

SUPERIOR COURT OF ARIZONA  
APACHE COUNTY

10/23/2018

CLERK OF THE COURT  
FORM V000

SPECIAL WATER MASTER SUSAN WARD  
HARRIS

A. Hatfield

Deputy

FILED: 11/06/2018

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 25

**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: 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; Brian Heiserman on behalf of the LCR Coalition; Erin Byrnes on behalf of the City of Flagstaff; Mark McGinnis on behalf of Salt River Project; Andrew Guarino 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, Barbara Stockford, is present and a record of the proceedings is made digitally.

Ms. Rebling advises the Court that the Hopi Tribe does not believe any further briefing is needed regarding the Spanish law issue in the Treaty of Guadalupe Hidalgo. Discussion is held.

Further discussion is held regarding the setting of a Pretrial conference in December 2018 to discuss the Future Uses trial.

IT IS ORDERED setting a Pretrial Conference on December 20, 2018 at 1:30 p.m. to be held in the Central Court Building, Courtroom 301.

Counsel for the Navajo Nation objects to the testimony of Dr. Anthony Godfrey.

The Court denies the Navajo Nation's motion to strike.

Dr. Anthony Godfrey is sworn and testifies.

Hopi exhibit 878 is received in evidence.

LET THE RECORD REFLECT that the portions of Hopi exhibit 880 as ordered admissible on October 16, 2018 has been submitted to the above named clerk and is identified as Hopi exhibit 3902, in evidence.

LET THE RECORD FURTHER REFLECT that the status of Hopi exhibit 880 remains marked for identification, not in evidence.

LET THE RECORD REFLECT that the portions of Hopi exhibit 882 as ordered admissible on October 16, 2018 has been submitted to the above named clerk and is identified as Hopi exhibit 3903, in evidence.

LET THE RECORD FURTHER REFLECT that the status of Hopi exhibit 882 remains marked for identification, not in evidence.

Portions of Hopi exhibit 879 are admissible. Hopi exhibit 879 having been submitted in electronic format only, Counsel for the Hopi Tribe is directed to submit a revised electronic file to the courtroom clerk containing only the portions in evidence for identification and retention as admitted.

LET THE RECORD REFLECT that the portions of Hopi exhibit 879 as ordered admissible on October 23, 2018 has been submitted to the above named clerk and is identified as Hopi exhibit 3904, in evidence.

LET THE RECORD FURTHER REFLECT that the status of Hopi exhibit 879 remains marked for identification, not in evidence.

Hopi exhibit 3905 is received in evidence.

12:00 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.

Portions of Hopi exhibit 842 are admissible. Hopi exhibit 842 having been submitted in electronic format only, Counsel for SRP is directed to submit a revised electronic file to the courtroom clerk containing only the portions in evidence for identification and retention as admitted.

LET THE RECORD REFLECT that the portions of Hopi exhibit 842 as ordered in evidence on October 23, 2018 has been submitted to the above named clerk and is identified as Hopi exhibit 3906, in evidence.

LET THE RECORD FURTHER REFLECT that the status of Hopi exhibit 842 remains marked for identification, not in evidence.

Mr. Heiserman moves to strike portions of Dr. Godfrey's testimony relating to specific location of lands assigned by the federal government to Hopi farmers.

Ms. Rebling requests time to review the transcript. Ms. Rebling is directed to notify the Court by November 26, 2018 which portions of the transcript should be stricken.

Dr. Godfrey continues to testify.

Witness excused.

The Hopi case will resume once Hopi witness Dr. Peter Whiteley is available to testify.

2:04 p.m. Court is adjourned until 10:30 a.m. October 29, 2018.

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