

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

07/21/2015

CLERK OF THE COURT
Form V000

JUDGE MARK H. BRAIN

T. Springston
Deputy

W1-11-3342

FILED: July 23, 2015

In re Aravaipa Canyon
Wilderness Area

W1-11-3342

In re Trial

TRIAL MINUTE ENTRY
DAY 5

Central Court Building – Courtroom 1201

10:45 a.m. Trial to the court before Judge Mark H. Brain continues from July 20, 2015.

The following attorneys appear in-person:

- Sean T. Hood, Shilpa Hunter-Patel, and Brian J. Heiserman on behalf of Freeport Minerals Corporation;
- David Gehlert and R. Lee Leininger on behalf of the United States;
- Scott M. Deeny and Jeffrey R. Heilman, and Patrick B. Sigl on behalf of Salt River Project;
- Joe P. Sparks and Julia M. R. Kolsrud on behalf of the San Carlos Apache Tribe and the Tonto Apache Tribe;
- Janet L. Miller and Nicole D. Klobas on behalf of the Arizona Department of Water Resources;
- Carrie J. Brennan on behalf of State of Arizona;
- Susan B. Montgomery on behalf of the Yavapai-Apache Nation and Pascua Yaqui Tribe; and
- David A. Brown on behalf of Bayless & Berkalew Company.

Court Reporter, Barbara Stockford, is present.

Trial matters are discussed including exhibit 689, witness scheduling, and deposition designations.

Claimant 2 / SRP's exhibit 689 is received in evidence.

THE COURT DIRECTS the claimants to submit one deposition and use different colors to highlight each claimant's portion.

Claimant 2 / SRP's case continues:

Robert Mussetter resumes the stand and testifies further.

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

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

Court Reporter, Barbara Stockford, is present.

Robert Mussetter continues to testify.

The witness leaves the witness stand, retrieves a document from his belongings, and returns to the witness stand.

Robert Mussetter continues to testify.

Claimant 3 / FMC's exhibit 690 is marked for identification and received in evidence.

2:56 p.m. Court stands at recess.

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

Court Reporter, Barbara Stockford, is present.

Robert Mussetter continues to testify.

Robert Mussetter is excused.

3:32 p.m. Court stands at recess to allow counsel time to set up technology.

3:44 p.m. Court reconvenes with respective counsel and parties present.

Court Reporter, Barbara Stockford, is present.

Duncan Patten is sworn and testifies.

4:25 p.m. Court stands at recess until 10:30 a.m. July 22, 2015.

A copy of this order is mailed to all persons listed on the court approved mailing list for Contested Case No. W1-11-3342 dated July 20, 2015.