

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

3/02/2017

CLERK OF THE COURT
FORM V000

HONORABLE MARK BRAIN

L. Stogsdill
Deputy

W1-11-2664

FILED: 3/03/2017

In re: Redfield Canyon Wilderness Area

In re: the General Adjudication W-1, W-2, W-3
and W-4 (Consolidated) of All Rights to Use
Water in The Gila River System and Source

In re: Oral Argument

MINUTE ENTRY

Courtroom 1201- CCB

1:32 p.m. This is the time set for Oral Argument re: the United States' Motions for Summary Judgment (filed December 16, 2016) and Motion in Limine (filed December 22, 2016). Special Water Master Susan Harris is also present.

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

The following attorneys appear telephonically: David Gehlert on behalf of the United States Department of Justice; Julia M.R. Kolsrud on behalf of the San Carlos Apache and Tonto Apache Tribes; Susan B. Montgomery on behalf of Pascua Yaqui Tribe and the Yavapai-Apache Nation and William P. Sullivan on behalf of the Arlington Canal Company, Bella Vista Water Company, Inc., Pueblo Del Sol Water Company, Cortaro-Marana Irrigation District; Cortaro Water Users' Association, Doney Park Water, Town of Gilbert, Valencia Water Company, Inc. and the City of Sierra Vista.

The following attorneys are present in the courtroom: William H. Anger on behalf of the Cities of Avondale, Chandler, Glendale, Mesa and Scottsdale; Carrie J. Brennan and Theresa M. Craig on behalf of the Arizona Attorney General's Office, Monica Coady on behalf of the City of Phoenix; Michael K. Foy, Lisa M. McKnight, Patrick B. Sigl, Rodney

Held and Jeffrey R. Heilman on behalf of the Salt River Project; John L. Gaudio on behalf of the United States Department of the Interior; Brian J. Heiserman, Sean T. Hood, L. William Staudenmaier and Shilpa Hunter-Patel on behalf of Freeport Minerals Corporation; R. Lee Leininger on behalf of the United States Department of Justice and Janet L. Miller on behalf of the Arizona Department of Water Resources.

Oral argument is presented by R. Lee Leininger on behalf of the United States on the States' two pending motions.

Argument is also presented on the motions by Sean T. Hood on behalf of Freeport Minerals, Carrie Brennan on behalf of the Arizona Attorney General's Office, David Gehlert on behalf of the United States Department of Justice and Jeffrey Heilman on behalf of the Salt River Project.

For the reasons stated on the record,

IT IS ORDERED granting the United States' Motion in Limine. There will be no "impact testimony" (i.e., testimony regarding the potential impact upon neighboring landowners of a water right granted to the United States). To the extent the listed witnesses have other relevant testimony, objections will be resolved question by question.

IT IS FURTHER ORDERED denying the United States' Motion for Summary Judgment.

IT IS FURTHER ORDERED granting the United States' Motion to File Reply Memorandum in Support of Motion for Summary Judgment Out of Time.

2:42 p.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court approved mailing list dated December 8, 2016, for W1-11-2664 and W-1, W-2, W-3 and W-4 (Consolidated).