

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

11/01/2018

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

A. Hatfield

Deputy

FILED: 11/08/2018

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 29

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: Kathryn Hoover, Jeffrey Leonard, Judith Dworkin and Evan Hiller on behalf of the Navajo Nation; Kevin Crestin on behalf of the Arizona State Land Department; Brian Heiserman on behalf of the LCR Coalition; Erin Byrnes and Lee Storey on behalf of the City of Flagstaff; R. Jeffrey Heilman and Mark McGinnis on behalf of Salt River Project; Vanessa Willard, Cody McBride, and Sarah Foley on behalf of the United States Department of Justice; Grace Rebling and Colin Campbell on behalf of the Hopi Tribe; Nicole Klobas and Joy Hernbrode on behalf of the Arizona Department of Water Resources.

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

LET THE RECORD REFLECT that the portions of Navajo exhibit 194 as ordered in evidence on October 31, 2018 has been submitted to the above named clerk and is identified as Navajo exhibit 739, in evidence.

LET THE RECORD FURTHER REFLECT that the status of Navajo exhibit 194 remains marked for identification, not in evidence.

LET THE RECORD REFLECT that the portions of Navajo exhibit 195 as ordered in evidence on November 1, 2018 has been submitted to the above named clerk and is identified as Navajo exhibit 740, in evidence.

LET THE RECORD FURTHER REFLECT that the status of Navajo exhibit 195 remains marked for identification, not in evidence.

Discussion is held regarding the scheduling of Closing Arguments and Hopi Witness, Dr. Whiteley and Navajo rebuttal witness, Dr. Thompson.

Mr. Campbell advises the Court that Mr. Whiteley will be available to testify on November 26, 2018.

Navajo Nation rebuttal witness, Dr. Kerry Thompson, will testify on November 27, 2018.

IT IS ORDERED setting Closing Arguments on December 17, 2018 and December 18, 2018 commencing at 10:30 a.m.

IT IS FURTHER ORDERED that the Pretrial Conference currently set for December 20, 2018 is hereby vacated and reset to December 17, 2018 at 3:00 p.m.

Navajo exhibits 273-472, and 512-595 are received in evidence.

Discussion is held regarding Navajo exhibit photographs with Google Earth imagery.

Navajo exhibits 616-638, 640-652, 654-662, 665-704, 707-711, 714-720, and 723-736 are received in evidence.

Navajo exhibit 738 is marked for identification and is received in evidence.

Discussion is held regarding figures 10-1 through 10-94 in Dr. Leeper's report.

Further discussion will be held tomorrow at 1:30 p.m. on the admission of figures 10-1 through 10-94 with redacted text.

Dr. Leeper resumes the stand and continues to testify.

Table of Contents from the 2017 Field Trip is marked for identification as Navajo exhibit 741. An electronic version of the exhibit is to be submitted to the clerk.

11:55 a.m. The Court stands at recess.

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

Court reporter, Barbara Stockford, is present and a record of the proceedings is made digitally.

The Court advises the party that trial will commence tomorrow at 9:30 a.m. in Courtroom 309 at the Old Court House. The trial will then reconvene at 1:30 p.m. in Courtroom 613 at the East Court Building.

Mr. Leeper continues to testify.

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

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

Court reporter, Barbara Stockford, is present and a record of the proceedings is made digitally.

Mr. Leeper continues to testify.

4:45 p.m. Court will reconvene tomorrow at 9:30 a.m.

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