

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

10/20/2016

CLERK OF THE COURT
Form V000

HONORABLE MARK H. BRAIN

T. Blachut
Deputy

W1-11-605

FILED: 10/21/2016

In re: Fort Huachuca

W1-11-605

In re: Trial to Court Day 12

MINUTE ENTRY

Courtroom - CCB 1201

10:32 a.m. Trial to the Court continues from October 19, 2016. The following attorneys appear in person; Joe P. Sparks, Laurel A. Hermann, and Julia M.R. Kolsrud on behalf of the San Carlos Apache Tribe and Tonto Apache Tribe; Robyn L. Interpreter and Susan B. Montgomery, on behalf of the Pascua Yaqui Tribe and Yavapai-Apache Nation; Sara C. Porsia, R. Lee Leininger, and Adam M. Bean, on behalf of the U.S. Department of Justice; John B. Weldon, Jr., Michael Foy, Patrick B. Sigl, Mark A. McGinnis and Lisa M. McNight, on behalf of Salt River Project; Sean T. Hood, Brian J. Heiserman, William L. Staudenmaier, and Shilpa Hunter Patel on behalf of Freeport Minerals Corporation; Robert D. Anderson on behalf of Liberty Utilities; William P. Sullivan on behalf of Pueblo Del sol Water Company and City of Sierra Vista; William H. Anger on behalf of the Cities of Avondale, Chandler, Glendale, Mesa and Scottsdale; Carrie J. Brennan, on behalf of the State of Arizona; Nicole D. Klobus and Janet L. Miller, on behalf of the Arizona Department of Water Resources; Monique Coady on behalf of the City of Phoenix; Daniel D. Haws II and Mark A. Holycross on behalf of the U.S. Army. Rich Burtell, Angela Camara, Captain David Classen, Symone Hetzel, Major Michael Lipkin, Jennifer Meadows, Scott Miltenberger, Thomas Runyon, Edwin Slade, Donald Stadelman, Steve Titla and Mitchell Tribbet are also present.

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

Christopher P. Higgins resumes the stand and testifies further.

CL-1/United States' Exhibits 114 through 124, 126, 129, and 175 through 177 are received in evidence.

CL-3/Freeport's Exhibit 1045 is received in evidence.

12:01 p.m. The Court stands at recess.

1:31 p.m. The Court reconvenes with the parties and respective counsel present.

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

Christopher P. Higgins resumes the stand and testifies further.

2:47 p.m. The Court stands at recess.

3:05 p.m. The Court reconvenes with the parties and respective counsel present.

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

Christopher P. Higgins resumes the stand and testifies further.

The witness is excused.

Discussion is held with the Court regarding scheduling of the Continued Trial dates.

IT IS ORDERED the continued Trial dates are as follows: Monday, February 6, 2017 through Thursday, February 9, 2017 and Monday, February 13, 2017 through Thursday, February 16, 2017 from 10:30 a.m. until 4:30 p.m. each day.

The record shall reflect that the Clerk of this Division shall retain all the exhibits marked for identification until the continued trial date.

4:05 p.m. Court stands in recess until 10:30 a.m. on February 6, 2017.

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 September 14, 2016.