

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

August 31, 2015

CLERK OF THE COURT
Form V000

JUDGE MARK H. BRAIN

T. Springston
Deputy

W1-103

FILED: September 8, 2015

In re Subflow Technical Report,
San Pedro River Watershed

W1-103

In re Revised Subflow Zone Declination
Report for the San Pedro River Watershed
(April 2014) Prepared by the Arizona
Department of Water Resources

In re Evidentiary Hearing

EVIDENTIARY HEARING
DAY 1

Prior to commencement of today's hearing, Claimant 1 Arizona Department of Water Resources' (ADWR) exhibits 1 through 2; Objector 1 Salt River Project's (SRP) exhibits 3 through 55; Objector 2 Gila River Indian Community's (GRIC) exhibits 56 through 96; and Objector 3 Freeport Mineral Corporation's (FMC) exhibits 97 through 126 are marked for identification.

Central Court Building - 1201

10:41 a.m. This is the time set for an Evidentiary Hearing before Judge Mark H. Brain.

The following attorneys appear in-person:

- Patrick F. Barry, JoAnn Kintz and Yosef M. Negose on behalf of the United States;
- J. Albert Brown on behalf of Gila Valley Irrigation District and City of Cottonwood;
- Cynthia S. Campbell on behalf of City of Phoenix;

- Joe P. Sparks and Julia M. R. Kolsrud on behalf of the San Carlos Apache Tribe and the Tonto Apache Tribe;
- L. William Staudenmaier on behalf of APS and Roosevelt Water Conservation District;
- Sean T. Hood, Brian J. Heiserman, and Shilpa Hunter-Patel on behalf of Freeport Minerals Corporation;
- Thomas L. Murphy on behalf of Gila River Indian Community;
- Christopher W. Payne and Mitch Klein on behalf of BHP Copper, Inc.;
- Mark A. McGinnis and Patrick B. Sigl on behalf of Salt River Project;
- Janet L. Miller and Nicole D. Klobas on behalf of the Arizona Department of Water Resources;
- Gregory L. Adams on behalf of ASARCO LLC;
- William P. Sullivan on behalf of Pueblo Del Sol Water Co., City of Sierra Vista, Liberty Utilities (Bella Vista Water Company) Corp.;
- Sarah A. (Sally) Worthington on behalf of Maricopa County;
- William H. Anger on behalf of Cities of Avondale, Chandler, Glendale, Mesa and Scottsdale;
- Charles L. Cahoy on behalf of City of Tempe;
- Cynthia J. Haglin on behalf of City of Chandler; and
- Carrie J. Brennan on behalf of State of Arizona.

Court Reporter, Christine Coaly, is present.

Claimant 1 ADWR calls witness Philip Pearthree to the stand.

Philip Pearthree is sworn and testifies.

Claimant 1 ADWR's exhibit 1 is received in evidence.

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

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

Court Reporter, Christine Coaly, is present.

Philip Pearthree continues to testify.

Objector 3 FMC's exhibits 119 and 117 are received in evidence.

Philip Pearthree is excused.

Claimant 1 ADWR calls witness Jeff Inwood to the stand.

Jeff Inwood is sworn and testifies.

Claimant 1 ADWR's exhibit 2 is received in evidence.

2:59 p.m. Court stands at recess.

3:14 p.m. Court reconvenes with respective counsel present.

Court Reporter, Christine Coaly, is present.

Jeff Inwood continues to testify.

4:32 p.m. Court stands at recess until September 1, 2015.

A copy of this order is mailed to all persons listed on the Court approved mailing list for Contested Case Number W1-103 dated July 20, 2015.