

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

9/30/2020

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

L. Stogsdill/S. Ortega

Deputy

FILED: 10/5/2020

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

MINUTE ENTRY

TRIAL TO COURT DAY 9

Courtroom: CCB 301

9:00 a.m. Trial to the Court continues from September 29, 2020.

The following attorneys and parties appear remotely via GoToMeeting: Jeffrey Leonard, Judith Dworkin, Evan Hiller, and Kathryn Hoover on behalf of the Navajo Nation; Carrie Brennan and Kevin Crestin on behalf of the Arizona State Land Department; Brian Heiserman, David Brown, Lauren J. Caster, and Bradley J. Pew on behalf of the LCR Coalition; Lee Storey, Sara Ransom, Alexandra Arboleda, and Ethan Minkin on behalf of the City of Flagstaff; Mark McGinnis and Hannah Woner on behalf of Salt River Project; Cody McBride and Vanessa Willard on behalf of the United States Department of Justice; Grace Rebling, Phillip Londen, Payslie Bowman, and Colin Campbell on behalf of the Hopi Tribe; Kimberly Parks observing on behalf of the Arizona Department of Water Resources.

Court reporter, Marylynn Lemoine, is present and a record of these proceedings is made digitally.

Mr. Heiserman requests confirmation of the date that replies are due re: LCRC's Judicial Notice Motion.

Discussion is held.

IT IS ORDERED that replies to LCRC's Judicial Notice Motion shall be filed by October 8, 2020.

Hopi Tribe case continues:

Having been previously sworn on September 29, 2020, Neil Blandford continues to testify.

Navajo Nation's exhibits 881 and 882 are received in evidence.

10:30 a.m. The Court stands at recess.

10:45 a.m. The Court reconvenes with the parties and counsel present.

Court reporter, Marylynn Lemoine, is present and a record of these proceedings is made digitally.

Neil Blandford continues to testify.

LCRC's exhibit 933 is received in evidence.

Upon motion of counsel for LCRC, United States' exhibits 1015, 1016, 1017, 1018 and 1019 are received in evidence.

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

1:30 p.m. The Court reconvenes with the parties and counsel present.

Court reporter, Michele Kaley, is present and a record of these proceedings is made digitally.

Neil Blandford continues to testify.

The witness is excused.

2:14 p.m. The Court stands at recess.

2:25 p.m. The Court reconvenes with the parties and counsel present.

Court reporter, Michele Kaley, is present and a record of these proceedings is made digitally.

Discussion is held regarding the Court's ruling regarding off-reservation projects. The Court will allow City of Flagstaff to cross examine Mr. Kunkel about projects off the reservation that will bring water onto the reservation, as long as the City doesn't get into the issue about whether or not the Hopi Tribe has Federal Reserve water rights to the off-reservation water.

Craig Kunkel is sworn and testifies.

Hopi Tribe's exhibits 3946, 3948, 3949, 4582, and LCRC's exhibit 685 are received in evidence.

3:25 p.m. The Court stands at recess.

3:40 p.m. The Court reconvenes with the parties and counsel present.

Court reporter, Michele Kaley, is present and a record of these proceedings is made digitally.

Clarification is made regarding admission of LCRC's exhibit 685.

Craig Kunkel continues to testify.

The Court directs counsel to check their email this evening regarding Navajo Nation's exhibit 888 which will be distributed among the parties by email. The Court will address the admission of the exhibit tomorrow on the record.

4:41 p.m. Matter stands at recess until 9:00 a.m. on October 1, 2020.

Copies of the minute entry shall be provided to all parties on the Court approved mailing list.