

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

10/19/2020

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

S. Ortega

Deputy

FILED: 10/21/2020

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

**TRIAL MINUTE ENTRY
DAY 18**

Courtroom: CCB 301

9:01 a.m. Trial to the Court continues from October 15, 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, and 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, Jovanna Roman, is present. A record of the proceedings is also made digitally.

Discussion is held regarding trial schedule.

Hopi Tribe exhibit 4591 is discussed. Without objection, Hopi Tribe exhibit 4591 is received in evidence.

The Court is in receipt of Hopi Tribe's Motion to Limit Cross-Examination and Presentation of Evidence by State Objectors on Water Claims and Issues Related to Aquifers that only Underlie the Hopi and Navajo Reservation.

IT IS ORDERED that a reply in support of Hopi's Tribe's Motion to Limit Cross-Examination is due by **October 26, 2020**.

Hopi Tribe's case continues.

David Fuller Seibert is sworn and testifies.

Hopi Tribe exhibits 4414 and 4415 are received in evidence.

Discussion is held regarding Hopi Tribe exhibit 169. The Court will address this matter further at 1:30 p.m.

LCR exhibits 527, 532, 533, 534, 536, 537, and 538 are received in evidence.

Further discussion is held regarding Hopi Tribe exhibits 169 and 869 are duplicative exhibits.

9:52 a.m. Court stands at recess.

1:32 p.m. Court reconvenes with respective counsel present.

Court Reporter, Jovanna Roman, is present. A record of the proceedings is also made digitally.

Discussion is held regarding Hopi Tribe exhibit 869. It is affirmed that exhibit 869 was previously received in evidence on September 29, 2020.

Trial schedule is discussed. The Court informs counsel that trial will start at 8:00 a.m. tomorrow.

Mr. Londen withdraws his motion to admit Hopi Tribe exhibit 169.

Discussion is held regarding Hopi Tribe's Motion to Take Judicial Notice of Claims Related to Energy Projects at Black Mesa by the Navajo Nation and the United States in

Case No. CV 6417-300. Ms. Storey requests that the Court set a response date for the motion.

IT IS FURTHER ORDERED that any responses to the Hopi Tribe's Motion are due by **October 26, 2020**.

IT IS FURTHER ORDERED that the reply in support of the Hopi's Tribe's Motion to Take Judicial Notice is due by **October 30, 2020**.

Brian Dwayne Westfall is sworn and testifies.

Hopi Tribe exhibits 4402, 4403, 4404, and LCR exhibit 855 are received in evidence.

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

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

Court Reporter, Luz Franco, is present. A record of the proceedings is also made digitally.

Brian Dwayne Westfall continues to testify.

LCR exhibit 899 is received in evidence.

The witness is excused.

3:45 p.m. The matter stands at recess until **Tuesday, October 20, 2020 at 8:00 a.m.**

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