

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

10/04/2016

CLERK OF THE COURT
Form V000

JUDGE MARK BRAIN

M. Neves
Deputy

W1-11-605

FILED: 10/12/2016

In re Fort Huachuca

W1-11-605

In re: Trial to Court Day 2

MINUTE ENTRY

Courtroom 1201 – CCB

10:30 a.m. Trial to the court continues from October 3, 2016 before the Honorable Mark H. Brain. The following attorneys appear in person: Joe P. Sparks and Julia M.R. Kolsrud on behalf of the San Carlos Apache Tribe and Tonto Apache Tribe. R. Lee Leininger, Sara C. Porsia and Adam M. Bean on behalf of the United States. Patrick Sigl, Michael Foy and Mark A. McGinnis on behalf of Salt River Project; Sean T. Hood, Brian J. Heiserman and Shilpa Hunter Patel on behalf of Freeport Minerals Corporation; Bill Anger on behalf of the cities of Avondale, Glendale, Chandler, Mesa and Scottsdale; Monica Coady on behalf of the City of Phoenix; Carrie J. Brennan, on behalf of the State of Arizona; Janet L. Miller on behalf of the Arizona Department of Water Resources. Mark Holycross and Daniel Haws, II appear on behalf of the United States Army. Susan Montgomery appears on behalf of the Pascua Yaqui Tribe and Yavapai Apache Nation. Rich Burtell, Robert Anderson, Michell Tribbet, William Sullivan, Steve Titla and Scott Miltenberger are also present.

Court reporter, Christine Coaly, is present.

A record of the proceedings is also made digitally.

Dr. Milton Berger resumes the stand and testifies further.

CL1-US Exhibits 49, 229, 231, 232, 241, 245, 246, 247, 253, and 276 are received in evidence.

CL2-SRP Exhibits 372, 374, 380, 382, 391, 392, 398, 438, are received in evidence.

12:00 p.m. The court stands at recess.

1:30 p.m. Court reconvenes with respective parties and counsel present.

Court reporter, Christine Coaly, is present.

A record of the proceedings is also made digitally.

Dr. Milton Berger resumes the stand and testifies further.

CL1-US's Exhibit 230 is received in evidence

2:45 p.m. The court stands at recess.

3:00 p.m. Court reconvenes with respective parties and counsel present.

Court reporter, Christine Coaly, is present.

A record of the proceedings is also made digitally.

Dr. Milton Berger resumes the stand and testifies further.

4:30 p.m. The Court stands at recess until 10:30 a.m. October 5, 2016.

A copy of this order is mailed to all persons listed on the court approved mailing list for Contested Case No. W1-11-605 dated September 27, 2016.