

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

10/10/2016

CLERK OF THE COURT  
Form V000

JUDGE MARK BRAIN

L. Stogsdill  
Deputy

W1-11-605

FILED: 10/11/2016

In re Fort Huachuca

W1-11-605

In re: Trial to Court Day 5

**MINUTE ENTRY**

Courtroom 1201 – CCB

10:30 a.m. Trial to the court continues from October 6, 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; 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. Robyn Interpreter appears on behalf of the Pascua Yaqui Tribe and Yavapai Apache Nation. Rich Burtell, Simon Hetzel, David Kuch, Steve Titla and Michelle Tribbet are also present.

Court reporter Christine Coaly is present.

A record of the proceedings is also made digitally.

Colonel Thomas Anthony Boone resumes the stand and continues to testify.

Upon motion of counsel for the United States (CL-1), CL-4 (State of Arizona) exhibit 3009, CL-1 (United States) exhibits 9, 10, 14, 131 and 132, CL-2 (Salt River Project) exhibits 430 and 408 are received in evidence.

CL-2 (Salt River Project) exhibit 2 is received in evidence.

Upon motion of counsel for CL-2 (Salt River Project) CL-1 (United States') exhibit 366 is received in evidence.

11:57 a.m. The court stands at recess.

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

Court reporter Christine Coaly is present.

A record of the proceedings is also made digitally.

Colonel Thomas Anthony Boone continues to testify.

Upon motion of counsel for CL-2 (Salt River Project) CL-1 (United States') exhibit 315 is received in evidence.

Upon motion of counsel for CL-2 (Salt River Project) CL-1 (United States') exhibit 299 is received in evidence.

CL-3 (Freeport Minerals) exhibits 1265, 1318, 1319, and 1273 are received in evidence.

2:57 p.m. The court stands at recess.

3:14 p.m. The court reconvenes with the parties and respective counsel present.

Court reporter Christine Coaly is present.

A record of the proceedings is also made digitally.

Colonel Thomas Anthony Boone continues to testify.

The witness is excused.

Richard Fafara is sworn and testifies.

4:28 p.m. Court stand in recess until October 11, 2016 at 10:30 a.m., in this division.

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 14, 2016.