

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

11/08/2018

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

A. Hatfield

Deputy

FILED: 11/19/2018

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 31

MINUTE ENTRY

Courtroom: ECB 613

10:28 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: 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 on behalf of the City of Flagstaff; R. Jeffrey Heilman and Mark McGinnis on behalf of Salt River Project; Cody McBride 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.

Mr. Hiller addresses the Navajo Nation's position regarding the Peabody Leases is that the actual reimbursement rates shouldn't be included in the Opinion. Discussion is held.

Admissible portions of Navajo Nation exhibits 142 and 143 are received in evidence. Navajo Nation exhibits 142 and 143 having been submitted in electronic

format only, Counsel for Navajo Nation is directed to submit a revised electronic file to the courtroom clerk containing only the portions in evidence for identification and retention as admitted.

Discussion is held regarding the proposed redactions to Hopi exhibit 484. Counsel for the Hopi Tribe have reviewed the proposed redactions and have no objection. A revised electronic file will be given to the courtroom clerk on November 26, 2018 when Dr. Whiteley testifies.

Further discussion is held regarding the admission of Christopher Banet's report on mining which is identified as Hopi exhibit 653. Mr. Campbell states that only the figures and graphs have been admitted and he would like to move in the full report.

The United States join in the motion. Counsel for the Navajo Nation and SRP object. Mr. Campbell responds.

The Court will take Mr. Campbell's response as a withdrawal of his motion.

Akhtar Zaman is sworn and testifies.

Navajo Nation exhibits 200 and 199 are received in evidence.

12:01 p.m. The Court stands at recess.

1:31 p.m. Court reconvenes with the parties and respective counsel present.

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

Mr. Zaman continues to testify.

Hopi exhibit 3097 is marked for identification. Counsel for Hopi Tribe is directed to submit an electronic file to the clerk.

The Witness is excused.

2:28 p.m. Court is adjourned until 10:30 a.m. tomorrow morning.

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