

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

9/23/2020

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

L. Stogsdill

Deputy

FILED: 10/5/2020

In re:
Contested Case No. 6417-203

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

In re: Trial to Court

MINUTE ENTRY

TRIAL TO COURT DAY 7

Courtroom: CCB 301

9:00 a.m. Trial to the Court continues from September 22, 2020.

The following attorneys and parties appear via GoToMeeting: Jeffrey Leonard, Judith Dworkin, Evan Hiller, and Kathryn Hoover on behalf of the Navajo Nation; Carrie Brennan and Kevin Crestin on behalf of the Arizona State Land Department; Brian Heiserman, David Brown, Lauren J. Caster, and Bradley J. Pew on behalf of the LCR Coalition; Lee Storey, Sara Ransom, Alexandra Arboleda, and Ethan Minkin on behalf of the City of Flagstaff; Mark McGinnis on behalf of Salt River Project; Cody McBride, Rebecca Ross, and Vanessa Willard, Cody McBride, and Emmi Blades on behalf of the United States Department of Justice; Sarah Foley for United States Department of Interior; Grace Rebling, Phillip Londen, Payslie Bowman, and Colin Campbell on behalf of the Hopi Tribe; Kimberly Parks observing on behalf of the Arizona Department of Water Resources.

Mr. Heiserman provides the order of cross examination of today's witness to the Court and counsel.

Court reporter, Teri Veres, is present and a record of these proceedings is made digitally.

Mr. McGinnis advises the Court that there are issues regarding the Hopi Tribe's proposed order of witnesses to be discussed.

Court and counsel agree that if the issue is not resolved, oral argument will take place Tuesday morning prior to the commencement of the Hopi Tribe's case in chief.

The United States' case continues:

Jason Bass is sworn and testifies.

United States' exhibits 916, 1445, 942 and 1115 are received in evidence.

Discussion is held regarding LCRC's exhibit 502.

Mr. Campbell makes an oral Motion for Reconsideration of the Court's pre-trial ruling regarding LCRC's exhibit 502.

Discussion is held.

For the reasons stated on the record,

IT IS ORDERED denying the Hopi Tribe's oral Motion for Reconsideration.

The Court notes that the Hopi Tribe's position with regard to the motion, is preserved under Rule 103.

Upon motion of counsel for the Hopi Tribe, United States' exhibit 867 is received in evidence.

10:31 a.m. The Court stands at recess.

10:45 a.m. The Court reconvenes with counsel and the witness present.

Court reporter, Teri Veres, is present and a record of these proceedings is made digitally.

Jason Bass continues to testify.

LCR Coalition's exhibit 518 is received in evidence.

12:00 p.m. The Court stands at recess.

1:30 p.m. The Court reconvenes with counsel and the witness present.

Court reporter, Vanessa Gartner, is present and a record of these proceedings is made digitally.

Jason Bass continues to testify.

Upon motion of counsel for LCRC, United States' exhibit 1434 is received in evidence.

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

3:15 p.m. The Court reconvenes with counsel and the witness present.

Court reporter, Vanessa Gartner, is present and a record of these proceedings is made digitally.

Jason Bass continues to testify.

City of Flagstaff's exhibit 62 is received in evidence.

Counsel for the Hopi Tribe requests re-cross examination of the witness.

Discussion is held.

For the reasons stated,

IT IS ORDERED denying the Hopi Tribe's request.

Counsel for the Hopi Tribe makes an offer of proof on the record.

4:35 p.m. Court stands in recess until 9:00 a.m. on September 29, 2020.

A copy of this order is mailed to all persons listed on the Court-approved mailing list.