

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

05/16/2017

CLERK OF THE COURT
Form V000

HONORABLE MARK H. BRAIN

M. Askew
Deputy

W1-11-2664

FILED: 06/29/2017

In re: Redfield Canyon Wilderness Area

W1-11-2664

In re: Trial to Court Day 1

MINUTE ENTRY

Courtroom - CCB 1201

Prior to the commencement of trial, claimant 1/The United States exhibits 1-678, claimant 2/Arizona State Land Department's (ASLD) exhibits 537-543; claimant 3/Salt River Project's (SRP) exhibits 544-547 and claimant 4/ Freeport Minerals Corp.'s (FMC) exhibits 548-693 were marked for identification on thumb drive 1.

10:35 a.m. This is the time set for Trial to the Court before the Honorable Mark H. Brain. The following attorneys appear in person; Edwin Slade and Carrie Brennan on behalf of Arizona State Land Department, Kimberly Parks and Jan Miller on behalf of ADWR, Julia Kolsrud, Joe Sparks, Steve Titla, and Justine Jimmie on behalf of San Carlos Apache Tribe, Lee Leininger and Dave Gehlert on behalf of the United States, Sean Hood and Brian Heiserman on behalf of Freeport Minerals Corporation, Jeffrey Heilman on behalf of Salt River Project, Monique Coady on behalf of City of Phoenix, and Bill Anger on behalf of Cities of Avondale, Chandler, Glendale, Scottsdale, and Mesa.

Court Reporter, Christine Coaly, is present and a record of the proceedings is made digitally.

Claimant 4/ Freeport Minerals Corp.'s (FMC) exhibits 694-697 are marked for identification.

Lee Leininger addresses the Court.

CL-1 United States' exhibits 008, 009, 303, 305, 317, 318, 320, 322, 324, 328, and 533 are received in evidence by stipulation of the parties.

CL-1 United States' rests.

John Bodenchuk is sworn and testifies.

The witness steps down.

11:13 a.m. Court is in recess.

11:23 a.m. Court reconvenes with respective counsel present.

Court Reporter, Christine Coaly, is present and a record of the proceedings is made digitally.

CL-4 Freeport Mineral Corporation's exhibit 696 is received in evidence.

John Bodenchuk resumes the stand and testifies further.

The witness is excused.

11:53 a.m. Court is in recess.

Court reconvenes with respective counsel present.

1:31 p.m. Court Reporter, Christine Coaly, is present and a record of the proceedings is made digitally.

Richard Burtell is sworn and testifies.

CL-4 Freeport Mineral Corporation's exhibits 694 and 695, CL-3 Salt River Project's exhibit 548, and CL-1 United States' exhibit 342 are received in evidence.

The witness steps down.

3:05 p.m. Court is in recess.

3:20 p.m. Court reconvenes with respective counsel present.

Court Reporter, Christine Coaly, is present and a record of the proceedings is made digitally.

Richard Burtell resumes the stand and testifies further.

CL-4 Freeport Mineral's exhibit 681 and CL-1 United States' exhibit 190 are received in evidence.

CL-4 Freeport Mineral's exhibit 697 is received in evidence.

The witness is excused.

CL-4 Freeport Mineral's rests.

Presentation of evidence is completed and the parties will submit a briefing schedule.

4:25 p.m. Matter concludes.

A copy of this order is mailed to all persons listed on the court approved mailing list for Contested Case No. W1-11-605 dated December 8, 2016.