

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/05/2019

CLERK OF THE COURT

HONORABLE MARK H. BRAIN

S. Yoder
Deputy

In Re: The General Adjudication Of All Rights To
Use Water In The Gila River System And Source
W-1, W-2, W-3, W-4 (Consolidated)

FILED: 02/06/2019

In Re: San Pedro Riparian National Conservation
Area Contested Case No. W1-11-232

In Re: Trial to the Court

**TRIAL MINUTE ENTRY
DAY SIX**

Courtroom CCB 1201

10:31 a.m. Trial to the Court continues from February 4, 2019. Claimant United States (US) appears by Counsel Dave Gehlert, Lee Leininger and David Negri.

The following attorneys are present on behalf of Objectors: Michael Foy, Jeff Heilman and Lisa McKnight on behalf of Salt River Project (SRP); Joe P. Sparks on behalf of the San Carlos Apache Tribe; Brian Heiserman and Sean Hood on behalf of Freeport Minerals Corporation (FMC); Carrie Brennan and Kevin Crestin on behalf of the Arizona State Land Department; Sara Ransom on behalf of Cochise County (CC); William Sullivan on behalf of the City of Sierra Vista and Pueblo Del Sol Water Company (SVP); and Robert Anderson on behalf of Liberty Utilities (Bella Vista Water).

Counsel present for other parties: Bill Anger on behalf of the Cities of Scottsdale, Mesa, Glendale, Chandler and Avondale.

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

FMC Exhibits 8196, 8197 and 8198 are received in evidence.

Discussion is held regarding the revised slides used during Dr. Miller's testimony yesterday. A problem with the pagination will be corrected and distributed to counsel.

US Exhibit 8200 is marked for identification.

Claimant's case continues:

William J. Miller, having previously been sworn, resumes the stand and testifies further.

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

1:33 p.m. Court reconvenes with respective counsel present.

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

William J. Miller resumes the stand and testifies further.

US Exhibit 388 is received in evidence upon motion of FMC.

Claimant has an additional witness who will testify out of order.

Objector Freeport Minerals Corporation's case:

Christopher Jon Garrett is sworn and testifies.

US Exhibits 8, 7119 and 7120 are received in evidence upon motion of FMC.

US Exhibit 149 is received in evidence upon motion of FMC.

US Exhibit 760 is received in evidence upon motion of FMC.

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

3:16 p.m. Court reconvenes with respective counsel present.

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

Christopher Jon Garrett resumes the stand and testifies further.

US Exhibit 133 is received in evidence upon motion of FMC.

US Exhibit 139 is received in evidence upon motion of FMC.

US Exhibit 147 is received in evidence upon motion of FMC.

US Exhibit 262 is received in evidence upon motion of FMC.

FMC Exhibit 6964 is received in evidence.

4:28 p.m. Court stands at recess until February 6, 2019 at 10:30 a.m.

A copy of this minute entry is mailed to all persons listed in the Court-approved mailing list.