

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/06/2017

CLERK OF THE COURT
Form V000

HONORABLE MARK H. BRAIN

M. Askew
Deputy

W1-11-605

FILED: 02/13/2017

In re: Fort Huachuca

W1-11-605

In re: Trial to Court Day 13

MINUTE ENTRY

Courtroom - CCB 1201

10:32 a.m. Trial to the Court continues from October 20, 2016. The following attorneys appear in person; Gregory Adam on behalf of Arizona Water Company, Catalyst Paper (Snowflake) Inc. LCR Coalition; Bill Anger on behalf of Cities of Chandler, Glendale, Mesa and Scottsdale; Adam M. Bean on behalf of U.S. Department of Justice and Environment and Natural Resources Division; Carrie Brennan on behalf of Arizona Attorney General's Office and Natural Resources Section; Monique Coady on behalf of City of Phoenix; Michael Foy, Mark McGinnis, Lisa Mcknight, and Patrick Sigl on behalf of Salt River Project; Cynthia Haglin on behalf of City of Chandler; Dan Haws and Mark Holycross on behalf of U.S. Army; Brian Heiserman, Sean Hood, and Shilpa Hunter-Patel on behalf of Freeport Minerals Corp.; Robyn Interpreter on behalf of Pascua Yaqui Tribe and Yavapai-Apache Nation; Julia Kolsrud and Joe Sparks on behalf of San Carlos Apache Tribe and Tonto Apache Tribe; Lee Leininger on behalf of U.S. Department of Justice and Environment and Natural Resources Division; Janet Miller and Kimberly Parks on behalf of Arizona Department of Water Resources; William Staudenmaier on behalf of Freeport Minerals Corp., Arizona Public Service Co, and Roosevelt Conservation District; William Sullivan on behalf of Arlington Canal Co., Bella Vista Water Co. Inc., Pueblo Del Sol Water Co., Cortaro-Marana Irrigation District, Cortaro Water Users' Association, Doney Park Water, Town of Gilbert, Valencia Water Co. Inc., and City of Sierra Vista are also present.

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

Discussion is held regarding Matthew Garlic's testimony and scheduling.

Court is in receipt of written United States' Motion for Leave of the Court to Use Information, Witness, and Documents at Trial, filed 02/06/2017.

Discussion is held.

IT IS ORDERED denying United States' Motion for Leave of the Court to Use Information, Witness, and Documents at Trial.

Donald Stadelman is sworn and testifies.

CL-2/ Salt River Project's Exhibit 479 and CL-1/United States' Exhibits 351 and 370 are received in evidence.

The witness is excused.

Joel Degner is sworn and testifies.

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, and a record of the proceedings is also made digitally.

Joel Degner resumes the stand and testifies further.

CL-1/United States' Exhibit 3021 is received in evidence.

CL-1/United States' Exhibits 21, 23, 45, 36, 29, 25 and CL-3/Freeport Minerals Corporation's Exhibits 1324 and 1470 are received in evidence

2:41 p.m. The Court stands at recess.

3:02 p.m. The Court reconvenes with the parties and respective counsel present

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

Joel Degner resumes the stand and testifies further.

The witness is excused.

Discussion is held regarding scheduling.

The record shall reflect that the Clerk of this Division shall retain all the exhibits marked for identification until the continued trial date.

4:29 p.m. Court stands in recess until **10:30 a.m. on 02/07/2017.**

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.