

UPERIOR COURT OF ARIZONA
APACHE COUNTY

10/05/2018

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

A. Hatfield

Deputy

FILED: 10/15/2018

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 16

MINUTE ENTRY

Courtroom: ECB 613

10:30 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 and David Brown 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, Phillip Londen and Colin Campbell on behalf of the Hopi Tribe.

Court reporter, Marylynn Lemoine, is present and a record of the proceedings is made digitally.

LET THE RECORD REFLECT that the portions of Hopi exhibit 156 as ordered in evidence on October 5, 2018 has been submitted to the above named clerk and are identified as U.S. exhibit 3875, in evidence.

LET THE RECORD FURTHER REFLECT that the status of Hopi exhibit 156 remains marked for identification, not in evidence.

LET THE RECORD REFLECT that the portions of Hopi exhibit 1020 as ordered in evidence on October 5, 2018 has been submitted to the above named clerk and are identified as U.S. exhibit 3876, in evidence.

LET THE RECORD FURTHER REFLECT that the status of Hopi exhibit 1020 remains marked for identification, not in evidence.

LET THE RECORD REFLECT that the portions of Hopi exhibit 183 as ordered in evidence on October 5, 2018 has been submitted to the above named clerk and are identified as U.S. exhibit 3877, in evidence.

LET THE RECORD FURTHER REFLECT that the status of Hopi exhibit 183 remains marked for identification, not in evidence.

Hopi exhibit 938, a redacted version, is received in evidence. Hopi exhibit 938 having been submitted in electronic format only, Counsel for City of Flagstaff is directed to submit a revised electronic file to the courtroom clerk containing the redacted version for identification and retention as admitted.

Hopi exhibit 941, a redacted version, is received in evidence. Hopi exhibit 941 having been submitted in electronic format only, Counsel for City of Flagstaff is directed to submit a revised electronic file to the courtroom clerk containing the redacted version for identification and retention as admitted.

Hopi exhibit 1019 is received in evidence.

Mr. McBride updates the Court regarding the Peabody leases.

Michael Elmer is sworn and testifies.

The witness is excused.

Priscilla Pavatea is sworn and testifies.

Hopi exhibit 892 is received in evidence.

Hopi exhibit 974 is received in evidence.

Hopi exhibit 978 is received in evidence.

11:56 a.m. The Court stands at recess.

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

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

Discussion is held concerning the proposed redactions on Hopi exhibit 876.

Hopi exhibit 876 with the redactions proposed by SRP and the additional redactions proposed by the City of Flagstaff on pages 54, 56, 58, and 60 is received in evidence. Hopi exhibit 876 having been submitted in electronic format only, Counsel for City of Flagstaff is directed to submit a revised electronic file to the courtroom clerk containing the redacted version in evidence for identification and retention as admitted.

Hopi exhibit 893 is received in evidence.

Priscilla Pavatea continues to testify.

Mr. Leonard makes an oral motion to strike Hopi exhibit 892.

IT IS ORDERED denying the oral motion to strike Hopi exhibit 892.

The witness is excused.

Mr. Brown requests that a status conference be set in November to discuss matters pertaining to the Future Use trial.

2:08 p.m. Court is adjourned until 10:30 a.m. October 8, 2018

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