

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

10/14/2020

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

A. Parmar

Deputy

FILED: October 16, 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 16

Courtroom: CCB 301

9:01 a.m. Trial to the Court continues from October 13, 2020.

The following attorneys and parties appear via GoToMeeting:

- Colin Campbell, Grace Rebling, Phillip Londen, Payslie Bowman and Frederick Lomayesva for the Hopi Tribe
- Vanessa Boyd Willard, Cody McBride, Emmi Blades, and Rebecca Ross for the United States Department of Justice, Indian Resources Section
- Sarah Foley for the United States Department of the Interior
- Brian J. Heiserman, David A. Brown, Lauren J. Caster, Bradley J. Pew for LCR Coalition
- Mark A. McGinnis for the Salt River Project
- Carrie J. Brennan and Kevin Crestin for the Arizona State Land Department
- Lee A. Storey, Sara Ransom, Alexandra Arboleda, and Ethan B. Minkin for the City of Flagstaff
- Jeffrey S. Leonard, Judith M. Dworkin, Evan F. Hiller, and Kathryn Hoover for the Navajo Nation

Court Reporter, Scott Coniam, is present. A record of the proceedings is also made digitally.

Discussion is held regarding the admission of the Hopi Tribe's exhibits 4333 through 4335. Counsel for the Navajo Nation, Arizona State Land Department, LCR Coalition and SRP withdraws their objection. Counsel for the City of Flagstaff discusses procedural matters regarding Hopi Tribe's exhibit 4333 and the objects to its admission. Over the objection of Counsel for the City of Flagstaff,

Hopi Tribe's exhibits 4333 through 4335 are received in evidence.

David Keith Luneke, having been previously sworn, testifies further.

The witness is excused.

Witness, Richard Arthur Horner, is sworn and testifies.

Hopi Tribe's exhibit 4275 is received in evidence.

Counsel for the Hopi Tribe moves to admit LCRC's exhibit 562. Counsel for the Navajo Nation objects on the grounds of hearsay. LCRC's exhibit 562 is not admitted.

10:28 a.m. The Court stands at recess.

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

Court reporter, Scott Coniam, is present and a record of these proceedings is made digitally.

Richard Arthur Horner testifies further.

LCRC's exhibits 556 and 559 are received in evidence.

11:50 a.m. The Court stands in recess.

1:30 p.m. The Court reconvenes with all parties and counsel present.

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

Richard Arthur Horner testifies further.

Counsel for the Navajo Nation moves to strike to the form of the questioning asking the witness for a legal opinion.

The motion to strike is denied.

The witness is excused.

Discussion is held regarding scheduling, Hopi Tribe's exhibit 4590, and Hopi Tribe's outstanding Motion to Take Judicial Notice Re (1) SRP's Residential Florrd Irrigation Program and (2) Arizona's Community Gardens. Counsel for the Hopi Tribe does not believe oral argument is needed on the Motion and therefore the Court will issue a ruling after reviewing the pleadings.

LET THE RECORD REFLECT the admissibility of the Hopi Tribe's exhibit 4590 was previously addressed in under "Later" in the Minute Entry for Day 13 dated 10/07/2020 and filed October 12, 2020.

2:09 p.m. The matter stands at recess until Thursday, October 15, 2020 at 9:00 a.m.

A copy of the minute entry will be sent to all parties on the Court approved mailing list.