

SUPERIOR COURT OF ARIZONA
APACHE COUNTY

09/26/2018

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER SUSAN WARD
HARRIS

A. Hatfield

Deputy

FILED: 10/01/2018

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

CV 6417-203

In re: Hopi Reservation HSR

In re: Trial to the Court Day Ten

MINUTE ENTRY

Courtroom: ECB 613

10:30 a.m. This is the time set for Trial to the Court before Special Water Master Susan Ward Harris.

The following attorneys and parties appear in-person: Jeffrey Leonard and Evan Hiller on behalf of the Navajo Nation; Carrie Brennan and Kevin Crestin on behalf of the Arizona State Land Department; Brian Heiserman and David Brown on behalf of the LCR Coalition; Erin Byrnes on behalf of the City of Flagstaff; R. Jeffrey Heilman and Mark McGinnis on behalf of Salt River Project; Cody McBride, Sarah Foley and Vanessa Willard on behalf of the United States Department of Justice; Grace Rebling and Colin Campbell on behalf of the Hopi Tribe; Kimberly Parks on behalf of the Arizona Department of Water Resources.

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

Dr. Eileen Camilli resumes the stand and continues to testify.

U.S. exhibit 696, specifically chapter 4, are received in evidence.

U.S. exhibit 603 is received into evidence.

The Witness is excused.

Discussion is held regarding objections to Dr. Thomas Ley's expert reports.

11:52 a.m. The Court stands at recess.

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

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

Dr. Thomas Ley is sworn and testifies.

U.S. exhibit 528 is received in evidence.

U.S. exhibit 539 is received in evidence.

U.S. exhibit 729 is received in evidence.

U.S. exhibit 527 is received in evidence.

U.S. exhibit 518 is received in evidence.

U.S. exhibit 707 is received in evidence.

U.S. exhibit 738 is received in evidence.

U.S. exhibit 742 is received in evidence.

U.S. exhibit 739 is received in evidence.

U.S. exhibit 740 is received in evidence.

3:00 p.m. The Court stands at recess.

3:16 p.m. Court reconvenes with the parties and respective counsel present.

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

Dr. Thomas Ley continues to testify.

4:46 p.m. The Court stands at recess. Court will reconvene at 10:30 a.m. tomorrow.

LATER: The Hopi Tribe filed a Second Motion to Amend Trial Exhibit List on September 12, 2018. It seeks to file a 131-page document from which two excerpts have been previously marked as separate exhibits for the purpose of cross-examining an expert

witness called by the United States. The LCR Coalition joined by other objectors orally stated its position in opposition to the amendment of the Hopi Tribe's exhibit list in the midst of trial to include such a lengthy document. No good cause having been shown to support the motion, the Hopi Tribe's Second Motion to Amend Trial Exhibit List is denied.

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