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LEGAL
DEPT OF WATER RESOURCES

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN RE THE GENERAL ADJUDICATION) Nos. W-1 - W-4
OF ALL RIGHTS TO USE WATER IN)
THE GILA RIVER SYSTEM AND) Contested Case No. W1-11-605
SOURCE)
) UNITED STATES' SUPPLEMENTAL
) DISCLOSURE STATEMENT FOR
) SECOND PHASE OF CONTESTED
) CASE
)
)

CONTESTED CASE NAME: *In re Fort Huachuca*

HSR INVOLVED: San Pedro River Watershed Hydrographic Survey Report

DESCRIPTIVE SUMMARY: The United States submits a Supplemental Disclosure Statement for the Second Phase of the *In Re Fort Huachuca* contested case.

NUMBER OF PAGES: 15

DATE OF FILING: Original mailed to the Clerk of the Court on January 27, 2016.

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I. Introduction

Pursuant to Special Master Susan Ward Harris’s December 2, 2015 *Order Regarding Discovery and Disclosures Statements*, directing the parties to file a supplement to their respective Disclosure Statements no later than March 7, 2016, as well as pursuant to ¶ II.2.E. of the Scheduling Order and Arizona Rule of Civil Procedure 26.1(b)(2), the United States amends and supplements its April 27, 2012 Initial Disclosure Statement for the Second Phase of this Contested Case. In accordance with the Special Master’s December 2, 2015 Order, the United States provides the following supplement to its previous disclosures with respect to testifying witnesses, persons with knowledge persons who have given statements, and expert witnesses. The United States also corrects or amends certain information contained in the United States Initial Disclosure Statement as indicated below..

Supplemental Disclosures

a. **List the names, addresses, and telephone numbers of any witnesses whom the disclosing party expects to call with a fair description of the substance of each witness’ expected testimony.**

1. **Mr. Thomas Borer.** Former Deputy Garrison Commander, Fort Huachuca.
Mr. Borer is expected to testify on military, municipal, and quasi-municipal organizations, facilities, missions and activities, and their water uses at Fort

1 Huachuca.¹

- 2
- 3 2. **Mr. Carl Aufdenkampe.** Chief, Engineering Plans and Services Division,
4 Directorate of Public Works (DPW), Fort Huachuca. Mr. Aufdenkampe is
5 expected to testify on water production, collection, capacity, storage, distribution,
6 infrastructure, use and conservation at Fort Huachuca.
- 7
- 8 3. **Mr. Thomas Runyon.** Former Hydrologist, Environmental and Natural
9 Resources Division (ENRD), Fort Huachuca. Currently employed as a
10 Hydrologist in the Coconino National Forest, Arizona. Mr. Runyon is expected to
11 testify on surface and groundwater resources at Fort Huachuca.
- 12
- 13 4. **MG Robert Ashley,** Special Assistant to the Director of the Army Staff,
14 Pentagon.² Also listed as an expert witness, Major General Ashley is expected to
15 testify on current and future military missions at Fort Huachuca.
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- 17 5. **Mr. David Koch,** Director, Plans, Training, Mobilization and Security (DPTMS),
18 Fort Huachuca. Also listed as an expert witness, Mr. Koch is expected to testify
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20 ¹ Mr. Borer retired from the Army effective December 31, 2015.
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22 ² The Initial Disclosure Statement listed MG Gregg C. Potter, who was then the Commanding General of the U.S.
23 Army Intelligence Center of Excellence and Fort Huachuca, as a potential witness. MG Potter was subsequently
24 reassigned and replaced as the Commanding General in 2013 by MG Robert Ashley, Jr. On July 31, 2015, MG Scott
25 Berrier replaced MG Ashley as the Commanding General of Fort Huachuca. MG Berrier is listed as a person with
26 knowledge. The United States Senate has approved MG Ashley's nomination as the next Deputy Chief of Staff of
27 the Army for Intelligence (G2), and promotion to Lieutenant General. His promotion and assumption of duties as the
28 Army G2 is pending.

1 on current military and security missions and activities, and potential future
2 mobilization of military forces at Fort Huachuca.

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4 All of the above witnesses are current or former employees of the Department of the
5 Army, which is represented by counsel. They may be reached through undersigned
6 counsel.

7 6. **Mr. Joel Degner**, P.E., Water Resources Engineer, Leidos, 5464 Carpinteria
8 Ave., Suite K, Carpinteria, CA 93013. Also listed as an expert witness,
9 Mr. Degner is expected to testify on surface and groundwater resources on and off
10 Fort Huachuca.
11

12 **b. List the names and addresses of all persons whom the disclosing party**
13 **believes may have knowledge or information relevant to the events, transactions, or**
14 **occurrences that gave rise to each claim, and the nature of the knowledge or information**
15 **each such individual is believed to possess.**

16 1. **MG Scott Berrier**. Commanding General, Intelligence Center of Excellence and
17 Fort Huachuca. Major General Berrier has knowledge and information concerning
18 current and potential future missions at Fort Huachuca.

19 2. **Mr. Matthew Walsh**. Strategic Planner, Intelligence Center of Excellence, Fort
20 Huachuca. Mr. Walsh has knowledge and information concerning current and
21 potential future missions at Fort Huachuca.
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23 3. **COL Thomas Boone**. Garrison Commander, Fort Huachuca. Colonel Boone has
24 knowledge and information concerning military and municipal organizations,
25 facilities, missions and activities, and their water uses at Fort Huachuca.
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- 1 4. **COL Daniel McFarland.** Former Garrison Commander, Fort Huachuca.
2 Currently assigned at Fort Belvoir, VA, Colonel McFarland has knowledge and
3 information concerning past military and municipal organizations, facilities,
4 missions and activities, and their water uses at Fort Huachuca.
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- 6 5. **Ms. Kimberlee Mulhern.**³ Former Chief, ENRD, Fort Huachuca. Ms. Mulhern
7 retired from the Army in 2012. She has knowledge and information concerning
8 past military missions and municipal activities at Fort Huachuca and their use of
9 water, as well as environmental compliance issues at Fort Huachuca.
10
- 11 6. **Mr. John Ruble.** Former Director, DPW, Fort Huachuca. Mr. Ruble retired from
12 the Army in 2014. He has knowledge and information concerning past military
13 missions and municipal activities, and the facilities and infrastructure necessary
14 for water production, collection, capacity, storage, distribution, infrastructure, use
15 and conservation, at Fort Huachuca.
16
- 17 7. **Mr. James Heidle.** Director, DPW, Fort Huachuca. He has knowledge and
18 information concerning military missions and municipal activities, and the
19 facilities and infrastructure necessary for water production, collection, capacity,
20 storage, distribution, infrastructure, use and conservation, at Fort Huachuca.
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25 ³ Ms. Mulhern was listed in the United States' Initial Disclosure Statement as a potential testifying witness on the
26 per capita use of water at Fort Huachuca.
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8. **Mr. Margo Kosbab.** Director, Plans, Analysis, and Integration Office (PAIO), Fort Huachuca. Ms. Kosbab has knowledge and information concerning current and future missions at Fort Huachuca.
9. **Ms. Gretchen Kent.** Former Director, PAIO, Fort Huachuca. Ms. Kent retired from the Army in 2012. She has knowledge and information concerning past military missions at Fort Huachuca.
10. **Mr. James North.** Former, Director, PAIO, Fort Huachuca. Currently assigned at Fort Hood, Texas, Mr. North has knowledge and information concerning past military missions at Fort Huachuca.
11. **Mr. Michael Shaughnessey.** Former Real Property Specialist, DPW, Fort Huachuca. Mr. Shaughnessey retired from the Army on January 1, 2011. He has knowledge and information concerning past military missions and activities and their water uses at Fort Huachuca.
12. **Mr. Justin Nixon.** Former Hydrologist, ENRD, Fort Huachuca. Currently assigned to the U.S. Army Corps of Engineers, Sacramento District, Sacramento, California. He has knowledge and information concerning Fort Huachuca's surface and groundwater resources.
13. **Mr. Christopher Higgins,** Water Compliance Program Manager, ENRD, Fort Huachuca, has knowledge and information concerning water production,

1 collection, storage, distribution, infrastructure, conservation, quality, and use at
2 Fort Huachuca.

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4 14. **Ms. Dawn Rohr.** Acting Chief, ENRD. Ms. Rohr has knowledge and information
5 concerning use of water and environmental compliance issues at Fort Huachuca.

6 15. **Ms. Debbie Brewer.** Biologist, ENRD, Fort Huachuca. Ms. Brewer has has
7 knowledge and information concerning Fort Huachuca's water resources and
8 water conservation efforts, and its compliance with the Endangered Species Act.
9

10 16. **Ms. Lettichia Mealy.** Support Agreements Manager, Fort Huachuca. Ms. Mealy
11 is responsible for compiling data and preparing an annual record of the population
12 of Fort Huachuca, which is referred to as the Census. She has knowledge and
13 information concerning the number of personnel necessary to carry out the
14 military purposes of Fort Huachuca.
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16 17. **Mr. James Gray.** Former Chief of Plans, Fort Huachuca. Mr. Gray has
17 knowledge and information concerning past military missions at Fort Huachuca.⁴
18

19 All of the above persons are current or former employees of the Department of the
20 Army, which is represented by counsel. They may be reached through undersigned
21 counsel.
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23 18. **Mr. Steve Spangle.** Field Supervisor, U.S. Fish and Wildlife Service (USFWS),
24

25 ⁴ Mr. Gray was mistakenly identified as a Colonel in the United States' Initial Disclosure Statement.
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1 2321 W. Royal Palm Rd., Suite 103, Phoenix, AZ 85021. Mr. Spangle has
2 knowledge and information concerning Fort Huachuca's water resources and
3 water conservation efforts, and its compliance with the Endangered Species Act.
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5 19. **Ms. Jean Calhoun.** Assistant Field Supervisor, USFWS, 201 N. Bonita, Suite
6 141, Tucson, AZ 85745. Ms. Calhoun has knowledge and information concerning
7 Fort Huachuca's water resources and water conservation efforts, and its
8 compliance with the Endangered Species Act.
9

10 20. **Mr. Jason Douglas.** Fish and Wildlife Biologist, USFWS, 201 N. Bonita, Suite
11 141, Tucson, AZ 85745. Mr. Douglas has knowledge and information concerning
12 Fort Huachuca's water resources and water conservation efforts, and its
13 compliance with the Endangered Species Act.
14

15 21. **Mr. Doug Duncan.** Fish Biologist, USFWS, 201 N. Bonita, Suite 141, Tucson,
16 AZ 85745. Mr. Duncan has knowledge and information concerning Fort
17 Huachuca's water resources and water conservation efforts, and its compliance
18 with the Endangered Species Act.
19

20 22. **Ms. Julie Crawford.** Plant Ecologist (PhD), USFWS, Southwest Forest Science
21 Complex, 2500 S. Pine Knoll Dr., Flagstaff, AZ 86001-6381. Ms. Crawford has
22 knowledge and information concerning Fort Huachuca's water resources and
23 water conservation efforts, and its compliance with the Endangered Species Act.
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1 The above persons are employees of the USFWS, which is represented by counsel. They
2 may be reached through undersigned counsel.

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4 23. **Mr. Michael Collins**, Chief Executive Officer of Vernadero Group, 4820 South
5 Mill Ave., Suite 202, Tempe, AZ 85282. Mr. Collins was primarily responsible
6 for preparing a demographic survey for Fort Huachuca.⁵ He has knowledge and
7 information concerning the past population of Fort Huachuca.
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10 c. **List the names and addresses of all persons who have given statements,**
11 **whether written or recorded, signed or unsigned, and the custodian of the copies of those**
12 **statements.**

13 The United States is not aware of any such persons or statements, other than those
14 already disclosed or produced in discovery in this case.
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16 d. **List the name and address of each person whom the disclosing party expects**
17 **to call as an expert witness, the subject matter on which the expert is expected to testify, the**
18 **substance of the facts and opinions to which the expert is expected to testify, a summary of**
19 **the grounds for each opinion, the qualifications of the witness, and the name and address of**
20 **the custodian of copies of any reports prepared by the expert.**

21 1. **MG Robert Ashley**, Special Assistant to the Director of the Army Staff,
22 Pentagon. Major General Ashley is expected to testify on current and potential
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25 ⁵ The Initial Disclosure Statement incorrectly named "Mr. R.W. Beck" as the person primarily responsible for this
26 demographic survey, which was prepared in 1998-1999, a copy of which has been produced during this contested
27 case.
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1 futures military missions at Fort Huachuca. On May 29, 2015, the United States
2 produced a Declaration of Major General Ashley, which contains the substance of
3 the facts and opinions on which he is expected to testify, the grounds for those
4 opinions, and his qualifications.
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6 2. **Mr. David Koch**, Director, DPTMS, Fort Huachuca. Mr. Koch is expected to
7 testify on various potential mobilization scenarios involving Fort Huachuca and
8 the number of personnel that would be necessary to carry out those potential
9 missions. On May 29, 2015, the United States produced a Declaration of
10 Mr. Koch, which contains the substance of the facts and opinions on which he is
11 expected to testify, the grounds for those opinions, and his qualifications.
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13 3. **Dr. Robert Fafara**, Ph.D., Senior Research Analyst, Office of the Assistant Chief
14 of Staff of the Army for Installation Management, Pentagon. Dr. Fafara is
15 expected to testify on the importance of morale, welfare and recreation programs
16 and family support types of activities to the military missions at Fort Huachuca.
17 On May 29, 2015, the United States produced a report from Dr. Fafara, entitled
18 *U.S. Army Family and Morale, Welfare and Recreation Programs and Services,*
19 *Fort Huachuca.* That report contains the substance of the facts and opinions on
20 which he is expected to testify and the grounds for those opinions. Dr. Fafara's
21 work for the Army focuses on studies to improve the infrastructure of installations
22 worldwide. As a Senior Research Analyst for more than two decades in the
23 Family and MWR Command and its predecessors, he initiated and managed a
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1 variety of research and strategic planning efforts which included: serving on the
2 MWR Modernization Task Force, coordinating the Army Chief of Staff's Soldier
3 Issue Forum, and managing psycho-social, behavioral research and evaluation,
4 especially as it relates to developing actionable findings on Morale, Welfare and
5 Recreation programs, Army families, and their quality of life. Dr. Fafara
6 completed the Senior Executive Fellows Program at Harvard University and the
7 Army Management Staff College Sustaining Base and Leadership Program. An
8 alumnus of Seton Hall University, he holds an M.A. and Ph.D. in philosophy from
9 the University of Toronto and completed graduate studies at the University of
10 Paris and post-doctoral studies at the Polish Academy of Sciences in Warsaw. Dr.
11 Fafara has taught at The George Washington University, George Mason
12 University, and Northern Virginia Community College.

13 All of the above witnesses are current or former employees of the Department of
14 the Army, which is represented by counsel. They may be reached through undersigned
15 counsel.

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19 4. **Dr. Scott Miltenberger**, Senior Historian, Ph.D., JRP Historical Consulting,
20 LLC, 2850 Spafford St., Davis, CA 95618.⁶ Dr. Miltenberger is expected to
21 testify on the history of Fort Huachuca, its changing and evolving military
22 missions and purposes, the evolution of the makeup of its population, the location
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26 ⁶ Mr. Miltenberger's work built on an expert report previously submitted by the Army in Phase 1 of this case, which
27 was prepared by Rand F. Herbert, of JRP Historical Consulting, LLC.
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1 and development of its water sources and uses. On May 29, 2015, the United
2 States produced a report from Dr. Miltenberger, entitled *Fort Huachuca, Arizona*
3 *Military Purposes, Population Changes; and Water Development and Use, 1877-*
4 *2014*. That report contains the substance of the facts and opinions on which he is
5 expected to testify and the grounds for those opinions. Dr. Miltenberger holds a
6 Ph.D. and a Master of Arts degree in United States History from the University of
7 California, Davis. He is a member of the American Historical Association,
8 American Society for Environmental History, and the National Council of Public
9 History. He has worked as a consulting and/or testifying historian on a wide
10 variety of state and federal historical research projects and litigation.

- 13 5. **Dr. Donald Stadelman**, Senior Project Manager/Senior Economist, Leidos, 2536
14 Rimrock Avenue, Suite 400, PMB 21, Grand Junction, CO 81505. Dr. Stadelman
15 is expected to testify on the population necessary to carry out the military
16 purposes of Fort Huachuca, to include: military and civilian personnel,
17 contractors, and their family members. On May 29, 2015, the United States
18 produced a report from Dr. Stadelman, entitled *Demographic Analysis of the Fort*
19 *Huachuca, AZ, Population.*⁷ That report contains the substance of the facts and
20 opinions on which he is expected to testify and the grounds for those opinions. Dr.
21 Stadelman holds a Ph.D. and a Master of Arts degree in Economics from the
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25 ⁷ The United States also produced a previous demographic analysis report from Dr. Stadelman in December 2013.
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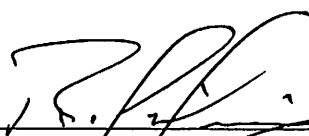
1 University of Washington. His Bachelor of Science degree is in Forest
2 Management from Colorado State University. As a Senior Project
3 Manager/Senior Economist, Dr. Stadelman has served as a lead economist
4 addressing a variety of economic issues ranging from socioeconomics, economic
5 impact analysis, business case analysis, and regional economic studies.
6

- 7 6. **Mr. Joel Degner**, P.E., Water Resources Engineer, Leidos, 5464 Carpinteria
8 Ave., Suite K, Carpinteria, CA 93013. Mr. Degner is expected to testify on the
9 amount of water necessary to carry out the military purposes of Fort Huachuca, to
10 include: the per capita water use requirements for the population necessary to
11 carry out the military purposes of Fort Huachuca and the surface water resources
12 available to accomplish those purposes. On May 29, 2015, the United States
13 produced a report from Mr. Degner, entitled *Fort Huachuca Water Resources*
14 *Report*. That report contains the substance of the facts and opinions on which he
15 is expected to testify and the grounds for those opinions. Mr. Degner specializes
16 in water resources engineering in the Western United States. Mr. Degner has a
17 Bachelor of Science degree in Hydrologic Sciences and is a Professional Engineer
18 in Civil Engineering in the State of California. Mr. Degner has over ten years of
19 work experience. His work has focused on surface water rights hearings,
20 groundwater adjudications, surface water models, groundwater evaluations, water
21 supply assessments, water resource aspects of the National Environmental Policy
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Act, municipal and regional water resource management planning, storm water
pollution prevention plans, and erosion control plans.

RESPECTFULLY SUBMITTED this 27th day of January 2016.



R. Lee Leininger
Attorney for the United States

CERTIFICATE OF SERVICE

The original and one copy of the foregoing sent via Federal Express this 27th day of January 2016 to:

Clerk of the Superior Court
Maricopa County
Attn: Water Case
601 West Jackson Street
Phoenix AZ 85003

One copy of the foregoing sent via Federal Express this 27th day of January 2016 to:

Hon. Mark H. Brain
Judge of the Superior Court
Central Court Building, Suite 12A
201 West Jefferson
Phoenix, AZ 85003

Susan Ward Harris
Special Master
Central Court Building, Ste 3A
201 West Jefferson
Phoenix, AZ 85003-2205

Copies of the foregoing were sent this 27th day of January 2016 to all persons on the court-approved mailing list for W1-11-605 dated September 23, 2015.



R. Lee Leininger