvenes with the parties and respective counsel present.

Court reporter, Marylynn Lemoine, is present and a record of the proceedings is made digitally.

Mr. Campbell advises the Court that the parties have stipulated to the admission of certain U.S. exhibits.

Mr. Heilman states the terms of the stipulation into the record.

U.S. exhibits 95, 100, 101, 105, 106, 116, 117, 121, 122, 123, 125, 126, 127, 128, 129, 130, 132, 133, 136, 139, 140, 142, 145, 146, 149, 150, 151, 164, 167, and 173 are received in evidence.

Dr. Hana Samek Norton continues to testify.

U.S. exhibit 1 pgs. 84-131 are received in evidence.

LCR exhibit 4 is received in evidence.

4:47 p.m. The Court stands at recess and will reconvene at 10:30 a.m. tomorrow.

LATER:

Portions of U.S. exhibit 1, specifically pages 84-131 were received in evidence. US State's exhibit 1 having been submitted in electronic format only, Counsel for US State was directed to submit a revised electronic file to the courtroom clerk containing only the portions in evidence for identification and retention as admitted.

Subsequently, the portions of US State's exhibit 1 as ordered in evidence on have been submitted to the above named clerk and are identified as US State's exhibit 821. The status of U.S. exhibit 1 remains marked for identification, but not admitted in evidence.

A copy of this order is mailed to all persons listed on the Court approved mailing list for Contested Case No. CV6417-203.