

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

07/27/2015

CLERK OF THE COURT  
Form V000

JUDGE MARK H. BRAIN

T. Springston  
Deputy

W1-11-3342

FILED: July 28, 2015

In re Aravaipa Canyon  
Wilderness Area

W1-11-3342

In re Trial

FILED: Deposition of Richard T. Burtell, dated October 3, 2014  
Deposition of Steven Carothers, PH.D, dated October 17, 2014

TRIAL MINUTE ENTRY  
DAY 8

Central Court Building – Courtroom 1201

10:37 a.m. Trial to the Court continues before Judge Mark H. Brain.

The following attorneys appear in-person:

- Sean T. Hood, Shilpa Hunter-Patel, and Brian J. Heiserman on behalf of Freeport Minerals Corporation;
- David Gehlert and R. Lee Leininger on behalf of the United States;
- Scott M. Deeny, Patrick B. Sigl and Jeffrey R. Heilman on behalf of Salt River Project;
- Joe P. Sparks and Julia M. R. Kolsrud on behalf of the San Carlos Apache Tribe and the Tonto Apache Tribe;
- Janet L. Miller and Nicole D. Klobas on behalf of the Arizona Department of Water Resources;
- Carrie J. Brennan on behalf of State of Arizona;
- David A. Brown on behalf of Bayless & Berkalew Company;
- William P. Sullivan on behalf of the City of Sierra Vista;

- Susan B. Montgomery on behalf of the Yavapai-Apache Nation and Pascua Yaqui Tribe; and
- Kathy Sergent, pro per, appears on her own behalf.

Court Reporter, Christine Coaly, is present.

Ms. Miller informs Court and counsel that Dr. Johnson resigned and is unavailable to testify. Someone else knowledgeable of the case will be made available to take his place.

Pro per, Kathy Sergent, is sworn. Ms. Sergent makes a statement to the Court and then testifies.

Kathy Sergent is excused.

Claimant 3 / Freeport Minerals Corporation case:

Rich Burtell is sworn and testifies.

12:00 p.m. Court stands at recess.

1:35 p.m. Court reconvenes with respective counsel and parties present. William P. Sullivan, counsel for the City of Sierra Vista; and Nicole D. Klobas, counsel for the Arizona Department of Water Resources, are no longer present.

Court Reporter, Christine Coaly, is present.

Rich Burtell continues to testify.

2:53 p.m. Court stands at recess.

3:09 p.m. Court reconvenes with respective counsel and parties present.

Court Reporter, Christine Coaly, is present.

Rich Burtell continues to testify.

4:28 p.m. Court stands at recess until 10:30 a.m. July 28, 2015.

A copy of this order is mailed to all persons listed on the court approved mailing list for Contested Case No. W1-11-3342 dated July 20, 2015.