

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

08/11/2016

CLERK OF THE COURT
Form V000

HONORABLE MARK H. BRAIN

L. Stogsdill
Deputy

W1-11-605

FILED: August 22, 2016

In re Fort Huachuca

W1-11-605

In re: Dispositive motions

Courtroom CCB 12-A

MINUTE ENTRY

1:37 p.m. This is the time set for oral argument on the dispositive motions and responsive pleadings filed. The following attorneys appear telephonically: Sara Porsia on behalf of the United States Department of Justice. Appearing in the Courtroom are: Robyn L. Interpreter on behalf of Pascua Yaqui Tribe; William P. Sullivan on behalf of the City of Sierra Vista, Pueblo Del Sol Water Company and Liberty Utilities (Bella Vista Water Company); Rhett Billingsley also appears on behalf of Liberty Utilities (Bella Vista Water Company); Joe P. Sparks on behalf of the San Carlos Apache Tribe and Tonto Apache Tribe; R. Lee Leininger on behalf of the United States; Mark A. Holycross and Daniel D. Haws, II on behalf of the United States Army; John B. Weldon, Jr., Lisa M. Knight and Patrick B. Sigl on behalf of Salt River Project; Sean T. Hood, Shilpa Hunter-Patel, L. William Staudenmaier and Brian Heiserman on behalf of Freeport Minerals Corporation; Janet L. Miller on behalf of the Arizona Department of Water Resources; Carrie Brennan on behalf of the State of Arizona; William Anger on behalf of the Cities of Avondale, Chandler, Glendale, Mesa and Scottsdale. Special Water Master Susan Ward Harris is also present.

Court reporter Marylynn LeMoine is present and a record of the proceedings is also made digitally.

Discussion is held regarding Pascua Yaqui Tribe's Motion to Intervene.

For the reasons stated on the record,

IT IS ORDERED granting the motion.

Oral argument is presented on the following motions:

- United States' Motion for Summary Judgment Based on Exclusive Jurisdiction or, Alternatively, for Partial Summary Judgment;
- Freeport Minerals Corporation's Motion for Partial Summary Judgment;
- State of Arizona's Motion for Partial Summary Judgment;
- Liberty Utilities (Bella Vista Water) Corp's Motion for Partial Summary Judgment and Joinder in Freeport Minerals Corporation's Motion for Partial Summary Judgment.

3:07 p.m. The Court stands at recess.

3:20 p.m. The Court reconvenes with the parties and counsel present.

Court reporter Marylynn LeMoine is present and a record of the proceedings is also made digitally.

Oral argument continues.

For the reasons stated on the record,

IT IS ORDERED taking the matters under advisement.

4:03 p.m. Matter concludes.

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 June 2, 2016.