

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

12/7/2020

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

S. Motzer

Deputy

FILED: 12/10/2020

In re:
Contested Case No. 6417-203

In re: the General Adjudication
of All Rights to Use Water in the
Little Colorado River System and Source

In re: Trial to Court

TRIAL TO COURT DAY 33

Courtroom: CCB 301

9:00 a.m. Trial to the Court continues from December 3, 2020.

The following attorneys and parties appear via GoToMeeting:

- Colin Campbell, Grace Rebling, Phillip Londen and Payslie Bowman for the Hopi Tribe
- Vanessa Boyd Willard, Cody McBride, Emmi Blades, and Rebecca Ross for the United States Department of Justice, Indian Resources Section
- Sarah Foley for the United States Department of the Interior
- Brian J. Heiserman, David A. Brown, Lauren J. Caster, Bradley J. Pew for LCR Coalition
- Mark A. McGinnis and Hannah Woner for the Salt River Project
- Carrie J. Brennan and Kevin Crestin for the Arizona State Land Department
- Lee A. Storey, Sara Ransom, Alexandra Arboleda, and Ethan B. Minkin for the City of Flagstaff
- Jeffrey S. Leonard, Judith M. Dworkin, Evan F. Hiller, and Kathryn Hoover for the Navajo Nation

Court Reporter, Jovanna Roman, is present. A record of the proceedings is also made digitally.

The Court states that it has not yet made a decision regarding the Rule 52(c) Motion that the City of Flagstaff wishes to file before it calls a scheduled witness.

The Court states that a correcting minute entry will be issued regarding the exhibits that were discussed on Day 32 of the trial.

Discussion is held regarding procedural matters and exhibits.

Counsel for LCR Coalition addresses the Court regarding redactions requested by the Hopi Tribe to the Brophy Report and redactions made by the LCR Coalition to the Travis Jordan Report.

Counsel for the Hopi Tribe states that he has no objection to the Travis Jordan redactions.

Counsel for the United States states that she has no objection to the redactions to the Travis Jordan report.

William Greenslade is sworn and testifies.

Navajo exhibits 755, 756, 757, 758, and 759 are received in evidence.

Counsel for the Hopi Tribe addresses the Court stating that questioning of the expert witness has continued for thirty minutes.

Discussion is held thereon.

10:32 a.m. The Court stands at recess.

10:46 a.m. The Court reconvenes with the parties and counsel present.

Court reporter, Jovanna Roman, is present and a record of these proceedings is made digitally.

William Greenslade continues to testify.

Hopi exhibits 4389 and 4367 are received in evidence.

12:02 p.m. The Court stands at recess.

1:37 p.m. The Court reconvenes with the parties and counsel present.

Court reporter, Luz Franco, is present and a record of these proceedings is made digitally.

Discussion is held regarding redactions to Mr. Bophy's report requested by the Hopi Tribe with respect to references to Norman Heinz. The Court questions whether the requested redactions should be permitted because the minute entry filed February 25, 2020 required motions in limine seeking redactions in expert reports to be filed by April

9, 2020. Arguments are made by Mr. Campbell and Mr. Heiserman. The Court denies the requested redactions to Mr. Brophy's report.

Hopi exhibits 4359 and 4361 are admitted in evidence.

William Greenslade continues to testify.

3:02 p.m. The Court stands at recess.

3:15 p.m. The Court reconvenes with the parties and counsel present.

Court reporter, Luz Franco, is present and a record of these proceedings is made digitally.

William Greenslade continues to testify.

3:54 p.m. The Court stands at recess.

4:05 p.m. The Court reconvenes with the parties and counsel present.

Court reporter, Luz Franco, is present and a record of these proceedings is made digitally.

The Hopi moves Hopi exhibit 4369 into evidence. Ms. Ransom and Mr. Leonard object. The exhibit is not admitted.

William Greenslade continues to testify.

Discussion is held regarding exhibits. The clerk received LCR exhibits 1469 and 1470 by email.

4:47 p.m. Matter concludes.

A copy of this minute entry is provided to all parties on the Court approved mailing list.