

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

09/13/2018

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

A. Hatfield

Deputy

FILED: 09/24/2018

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 Three

MINUTE ENTRY

Courtroom: ECB 613

10:31 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: M. Kathryn Hoover on behalf of the Navajo Nation Department of Justice; Jeffrey Leonard, Judith Dworkin and Evan Hiller on behalf of the Navajo Nation; Carrie Brennan and Kevin Crestin on behalf of the Arizona State Land Department; David Brown and Brian Heiserman on behalf of the LCR Coalition; Erin Byrnes, Alexandra Arboleda, and Lee Storey on behalf of the City of Flagstaff; R. Jeffrey Heilman and Mark McGinnis on behalf of Salt River Project; Cody McBride, Sarah Foley and Vanessa Willard on behalf of the United States Department of Justice; Grace Rebling, Phillip Londen and Colin Campbell on behalf of the Hopi Tribe; Kimberly Parks and Joy Hernbrode on behalf of the Arizona Department of Water Resources.

Court reporter, Luz Franco, is present and a record of the proceedings is made digitally.

Dr. Hana Samek Norton resumes the stand and testifies further.

LCR exhibit 16 is received in evidence.

The witness is excused.

Mr. McGinnis objects to the entirety of Hopi witness Neil Blandford testimony for reasons stated on the record. Mr. Heiserman, Mr. Hiller and Ms. Byrnes join in SRP's objections. Mr. Campbell and Ms. Willard respond.

IT IS ORDERED denying SRP's motion.

Hopi exhibits 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 32, 35, 39, 46, 48 and 49 are received in evidence.

The Court will reserve ruling on the admittance of Hopi exhibits 74-76 pending the testimony of a custodian of records from the Arizona Department of Water Resources.

Counsel for Hopi Tribe having been permitted to call a witness out of order,

Neil Blandford is sworn and testifies.

Hopi exhibit 110 is received in evidence.

11:56 a.m. The Court stands at recess.

1:29 p.m. Court reconvenes with the parties and respective counsel present.

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

Ms. Byrnes withdraws the City of Flagstaff's foundation objections to Hopi Exhibits 74-76.

Hopi Exhibits 74, 75, 76, 77, 78, 79, 80, 81, and 82 are received in evidence.

Mr. Campbell addresses the scope of the trial. Discussion is held.

Neil Blandford continues to testify.

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

3:18 p.m. Court reconvenes with the parties and respective counsel present.

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

Neil Blandford continues to testify.

Hopi exhibits 2387, 2388, and 2389 are received in evidence.

Hopi exhibits 2175, 2182, 2185, 2188, 2191, 2197, 2199, 2211, 2212, 2213, 2214, 2217, 2219, 2226, 2231, 2236, 2241, 2248, 2274, 2283, 2287, 2291, 2303, 2316, 2330, 2299 are received in evidence.

Hopi exhibits 2588, 2583, 2581, 2577, 2573, and 2570 are received in evidence.

Portions of Hopi exhibit 106, specifically Figures 1-15, and 17-30 are received in evidence. Hopi exhibit 106 having been submitted in electronic format only, Counsel for Hopi is directed to submit a revised electronic file to the courtroom clerk containing only the portions in evidence for identification and retention as admitted.

Portions of Hopi exhibit 107, specifically Tables 2-5 are received in evidence. Hopi exhibit 107 having been submitted in electronic format only, Counsel for the Hopi Tribe is directed to submit a revised electronic file to the courtroom clerk containing only the portions in evidence for identification and retention as admitted.

Portions of Hopi exhibit 109, specifically Appendix A with supporting figures are received in evidence. Hopi exhibit 109 having been submitted in electronic format only, Counsel for the Hopi Tribe is directed to submit a revised electronic file to the courtroom clerk containing only the portions in evidence for identification and retention as admitted.

Portions of Hopi exhibit 120, specifically Table 1 with supporting figures and attachments are received in evidence. Hopi exhibit 120 having been submitted in electronic format only, Counsel for the Hopi Tribe is directed to submit a revised electronic file to the courtroom clerk containing only the portions in evidence for identification and retention as admitted.

Hopi exhibit 904 is received in evidence.

4:53 p.m. The Court stands at recess and will reconvene at 2:30 p.m. tomorrow afternoon.

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