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LEGAL  
DEPT OF WATER RESOURCES

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10 *Attorneys for the San Carlos Apache Tribe*  
11 *and Tonto Apache Tribe*

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

14 IN RE: THE GENERAL  
15 ADJUDICATION OF ALL RIGHTS  
16 TO USE WATER IN THE GILA  
17 RIVER SYSTEM AND SOURCE

Civil Nos. W-1, W-2, W-3, W-4  
(Consolidated)

Contested Case No. W1-11-605

**THE SAN CARLOS APACHE TRIBE  
AND TONTO APACHE TRIBE'S  
FIRST SUPPLEMENTAL  
DISCLOSURE STATEMENT FOR  
THE SECOND PHASE OF THE  
CONTESTED CASE**

18  
19 **CONTESTED CASE NAME:**

*In re Fort Huachuca*

20 **H.S.R. INVOLVED:**

San Pedro River Watershed Hydrographic  
Survey Report

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22 **DESCRIPTIVE SUMMARY:**

The San Carlos Apache Tribe and Tonto  
Apache Tribe's First Supplemental  
Disclosure Statement filed pursuant to  
Arizona Rule of Civil Procedure 26.1 and the  
Special Master's December 2, 2015, Order  
Regarding Discovery and Disclosures  
Statements

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26 **STATEMENTS OF CLAIMANT #:**

39-12676, 39-63614 (San Carlos Apache  
Tribe)

39-50058, 39-12675 (Tonto Apache Tribe)

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**NUMBER OF PAGES:** 4

**DATE OF FILING:** March 7, 2016

The San Carlos Apache Tribe and Tonto Apache Tribe (“Tribes”) submit this First Supplemental Disclosure Statement pursuant to Arizona Rule of Civil Procedure 26.1 and the Special Master’s Order Regarding Discovery and Disclosures Statements, dated December 2, 2015.

**I. Issues Designated for Consideration**

This supplemental disclosure statement is limited to matters concerning the following issues designated in Section II(1) of the Special Master’s Order dated December 19, 2011:

- A. What is in detail the scope of water uses encompassed by the term “military purposes?”
- B. What is the quantity of water reserved to fulfill the military purposes?
- C. Are the sources of water other than groundwater adequate to accomplish the military purposes, and if not, what is the quantity of groundwater required to accomplish those purposes?

**II. The Tribes’ Supplemental Disclosure Statement**

- 1. **The names, addresses and telephone numbers of any witnesses whom the Tribes expect to call with a fair description of the substance of each witness’ expected testimony:**

At this time, the Tribes do not intend to call any witnesses. The Tribes do, however, reserve the right to call and examine any witness or expert witness disclosed by any other party.

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**2. Names and addresses of all persons whom the Tribes believe may have knowledge or information relevant to the events, transactions or occurrences that gave rise to each claim and the nature of the knowledge or information each such individual is believed to possess:**

The Tribes believe that the following person may have knowledge or information relevant to the issues designated for this phase of the contested case:

Mr. Jack August, Jr., Ph.D.  
Scholar-in-Residence  
Southwest Center for History and Public Policy, A Non-Profit Corporation  
22 E. Jackson Street  
Phoenix, Arizona 85004

Mr. August may have knowledge or information concerning the documentary history of the United States' consideration in locating and constructing Fort Huachuca. Mr. August may also have historical knowledge of activities conducted at Fort Huachuca over time which would require water use.

**3. Names and addresses of all persons who have given statements, whether written or recorded, signed or unsigned, and the custodian of the copies of those statements:**

At this time, the Tribes are not aware of any such statements.

**4. The name and address of each person whom the Tribes expect to call as an expert witness, the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, a summary of the grounds for each opinion, the qualifications of the witness, and the name and address of the custodian of copies of any reports prepared by the expert:**

1 At this time, the Tribes do not expect to call any expert witnesses. The Tribes do,  
2 however, reserve the right to call and examine any witness or expert witness disclosed by any  
3 other party.  
4

5 Respectfully submitted this 7th day of March, 2016.

6 **THE SPARKS LAW FIRM, P.C.**

7  
8  
9 By 

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and Tonto Apache Tribe*

15 ORIGINAL of the foregoing hand-delivered  
16 for filing this 7th day of March, 2016 to:

17 Clerk of the Arizona Superior Court  
18 Maricopa County  
19 Attn: Water Case  
601 West Jackson Street  
Phoenix, AZ 85003

20 COPIES mailed on this 7th day of March,  
21 2016, to all people listed on the Court Approved  
22 Mailing List for Contested Case No. W1-11-605,  
dated February 24, 2016.

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