

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

03/14/2019

CLERK OF THE COURT

HONORABLE MARK H. BRAIN

S. Yoder / A. Hatfield
Deputy

In Re: The General Adjudication Of All Rights To
Use Water In The Gila River System And Source
W-1, W-2, W-3, W-4 (Consolidated)

FILED: 03/19/2019

In Re: San Pedro Riparian National Conservation
Area Contested Case No. W1-11-232

In Re: Trial to the Court

**TRIAL MINUTE ENTRY
DAY 22**

Courtroom CCB 1201

10:30 a.m. Trial to the Court continues from March 13, 2019. Claimant United States (US) appears by Counsel Dave Gehlert and Lee Leininger.

The following attorneys are present on behalf of Objectors: Jeff Heilman on behalf of Salt River Project (SRP); Joe P. Sparks on behalf of the San Carlos Apache Tribe; Sean Hood on behalf of Freeport Minerals Corporation (FMC); Carrie Brennan and Kevin Crestin on behalf of the Arizona State Land Department; Sara Ransom on behalf of Cochise County (CC); William Sullivan on behalf of the City of Sierra Vista and Pueblo Del Sol Water Company (SVP); and Robert Anderson on behalf of Liberty Utilities (Bella Vista Water).

Court Reporter Barbara Stockford is present, and a record of the proceedings is also made digitally.

Claimant United States' rebuttal case continues:

Dave Romero, having previously been sworn, resumes the stand and testifies further.

US Exhibit 7089 is received in evidence upon motion of Cochise County.

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

11:20 a.m. Court reconvenes with respective counsel present.

Court Reporter Barbara Stockford is present, and a record of the proceedings is also made digitally.

Dave Romero resumes the stand and testifies further.

City of Sierra Vista and Pueblo Del Sol Water Company's case continues:

Matthew Lindburg is sworn and testifies.

11:59 a.m. Court stands at recess.

1: 34 p.m. Court reconvenes with respective counsel present.

Court Reporter Luz Franco is present, and a record of the proceedings is also made digitally.

Scheduling is discussed.

Freeport Minerals requests a deadline on the motion on the rebuttal for the hydrologist to be filed as they will need time to review the motion before responding. Discussion is held.

Matthew Lindburg resumes the stand and testifies further.

US Exhibit 13 is received in evidence upon motion of SRP.

2:55 p.m. Court stands at recess.

3:09 p.m. Court reconvenes with the parties and respective counsel present.

Court Reporter Luz Franco is present, and a record of the proceedings is also made digitally.

Matthew Lindburg resumes the stand and testifies further.

Scheduling is discussed.

Based upon the parties agreement,

IT IS ORDERED continuing the trial to April 29, April 30, 2019, and May 13-16, 2019.

IT IS FURTHER ORDERED setting a Status Conference on April 5, 2019 at 1:30 p.m. Counsel for the United States may appear telephonically.

Freeport Minerals requests a deadline for disclosure that complies with Rule 26.1 (d) and a motion for leave. Discussion is held regarding the United States rebuttal witness.

The United States is to file their motion for leave by and submit their designations from Dr. Goodrich's deposition by March 25, 2019.

3:50 p.m. Court stands at recess until April 29, 2019 at 10:30 a.m.

A copy of this minute entry is mailed to all persons listed in the Court-approved mailing list.