

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

02/13/2017

CLERK OF THE COURT  
Form V000

HONORABLE MARK H. BRAIN

M. Askew  
Deputy

W1-11-605

FILED: 02/17/2017

In re: Fort Huachuca

W1-11-605

In re: Trial to Court Day 17

**MINUTE ENTRY**

Courtroom - CCB 1201

10:32 a.m. Trial to the Court continues from February 9, 2017. The following attorneys appear in person; 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; Michael Foy on behalf of Salt River Project; 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.; 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 on behalf of Arizona Department of Water Resources; 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; Kimberly Parks on behalf of Arizona Department of Water Resources; Mario Vasta on behalf of Liberty Utilities are also present.

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

Discussion is held regarding scheduling and exhibits.

Matthew Garlick is sworn and testifies.

CL-3/Freeport Minerals Corporation's exhibits 800, 801, 1159, and 1240 are received in evidence.

The witness is excused.

11:50 a.m. The Court stands at recess.

1:32 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.

Rich Burtell resumes the stand and testifies further.

CL-1/United States' exhibit 37 and CL-3/Freeport Minerals Corporation's exhibit 1293 are received in evidence.

The witness is excused.

3:01 p.m. The Court stands at recess.

3:15 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.

Rich Burtell resumes the stand and testifies further.

The witness is excused.

Discussion is held regarding scheduling and rebuttal witnesses.

4:27 p.m. Court stands in recess until 10:30 a.m. on February 14, 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 December 8, 2016.