

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

7/12/2016

CLERK OF THE COURT
Form V000

SPECIAL WATER MASTER SUSAN WARD HARRIS

L. Stogsdill
Deputy

FILED: 7/26/16

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

In Re: Adjudication of claims of the Navajo
Nation
Contested Case No. CV 6417

MINUTE ENTRY

Courtroom 301 - CCB

11:17 a.m. This is the time set for a hearing re: adjudication of claims of the Navajo Nation. Appearing telephonically are: Joe P. Sparks on behalf of the San Carlos Apache Tribe and Tonto Apache Tribe; Christina C. Sheehan on behalf of Atkinson Trading Company, Inc., Kathryn Hoover and Stanley Pollack on behalf of the Navajo Nation Department of Justice. In the Courtroom are David A. Brown and J. Albert Brown on behalf of the Little Colorado River Claimants; Alexandra Arboleda and Lee Storey on behalf of City of Flagstaff; Patrick Sigl and Jeffrey Heilman on behalf of the Salt River Project; Andrew Guarino and Vanessa Willard on behalf of United States Department of Justice, Indian Resources Section; L. William Staudenmaier on behalf of Freeport-McMoRan Corporation and Arizona Public Service Company; John B. Weldon, Jr. on behalf of Salt River Project; Brian J. Heiserman on behalf of Freeport Minerals Corporation; Gregory L. Adams on behalf of Tucson Electric Power Company; Karlene Martorana on behalf of the Arizona Public Service Company; Janet L. Miller, Nicole Klober and Jeff Trembley on behalf of Arizona Department of Water Resources; Carrie Brennan on behalf of the State of Arizona; William Aloe and Joseph P. Mentor, Jr. on behalf of the Hopi Tribe; Scott B. McElroy on behalf of the Navajo Nation. Members of the Hopi and Navajo tribes are also present.

Court reporter Lydia Estrada-Gray is present and a record of the proceedings is made digitally.

The Court discusses an issue raised in a motion filed, regarding an order authorizing the Court to proceed with the hearing. The Court advises counsel it believes it has the appropriate authority, however, advises counsel the issue will be addressed in detail in a Court order.

Discussion is held regarding updating the Statements of Claim filed by the United States and the Navajo Nation.

Counsel for the Navajo Nation, the Hopi Tribe, Atkinson Trading Company, Inc. and the United States outline their respective positions regarding past and present use, with future uses to be addressed later.

Budget/funding issues are also discussed.

The Court suggests that counsel meet and confer with each other and their experts to determine if obtaining a series of HSR's is possible and what property should be included in the HSR's.

Discussion is held regarding streamlining the process by considering *de minimis* uses.

The Court will issue an order outlining the time within which counsel shall meet and confer regarding these issues.

For the reasons stated on the record,

IT IS ORDERED taking the matter under advisement.

11:41 a.m. Matter concludes.

A copy of this order is mailed to all parties on the Court-approved mailing list for the In re Hopi Tribe Priority, No. CV 6417, dated June 2, 2016.