

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

09/17/2018

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 Five

MINUTE ENTRY

Courtroom: ECB 613

10:30 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: The following attorneys appear in-person: 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; Brian Heiserman on behalf of the LCR Coalition; Erin Byrnes and Lee Storey on behalf of the City of Flagstaff; Jeffrey Heilman and Mark McGinnis on behalf of Salt River Project; Cody McBride and Vanessa Willard on behalf of the United States Department of Justice; Grace Rebling and Colin Campbell on behalf of the Hopi Tribe; 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.

LET THE RECORD REFLECT that the portions of Hopi exhibit 129 as ordered in evidence on September 14, 2018 has been submitted to the above named clerk and are identified as Hopi exhibit 3870, in evidence.

LET THE RECORD FURTHER REFLECT that the status of Hopi Exhibit 129 remains marked for identification, not in evidence.

Christopher Banet resumes the stand and continues to testify.

U.S. exhibits 760, 761, and 762 are received in evidence.

Portions of U.S. exhibit 694, specifically reference list are received in evidence. U.S. exhibit 694 having been submitted in electronic format only, Counsel for US State is directed to submit a revised electronic file to the courtroom clerk containing only the portions in evidence for identification and retention as admitted.

U.S. exhibits 655-664 are received into evidence.

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

1:30 p.m. Court reconvenes with the parties and respective counsel present.

Court reporter, Barbara Stockford, is present and a record of the proceedings is made digitally.

Christopher Banet continues to testify.

U.S. exhibits 751, 752, 753, 754, 755, 756, 757 and 762 are received in evidence.

Portions of U.S. exhibit 653, specifically the reference list are received in evidence. U.S. exhibit 653 having been submitted in electronic format only, Counsel for U.S. is directed to submit a revised electronic file to the courtroom clerk containing only the portions in evidence for identification and retention as admitted.

Mr. Hiller makes an oral motion to strike portions of Christopher Banet testimony for reasons stated on the record.

IT IS ORDERED denying the motion to strike.

2:02 p.m. The Court stands at recess.

2:16 p.m. Court reconvenes with the parties and respective counsel present.

Court reporter, Barbara Stockford, is present and a record of the proceedings is made digitally.

Christopher Banet continues to testify.

Navajo exhibits 607-614 are received into evidence.

3:01 p.m. The Court stands at recess.

3:15 p.m. Court reconvenes with the parties and respective counsel present.

Court reporter, Barbara Stockford, is present and a record of the proceedings is made digitally.

Ms. Willard addresses the Court's concerns regarding the confidentiality of Navajo exhibits 607-614. The Court inquires if the U.S. can provide redacted version of these exhibits.

Christopher Banet continues to testify.

U.S. exhibit 738 is received in evidence.

The parties stipulate on the record to 20 gallons of water per animal unit per day.

Hopi exhibit 38 is received in evidence.

4:45 p.m. The Court stands at recess. Court will resume tomorrow at 10:30 a.m.

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