

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

10/05/2017

CLERK OF THE COURT
FORM V000

HONORABLE MARK H. BRAIN

L. Stogsdill
Deputy

W1-11-232

FILED: 10/06/2017
Case No. W1-11-232

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)

In Re: San Pedro Riparian National Conservation
Area Contested Case No. W-1-11-232

Re: Oral argument on pending Motions in Limine

MINUTE ENTRY

Courtroom 1201-CCB

1:33 p.m. This is the time set for Oral Argument re: the following pending Motions in Limine: Freeport Minerals Corporation's Motion in Limine Re: Untimely Disclosure of New Expert Work and Joinders/Objections therein; United States' Motion in Limine to Exclude Irrelevant Evidence and Joinders/Objections therein; Arizona State Land Department's Motion in Limine to Exclude Untimely Evidence and Joinder in Freeport Mineral Corporation's Motion in Limine Re: Untimely Disclosure of New Expert Work.

The following attorneys are present in the courtroom: Sean Hood and Brian J. Heiserman on behalf of Freeport Minerals Corporation; Robert Anderson on behalf of Liberty Water Company; William Anger on behalf of the Cities of Avondale, Chandler, Glendale, Mesa and Scottsdale; Carrie Brennan and Edwin W. Slade, III on behalf of the Arizona Attorney General's Office; Michael Foy, Patrick Sigl and Jeffrey R. Heilman on behalf of the Salt River Project; Sean T. Hood and Brian J. Heiserman on behalf of Freeport Minerals Corporation; R. Lee Leininger, John Gaudio and David Gehlert on behalf of the United States Department of Justice; William Sullivan on behalf of the City of Sierra Vista and Pueblo Del Sol Water Company and Joe P. Sparks on behalf of the San Carlos Apache Tribe and Tonto Apache Tribe.

The following attorneys appear telephonically: Mark D'Adversa on behalf of United States Department of Interior/BLM; Lisa M. McKnight on behalf of Salt River Project and Susan B. Montgomery on behalf of Pascua Yaqui Tribe and Yavapai-Apache Nation.

Court reporter, Christine Coaly is present and a recording of the proceedings in made digitally.

A brief discussion is held regarding the upcoming field visit next Friday, October 13, 2017. Counsel for the United States advises the court and counsel that an itinerary will be provided prior to the visit.

The court affirms the week of January **8-11**, 2018 for trial in this matter and that trial **will not** be conducted on Friday, January 12, 2018.

Oral argument is presented on the Motions in Limine by R. Lee Leininger and David Gehlert on behalf of the United States, Michael K. Foy on behalf of the Salt River Project, Sean T. Hood on behalf of Freeport Minerals Corporation, Joe Sparks on behalf of the San Carlos Apache Tribe, William Sullivan on behalf of The City of Sierra Vista and Pueblo Del Sol Water Company, Robert Anderson on behalf of Liberty Water Corporation, Brian Heiserman and Sean T. Hood on behalf of Freeport Minerals Corporation and Carrie Brennan on behalf of the Arizona Land Department.

3:01 p.m. The court stands at recess.

3:15 p.m. The court reconvenes with the parties and counsel present.

Court reporter, Christine Coaly is present and a recording of the proceedings in made digitally.

Oral argument continues.

For the reasons stated on the record,

IT IS ORDERED taking the motions under advisement.

4:47 p.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court approved mailing list.