

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

06/29/2017

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

A. Hatfield

Deputy

FILED: 07/10/2017

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

CV 6417-203

In re: Oral argument re: LCR Coalition's Motion
to Dismiss Hopi Claim to Water from the
Colorado River Upstream of the Hoover Dam,
LCR Coalition's Motion to Dismiss Hopi Claim to
the Little Colorado River, LCR Coalition's
Motion to Dismiss Hopi Claim to Water from the
Blue Spring Complex, and LCR Coalition's
Motion to Dismiss Hopi Tribe's Claim to Water
from the Coconino Aquifer located outside the
Hopi Reservation for Use on the Hopi Reservation

MINUTE ENTRY

Courtroom: CCB 301

1:29 p.m. This is the time set for hearing before Special Master Susan Ward Harris re: Oral Argument on: 1) LCR Coalition's Motion to Dismiss Hopi Claim to Water from the Colorado River Upstream of the Hoover Dam, 2) LCR Coalition's Motion to Dismiss Hopi Claim to the Little Colorado River, 3) LCR Coalition's Motion to Dismiss Hopi Claim to Water from the Blue Spring Complex, and 4) LCR Coalition's Motion to Dismiss Hopi Tribe's Claim to Water from the Coconino Aquifer located outside the Hopi Reservation for Use on the Hopi Reservation.

The following attorneys and parties appear telephonically: J. Albert Brown on behalf of the LCR Coalition; Gregg De Bie on behalf of the Navajo Nation; Robyn L. Interpreter on behalf of the Yavapai-Apache Nation; Janet L. Miller and Kimberly R. Parks on behalf of the Arizona Department of Water Resources; Christina C. Sheehan on behalf of the Atkinson Trading Company, Inc.; and Vanessa Willard on behalf of the United States Department of Justice, Indian Resources Section.

The following attorneys and parties appear in-person: Gregory L. Adams, David A. Brown, and Lauren J. Caster on behalf of the LCR Coalition; Colin F. Campbell and Jana Sutton on behalf of the Hopi Tribe; Monique Coady on behalf of the City of Phoenix; Theresa M. Craig and Edwin W. Slade III on behalf of the Arizona Attorney General's Office, Natural Resources Section; Mark McGinnis, Jeff Heilman, and Patrick Sigl on behalf of SRP; M. Kathryn Hoover and Stanley M. Pollack on behalf of the Navajo Nation Department of Justice; Andrew Guarino and Cody McBride on behalf of the United States Department of Justice; Scott McElroy on behalf of the Navajo Nation; Lee A. Storey on behalf of City of Flagstaff; Jenny Winkler on behalf of APS and James Meza on behalf of Arizona State Parks and Trails.

Court reporter, Lydia Estrada-Gray, is present and a record of the proceedings is made digitally.

The Court states that a request to stay the consideration of these Motions to Dismiss has been made by the Hopi Tribe and the United States. The Court denies the request to stay consideration of the Motions to Dismiss.

Counsel for LCR Coalition presents argument on their Motions to Dismiss.

Counsel for the Hopi Tribe, the United States Department of Justice, and the Navajo Nation advises the court of their respective positions in this matter.

A Motion for additional time to file expert reports has been filed by the Hopi Tribe. The time for responses has not yet run, although the Navajo Nation has filed its response. Accordingly, the Court will set a separate date to hear oral argument on the motion. But by the response deadline, the Court expects the Hopi Tribe to file additional information regarding the status of their expert reports.

There have been status reports filed in *In re Hopi Priority* regarding the Hopi claims to water use outside of the reservation. The United States and the Hopi Tribe have each filed a Status Report. A time will be set to allow the Court to address those status reports to determine whether any action should be taken currently with respect to *de minimis* claims.

IT IS ORDERED that the parties are to submit a statement within the next four to five days with dates they are available so the Court can accommodate July vacation plans when scheduling the Oral Argument.

2:18 p.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court approved mailing list for Contested Case No. CV6417-203.