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U.S. DEPT. OF JUSTICE
ENV. & NAT. RES. DIV.
DENVER, CO

IN THE UNITED STATES DISTRICT COURT

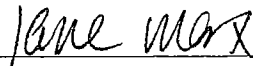
2009 MAR 16 PM 12:36 FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA)	
and	)	07cv00681-BB
ZUNI INDIAN TRIBE,)	
	)	ZUNI RIVER BASIN
Plaintiffs,	)	ADJUDICATION
)	
-v-)	
)	
STATE OF NEW MEXICO, ex rel.)	
STATE ENGINEER, et al.,	)	Subproceeding 1
	)	Zuni Indian Claims
Defendants.)	
)	

**ZUNI INDIAN TRIBE'S RULE 26(a)(2) DISCLOSURES CONCERNING
CLAIMS BASED ON EVIDENCE OF PAST OR PRESENT
IRRIGATION BY MEANS OF PERMANENT IRRIGATION WORKS**

Pursuant to the Special Master's September 24, 2008 *Scheduling Order* (Doc. No. 264) and Fed.R.Civ.P. 26(a)(2), the Zuni Indian Tribe hereby discloses the enclosed report entitled Crop Reference Evapotranspiration, Nutria Irrigation Project, Zuni Pueblo, New Mexico from its retained expert Stetson Engineers Inc., along with other statements required by Fed.R.Civ.P. 26(a)(2)(iv)-(vi). The report is available on CD-ROM upon request.

Dated: March 12, 2009



 Jane Marx
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1634

March 12, 2009

San Rafael

Jane Marx
Jane Marx, Attorney at Law, P.C.
2825 Candelaria Road NW
Albuquerque, New Mexico 87107

Re: Crop Reference Evapotranspiration, Nutria Irrigation Project, Zuni Pueblo, New Mexico

Dear Ms. Marx:

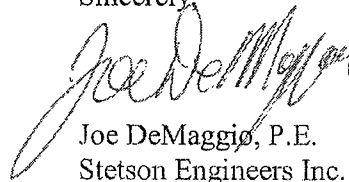
Enclosed is our report entitled *Crop Reference Evapotranspiration, Nutria Irrigation Project, Zuni Pueblo, New Mexico* dated March 12, 2009. My Statement of Qualifications is enclosed and the professional compensation required for the report was \$25,000. Our contact information is:

Stetson Engineers Inc.
2171 E. Francisco Blvd., Suite K
San Rafael, CA 94901

415-457-0701 (office)
415-457-1638 (fax)

If you have any questions, please feel free to contact me at the number above.

Sincerely,



Joe DeMaggio, P.E.
Stetson Engineers Inc.

Enclosures

W A T E R R E S O U R C E P R O F E S S I O N A L S
S E R V I N G C L I E N T S S I N C E 1 9 5 7

**CROP REFERENCE EVAPOTRANSPIRATION
NUTRIA IRRIGATION PROJECT
ZUNI PUEBLO, NEW MEXICO**

**PREPARED FOR THE
ZUNI TRIBE**

MARCH 12, 2009



**STETSON
ENGINEERS INC.**

**W A T E R R E S O U R C E P R O F E S S I O N A L S
S E R V I N G C L I E N T S S I N C E 1 9 5 7**

◆ BAKERSFIELD, COVINA AND SAN RAFAEL, CALIFORNIA ◆
◆ MESA, ARIZONA ◆ CENTENNIAL, COLORADO ◆

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1.0 INTRODUCTION

The quantification of a tribal water right for irrigated agriculture begins with the estimation of crop water requirements. Calculation of the crop water requirements begins with the estimation of the crop reference evapotranspiration. The crop reference evapotranspiration was estimated by Natural Resources Consulting Engineers (NRCE) in Section 4 of a report entitled *Zuni Indian Reservation Identification of Lands and Estimation of Water Requirements for Past and Present Irrigated Lands Served by Permanent Irrigation Works*, dated November 3, 2008.

Stetson Engineers reviewed NRCE's report and analysis focusing on the Nutria Irrigation Project area as a test case to determine if an appropriate method was used for calculating the crop reference evapotranspiration. As described in detail below, Stetson's independent analysis of the Nutria Irrigation Project area confirms the propriety of the method NRCE used to arrive at the crop reference evapotranspiration values essential to the determination of crop water requirements, as well as NRCE's results.

1.1 PURPOSE AND SCOPE

The purpose of this report is to document the technical approach Stetson used to calculate the crop reference evapotranspiration (ET_{ref}) for the Nutria Irrigation Project located on the Zuni Indian Reservation in New Mexico. Available climatic data was input to the ASCE Penman-Monteith equation for calculating the ET_{ref} . Climatic data were collected from nearby stations and filled/extended to reduce missing values.

This report addresses the following:

- 1) Climatic data available
- 2) Method for extending and filling missing climate data
- 3) Regional/Climatic data used for elevation adjustments
- 4) ASCE Penman-Monteith equation
- 5) Aridity effects
- 6) Summary of ET_{ref}

1.2 SUMMARY OF CONCLUSION

The average crop reference evapotranspiration calculated by NRCE for the Nutria Irrigation Project is 48.56 inches per year (NRCE, 2008). Using well-accepted methodologies to determine crop reference evapotranspiration, Stetson's calculation of the average crop reference evapotranspiration for the Nutria Irrigation Project is 50.76 inches per year. Stetson's estimation is approximately 4.5 percent higher than NRCE's number, an acceptable margin of difference. The methods used by NRCE, which are similar to those used by Stetson, are appropriate for the calculation of the crop reference evapotranspiration. The small difference between NRCE's and Stetson's numbers may result from minor differences in filling of missing data, dew point temperature elevation adjustment, use of total sky cover data and slightly different period of record. In summary Stetson agrees with NRCE's method of analysis and supports NRCE's results.

The calculated crop reference evapotranspiration of 50.76 inches per year is based on average climate data. A water rights claim needs to take into consideration variations in climate conditions that occur that will influence the amount of water a crop needs to obtain desired crop yield. Stetson also calculated the crop reference evapotranspiration that would occur during the hottest year during the period of record from 1949 to 2008 and the coolest year during the same period. The high temperature crop reference evapotranspiration is 55.87 inches per year and the low temperature crop reference evapotranspiration is 46.29 inches per year. The high temperature ET_{ref} is 10 percent higher than the average and the low temperature ET_{ref} is 9 percent lower than the average. In order for a farmer's crop to use the average crop water requirements, more than the average will be used during the hot years and less than the average will be used during the cool years. Therefore a water rights claim should not be limited to the average water requirements.

2.0 CLIMATIC DATA

The climatic inputs for the ET_{ref} calculations are constructed based on the historical climatic data. The historical climatic data used in this report were obtained from the National Climatic Data Center (NCDC) Summary of the Day (SD) and Surface Airways (SA) databases.

Climate data needed for calculation of the crop reference evapotranspiration using the ASCE Penman-Monteith equation includes daily data for the following: maximum temperature (T_{max}), minimum temperature (T_{min}), average temperature (T_{avg}), dew point temperature (T_{dew}), total sky cover (T_{skc}) and wind speed ($Wind$).

The NCDC SD database contains daily records of T_{max} , and T_{min} . The NCDC SA database contains hourly and daily records of T_{dew} , T_{skc} , and $Wind$. Three Climate Stations' data was collected. The McGaffey 5SE station is located about 10 miles north east of the Nutria Irrigation Project. The Gallup station is located about 20 miles north of the project. The Albuquerque Station is located about 100 miles east of the project. The climatic stations used are listed in Table 2-1.

Table 2-1: Summary of Climate Stations and Data Availability

Station Name	ID	Elevation (ft)	Latitude	Longitude	Available Data	Period of Record
McGaffey 5 SE	5560	8,000	N35:20:00	W108:27:00	T_{max} , T_{min}	1949-2008
Gallup	23081	6,466	N35:31:00	W108:47:00	T_{dew}	1973-2008
					T_{skc}	1973-2000
					$Wind$	1973-2008
Albuquerque	23050	5,310	N35:03:00	W106:37:00	T_{dew}	1949-2008
					T_{skc}	1949-1996
					$Wind$	1949-2008

3.0 FILLING OF MISSING DATA/RECORD EXTENSION

Based on the review of available data, the following conclusions can be made:

- The complete data sets for *Tmax*, and *Tmin* for the McGaffey 5 SE, can be developed for calendar years 1949-2008.
- The complete data sets for *Tdew*, *Tskc* and *Wind* for the Gallup station can be developed for the period from 1949 to 2008.
- The complete data sets for *Tdew*, *Tskc* and *Wind* for the Albuquerque station can be developed for the period from 1949 to 2008.

Filling/extension of the climate data was performed using the method shown as follows:

3.1 AIR TEMPERATURE

Missing daily maximum and minimum temperature data accounts for about 4% of the whole period record of 1949 through 2008. The missing data was filled using the daily average data for the month with the missing data.

3.2 DEW POINT TEMPERATURE

The daily dew point temperature record for the Gallup station was filled/extended using data from the Albuquerque station.

Filling/extension of the Gallup dew point temperature data was performed using the linear regression method. In this method, the missing data at station Y ("filled station") is filled/extended using the data from station X ("filling station") using the equation $y = a + bx$, where x is the data at the station X; y is the estimate for the missing data at station Y; $b = S_{xy} / S_{xx}$; $a = \bar{y} - b\bar{x}$; \bar{x} and \bar{y} are the means of x and y , respectively, during the common period of record of stations X and Y; $S_{xx} = \sum_{i=1}^n (x_i - \bar{x})^2$; $S_{xy} = \sum_{i=1}^n (x_i - \bar{x})(y_i - \bar{y})$; and n is the number of days on the common period of record of stations X and Y. Table 3-1 presents the filling/extension summary for the dew point temperature data.

Table 3-1: Summary of Filling/Extension of the Gallup Dew Point Temperature Data

Filled Station	Filling Station	Intercept <i>a</i>	Slope <i>b</i>	R ²	Days Filled by Regression	Days Filled by Interpolation	Total Days Filled
23081	23050	0.947	0.860	0.830	9,274	0	9,274

3.3 TOTAL SKY COVER

The daily total sky cover record for the Gallup station was filled/extended using data from the Albuquerque station.

Extension of the daily Gallup total sky cover record for the period 1949 through 1999 was performed using the linear regression method described in Section 3.2. Extension of the record for years 2000 to 2008 was performed using the daily average of the available data. Table 3-2 presents the filling/extension summary for the total sky cover data.

Table 3-2: Summary of Filling/Extension of the Gallup Daytime Total Sky Cover Data

Filled Station	Filling Station	<i>a</i>	<i>b</i>	R ²	Days Filled by Regression	Days Filled by Monthly Avg.	Total Days Filled
23081	23050	0.811	6.783	0.66	8,956	3,379	12,335

3.4 WIND SPEED

The daily wind speed records for the Gallup station were filled/extended using data from the Albuquerque station.

The filling/extension of the wind speed data was performed using the method of ratio of monthly means (RMM). In this method, the missing data at station Y ("filled station") in month *m* is filled using the data from station X ("filling station") using the equation $y = b_m x$; where *x* is the data at the station X; *y* is the estimate for the missing data at station Y; $b_m = \bar{y}_m / \bar{x}_m$; and \bar{x}_m / \bar{y}_m are the monthly means of *x* and *y*, respectively, during the common period of record of stations X and Y in month *m*. Subsequently, several missing days in the daytime record were filled by linear interpolation. Table 3-3 presents the filling/extension summary for the wind speed data.

Table 3-3: Summary of Filling/Extension of the Gallup Wind Speed Data Using the Albuquerque Wind Speed Data

Ratios of Monthly Means												Days Filled by RMM	Total Days Filled by Linear Interpolation	Total Days Filled
Jan b ₁	Feb b ₂	Mar b ₃	Apr b ₄	May b ₅	Jun b ₆	Jul b ₇	Aug b ₈	Sep b ₉	Oct b ₁₀	Nov b ₁₁	Dec b ₁₂			
0.657	0.737	0.839	0.853	0.848	0.807	0.767	0.740	0.757	0.714	0.727	0.674	8860	0	8860

For the calculation of ET_{ref} , wind speed at 2 meters above the surface is required and the wind speed data was measured at 10 meters above the surface, therefore, it must be adjusted with the following equation:

$$u_2 = u_z \frac{4.87}{\ln(67.8z - 5.42)}$$

where: u_2 = wind speed at 2 meters above ground surface (mph)

u_z = wind speed measured at z in meters above ground surface (mph)

ln = natural log

z = distance above ground (meters)

4.0 REGIONAL ANALYSIS OF LONG-TERM CLIMATIC DATA

Since the maximum air temperature, minimum air temperature, and dew point temperature generally exhibit strong dependencies on elevation, these dependencies should be taken into account.

The elevation adjustment factors ("lapse rates") for the maximum air temperature and minimum air temperature were developed through regional analysis by Natural Resources Consulting Engineers (NRCE, 2008) and the lapse rates determined from the regional analysis described above are:

- Maximum temperature lapse rate is -3.743 degrees Fahrenheit per 1,000 feet.
- Minimum temperature lapse rate is -4.205 degrees Fahrenheit per 1,000 feet.

The climatic inputs for the air temperature for the Nutria Irrigation Project area located at 6,800 feet elevation were developed by performing elevation adjustments of the air temperature recorded at the McGaffey 5E climatic station located at 8,000 feet elevation. The climatic inputs for the dew point temperature for the Nutria Irrigation Project area were developed by performing elevation adjustments of the dew point temperature data recorded at the Gallup station located at 6,466 feet elevation. Based on maps of mean wind speed and of mean total sky cover percentage (sunrise to sunset) for the contiguous United States, these variables do not exhibit clear elevation dependencies (NCDC, 2002). Therefore, the total sky cover and wind speed data from the Gallup station were applied to the Nutria Irrigation Project without elevation adjustments. The methodology for calculation of the elevation-adjusted climatic inputs is described in the following sections.

4.1 AIR TEMPERATURE

The maximum and minimum daily air temperature for the study area (the Nutria Irrigation Project area) is calculated as the sum of the daily data recorded at the climatic station and the appropriate regional lapse rate (with a negative sign) times the elevation difference between the mean elevation of the Nutria Irrigation Project area and the elevation of the climate station. This is accomplished using the following equations:

$$T \max(t) = T \max_{station}(t) - 0.003743(Z - Z_{station}),$$

$$T \min(t) = T \min_{station} - 0.004205(Z - Z_{station})$$

where $T_{\max}(t)$ and $T_{\min}(t)$ are the maximum and minimum daily air temperatures for the study area, in degrees Fahrenheit, $T_{\max_{station}}(t)$ and $T_{\min_{station}}(t)$ are the maximum and minimum daily air temperatures at the climatic station, in degrees Fahrenheit, Z is the mid-elevation of the study area, in feet, and $Z_{station}$ is the elevation of the climatic station, in feet.

The average daily air temperature is calculated as the mean of the maximum and minimum daily air temperatures:

$$T(t) = \frac{1}{2} [T_{\max}(t) + T_{\min}(t)]$$

4.2 DEW POINT TEMPERATURE

The daily dew point temperature is calculated as:

$$T_{dew}(t) = T_{dew_{station}}(t) + T_{dew_{adjust}}$$

where $T_{dew}(t)$ is the daily dew point temperature for the Nutria Irrigation Project area, $T_{dew_{station}}(t)$ is the daily dew point temperature data at the climatic station, and $T_{dew_{adjust}}$ is the dew point temperature elevation adjustment, all in degrees Fahrenheit.

The dew point temperature elevation adjustment $T_{dew_{adjust}}$ is calculated as:

$$T_{dew_{adjust}}^C = \frac{\frac{(Z - Z_{station})}{128780} (237.3 + \overline{T_{dew_{station}}})}{\frac{(Z - Z_{station})}{128780} + \frac{237.3}{(237.3 + \overline{T_{dew_{station}}})}}, \quad T_{dew_{adjust}} = \frac{9}{5} T_{dew_{adjust}}^C$$

where $T_{dew_{adjust}}^C$ is the dew point temperature elevation adjustment in degrees Celsius, and $\overline{T_{dew_{station}}}$ is the long-term average dew point temperature at the station, in degrees Celsius.

The above equation for the dew point temperature elevation adjustment was derived based on the following relationship between the actual vapor pressure and elevation, as reported by Reitan (1963):

$$\frac{e(Z)}{e(Z_{station})} = \exp \left[-\frac{(Z - Z_{station})}{7457} \right]$$

where \exp is the exponential function e^x .

The following standard equation for the actual vapor pressure (ASCE, 2005) was also used in the derivation:

$$e = 0.6108 \exp \left[\frac{17.27 T_{dew}}{T_{dew} + 237.3} \right],$$

where e is the vapor pressure in kilopascals (kPa) and T_{dew} is the dew point temperature in degrees Celsius.

5.0 CROP REFERENCE EVAPOTRANSPIRATION

The daily crop reference evapotranspiration (ET_{ref}) was calculated as a function of the solar radiation (general land surface), maximum air temperature, minimum air temperature, dew point temperature, total sky cover, and wind speed using the ASCE Penman-Monteith equation for the reference crop of clipped, cool season grass (ASCE, 2005).

The ASCE Penman-Monteith equation is:

$$ET_{ref} = \frac{0.408\Delta(R_n - G) + \gamma \frac{C_n}{T + 273} u_2 (e_{sat} - e)}{\Delta + \gamma(1 + C_d u_2)},$$

where: ET_{ref} = reference ET (mm/day),

Δ = slope of the saturation vapor pressure versus temperature curve (kPa/°C)

R_n = net radiation at the crop surface (MJ/m²/day),

G = soil heat flux density at the soil surface (MJ/m²/day),

γ = psychrometric constant (kPa/°C),

C_n = constant for short reference crop type and daily time step, use 900

T = mean daily air temperature at 2 meter height (°C),

u_2 = mean daily wind speed at 2 meter height (m/s),

e_{sat} = mean saturation vapor pressure at 2 meter height (kPa),

e = mean actual vapor pressure at 2 meter height (kPa),

C_d = constant for short reference crop type and daily time step, use 0.34

Equations used in calculating the required inputs into the ASCE Penman-Monteith equation are provided below.

The slope of the saturation vapor pressure versus temperature curve, Δ (kPa/°C), is calculated as:

$$\Delta = \frac{2503 \exp\left(\frac{17.27T_{avg}}{T_{avg} + 237.3}\right)}{(T_{avg} + 237.3)^2},$$

where $T_{avg} = (T_{max} + T_{min})/2$, equals daily mean air temperature in degrees Celsius,

T_{max} = daily maximum air temperature in degrees Celsius, T_{min} = daily minimum air temperature in degrees Celsius, and $\exp = e^x$

The net radiation, R_n (in MJ/(m² day)), is then calculated as:

$$R_n = (1 - \alpha)R_s + R_{nl},$$

where α is albedo, set to 0.23 for general land surfaces,

where R_{nl} = net long-wave radiation, adjusted to account for the effect of the cloud cover, is given by:

$$R_{nl} = R_{nlo} \left(1.35 \frac{R_s}{R_{so}} - 0.35 \right),$$

where R_{nlo} = net clear sky long-wave radiation in (MJ/(m² day)), is calculated as:

$$R_{nlo} = -\varepsilon\sigma \frac{(T_{\max}^K)^4 + (T_{\min}^K)^4}{2},$$

where T_{\max}^K and T_{\min}^K are the maximum and minimum absolute daily temperatures in degrees Kelvin and $\sigma = 4.903 \times 10^{-9}$ MJ/(m² day KE) is the Stefan-Boltzmann constant. Degrees Kelvin = degrees Celsius + 273.16,

where R_s is the short wave solar radiation in MJ/(m² day) and R_{so} is the short wave solar radiation for clear skies in MJ/(m² day)). Using the relationship:

$$R_s / R_{so} = 1 - A(C/100)^2,$$

where C is the total sky cover expressed in percent. This relationship was determined empirically by the Tennessee Valley Authority (TVA, 1972), in which they determined the coefficient A equals 0.65,

where ε is the net emissivity between the atmosphere and the ground and is calculated from the actual vapor pressure as:

$$\varepsilon = 0.34 - 0.14\sqrt{e},$$

where e is the mean actual vapor pressure in (kPa), is calculated from the dew point temperature as:

$$e = 0.608 \exp \left[\frac{17.27T_{dew}}{T_{dew} + 237.3} \right]$$

where T_{dew} is the dew point temperature in degrees Celsius and $\exp = e^x$, the clear sky solar radiation, R_{so} , is calculated as:

$$R_{so} = (0.75 + 2 \times 10^{-5} z) R_a$$

where z = elevation above sea level in meters.

where the extraterrestrial radiation, R_a , is calculated as:

$$R_a = \frac{24}{\pi} G_{sc} d_r [\omega_s \sin(\varphi) \sin(\delta) + \cos(\varphi) \cos(\delta) \sin(\omega_s)],$$

where:

R_a = extraterrestrial radiation (MJ m⁻² d⁻¹),

G_{sc} = Solar Constant (4.92 MJ m⁻² h⁻¹),

d_r = inverse relative distance factor (squared) for earth-sun (unit less),

ω_s = sunset hour angle (radians),

φ = latitude (radians),

δ = solar declination (radians),
 where the conversion from decimal degrees to radians is given by:

$$\text{Radians} = \frac{\pi}{180} (\text{decimal degrees}),$$

where the inverse relative distance factor, d_r , is calculated as:

$$d_r = 1 + 0.033 \cos\left(\frac{2\pi}{365} J\right),$$

where the sunset hour angle, ω_s , is calculated as:

$$\omega_s = \frac{\text{latitude} * \pi}{180},$$

where latitude is in degrees north of the equator,
 where the solar declination, δ , is calculated as:

$$\delta = 0.409 \sin\left(\frac{2\pi}{365} J - 1.39\right),$$

where J is the number of the day in the year between 1 (1 January) and 365 or 366 (31 December).

Where the **soil heat flux density at the soil surface**, G ($MJ / m^2 / day$) is approximated from the average air temperature as:

$$G = 0.38(T_{avg} - T_{avg}^{prev}),$$

where T_{avg} is the average daily temperature in degrees Celsius, which is calculated as the arithmetic average of the maximum and minimum temperatures,

where T_{avg}^{prev} is the average air temperature (in degrees Celsius or Kelvin) for the previous day.

For calculation with daily data, G can be ignored and assumed to be zero.

Where the **psychrometric constant**, γ ($kPa/^\circ C$), is calculated as:

$$\gamma = \frac{C_p P}{0.622 \lambda} = 0.000665 P,$$

where $C_p = 0.001013$ MJ/(kg KE) is the specific heat of air at constant pressure and P is the atmospheric pressure in kPa where the latent heat of vaporization, λ is 2.45 MJ/kg and KE indicates Kelvin degrees.

P is approximately constant in time for a given elevation and is calculated as:

$$P = 101.3 \left(\frac{293 - 0.0065Z}{293} \right)^{5.26},$$

where Z = weather site elevation above mean sea level, in meters,
 where the mean daily air temperature, T , degrees Celsius.

$$T = (T_{\max} + T_{\min}) / 2 ,$$

where T = daily mean air temperature in degrees Celsius, Tmax = daily maximum air temperature in degrees Celsius, Tmin = daily minimum air temperature in degrees Celsius.

Where the **mean saturated vapor pressure**, e_{sat} (kPa), is calculated from the maximum and minimum daily temperatures as:

$$e_{sat} = \frac{e_{sat}^{T_{\max}} + e_{sat}^{T_{\min}}}{2} , \text{ where } e_{sat}^{T_{\max}} \text{ and } e_{sat}^{T_{\min}} , \text{ both in kPa, are given by:}$$

$$e_{sat}^{T_{\max}} = 0.6108 \exp\left[\frac{17.27T_{\max}}{T_{\max} + 237.3}\right] , e_{sat}^{T_{\min}} = 0.6108 \exp\left[\frac{17.27T_{\min}}{T_{\min} + 237.3}\right]$$

where T_{\max} and T_{\min} are the maximum and minimum daily temperatures in degrees Celsius.

The constants **C_n** and **C_d** are provided as 900 and 0.34, respectively, for a short (0.12m) reference crop and calculations performed on a daily time-step.

6.0 ARIDITY EFFECTS

ASCE defines reference evapotranspiration as "the ET rate from a uniform surface of dense, actively growing vegetation having a specified height and surface resistance, not short of soil water, and representing an expanse of at least 100 m of the same or similar vegetation" (ASCE, 2005). They also state: "weather data should be measured at stations that are located in open, well-watered, vegetated settings (preferably grass)." "Humidity, temperature, and wind speed variables change when entering an irrigated field surrounded by dry or poorly irrigated fields. It is important, when making calculations of ET_{ref} , that weather measurements are accurate and that weather measurements reflect the environment that is defined by the reference surface." FAO-56 (1998) presents procedures for evaluating and adjusting humidity and air temperature data for the effects of aridity, i.e., non-reference conditions, at the weather station site. These procedures were used to evaluate and adjust the dew point temperature and air temperature inputs to the ET_{ref} calculations for the Nutria Irrigation Project.

6.1 ADJUSTMENTS OF T_{max} , T_{min} AND T_{dew}

The empirical method described herein intends to correct the observed temperatures, T_{max} and T_{min} in proportion to the difference ($T_{max} - T_{min}$), which works as an indicator of the overestimation of the temperature difference between non-reference sites and reference sites. Since T_{dew} defines the actual vapor pressure ($e_a = e^o(T_{dew})$), correcting T_{dew} also provides an adjustment for vapor pressure deficit (VPD).

The method used follows:

1. Compare $T_{min} - T_{dew}$ (T_{dew} measured or computed from e_a using equations (11) or (12) in Annex 3 of FAO No. 56 (FAO, 1998) from a non reference site with those from a reference site. Daily or monthly data are utilized to compute $T_{min} - T_{dew}$.

When differences $T_{min} - T_{dew}$ for the non reference site are systematically higher than about 2°C relative to the reference site, then compute the average differences

$$\Delta T = T_{min} - T_{dew} \quad \text{Equation (1)}$$

for the months which require correction.

Or, if comparing $T_{min} - T_{dew}$ from the non reference site to $T_{min} - T_{dew}$ from the reference site, then calculate ΔT as:

$$\Delta T = (T_{min} - T_{dew})_{n/ref} - (T_{min} - T_{dew})_{ref} \quad \text{Equation (2)}$$

2. Correct temperatures for each month (or day) by:

$$(T_{\max})_{cor} = (T_{\max})_{obs} - \left(\frac{\Delta T - K_o}{2} \right)$$

$$(T_{\min})_{cor} = (T_{\min})_{obs} - \left(\frac{\Delta T - K_o}{2} \right)$$

for $\Delta T > K_o$, where subscripts *cor* and *obs* refer to corrected and observed values, respectively. K_o is a "conservative" factor equal to 2°C when the non-reference station is not compared to a reference station (ΔT is from Equation (1)). $K_o = 0$ when ΔT is from Equation (2).

3. Correct T_{dew} for the same months or days as:

$$(T_{dew})_{cor} = (T_{dew})_{obs} + \left(\frac{\Delta T - K_o}{2} \right)$$

where K_o has the same value as for the two Equations in 2, and utilizing the observed values for T_{dew} . The user should always insure that $(T_{\min})_{cor} \geq (T_{dew})_{cor}$.

4. Compute ET_{ref} with the corrected values for T_{\max} , T_{\min} and T_{dew} .

7.0 SUMMARY OF ET_{REF}

The average daily ET_{ref} is calculated using the average daily climate data for the period of 1949 through 2008 and then the average monthly ET_{ref} is calculated by adding daily ET_{ref} together for each month. Table 7-1, Table 7-2 and Figure 7-1 show the results without and with aridity effects.

Table 7-1: Monthly ET_{ref} without aridity effects
(inches)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
1.60	2.16	3.67	5.34	7.19	8.41	7.93	6.74	5.57	3.99	2.32	1.56	56.49

Table 7-2: Monthly ET_{ref} with aridity effects
(inches)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
1.60	2.14	3.26	4.32	5.88	6.95	7.22	6.68	5.27	3.65	2.22	1.56	50.76

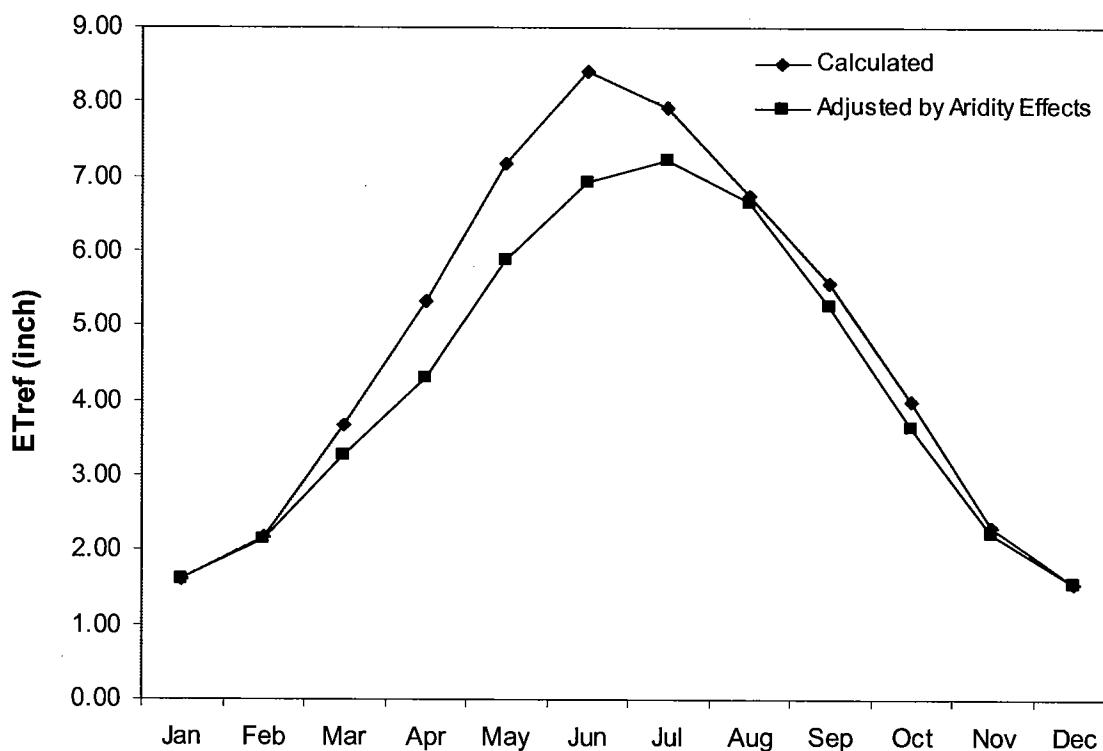


Figure 7-1: Monthly ET_{ref} showing Aridity Effects

The calculated crop reference evapotranspiration of 50.76 inches per year is based on average climate data. A water rights claim needs to take into consideration variations in climate conditions that occur that will influence the amount of water a crop needs to obtain desired crop yield. Stetson also calculated the crop reference evapotranspiration that would occur during the hottest year during the period of record from 1949 to 2008 and the coolest year during the same period. The high temperature crop reference evapotranspiration is 55.87 inches per year and the low temperature crop reference evapotranspiration is 46.29 inches per year. The high temperature ET_{ref} is 10 percent higher than the average and the low temperature ET_{ref} is 9 percent lower than the average. In order for a farmer's crop to use the average crop water requirements, more than the average will be used during the hot years and less than the average will be used during the cool years. Therefore a water rights claim should not be limited to the average water requirements. The monthly high, low and average crop reference evapotranspiration are shown on Table 7-3.

Table 7-3: Hot, Average and Cool Temperature Monthly ET_{ref} with Aridity Effects
(inches)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Temp.
2.63	3.65	5.41	6.02	6.87	7.23	7.05	4.80	4.93	3.79	2.07	1.42	55.87	Hot
1.60	2.14	3.26	4.32	5.88	6.95	7.22	6.68	5.27	3.65	2.22	1.56	50.76	Average
1.43	1.60	2.88	3.94	5.67	7.09	6.32	6.43	4.25	3.52	1.96	1.19	46.26	Cool

8.0 ABBREVIATIONS AND ACRONYMS

Δ	Slope of the saturation vapor pressure versus temperature curve (kPa/°C)
γ	Psychrometric constant (kPa/°C),
ASCE	American Society of Civil Engineers
C	Degrees Celsius
C_n, C_d	Constants for reference type and calculation time step
E	Mean actual vapor pressure at 2 meter height (kPa)
E	Vapor Pressure
e_{sat}	Mean saturation vapor pressure at 2 meter height (kPa)
ET_{ref}	Crop reference evapotranspiration
exp	Exponential function
FAO	Food and Agricultural Organization
ft	Feet
G	Soil Heat Flux
G	Acceleration due to Gravity 9.81 m/s ²
Grad	Solar Radiation
ID	Identification Number
K	Kilo
KE	Kelvin Degrees
kPa	Kilopascals
LT	Lapserate for saturated air
M	Meters
MJ	Megajoule
Mm	Millimeters
mph	Miles per hour
NCDC	National Climate Data Center
NRCE	Natural Resources Consulting Engineers
Pa	Pascal's
R	Specific Gas Constant 287 S/(KgKE)

RMM	Ratio of monthly means
R_n	Net radiation
R_s	Short wave solar radiation
S	Second
SA	Surface airways
SD	Summary of the day
SE	Southeast
T	Mean daily air temperature at 2 meter height (°C)
T_{avg}	Average temperature
T_{dew}	Dew point temperature
T_{max}	Maximum temperature
T_{min}	Minimum temperature
T_{skc}	Total sky cover
TVA	Tennessee Valley Authority
U_2	Mean daily wind speed at 2 meter height (m/s)
VPD	Vapor pressure deficit
$Wind$	Wind speed
Z	Mid elevation of study area or elevation in meters

9.0 REFERENCES

American Society of Civil Engineers (ASCE), 2005, The ASCE Standardized Reference Evapotranspiration Equation, prepared by Task Committee on Standardization of Reference Evapotranspiration of the Environmental and Water Resources Institute of the ASCE, edited by Allen, R.G., LA.Walter, R.L.Elliot, T.A.Howell, D.Itenfisu, M.EJensen, and R.L.Snyder, Reston, VA, USA.

Food and Agriculture Organization of the United Nations (FAO), 1998, Crop Evapotranspiration, FAO Irrigation and Drainage Paper No. 56, Rome, Italy.

National Climatic Data Center (NCDC), NCDC Climatic Atlas of the United States, Version 2.0, Product Development Branch, Asheville, NC, September 2002.

Natural Resources Consulting Engineers, Inc. (NRCE), 2008, Zuni Indian Reservation Identification of Lands and Estimation of Water Requirements for Past and Present Irrigated Lands Served by Permanent Irrigation Works.

Reitan, C. H., 1963, Swlance Dew Point and Water Vapor Aloft, Journal of Applied Meteorology, Volume 2, Number 6,776-779.

TVA, 1972, Heat and Mass Transfer between Water Surface and Atmosphere, TVA Engineering Laboratory Report 14.

APPENDIX A: CLIMATIC DATA FILLING/EXTENSION

Appendix A shows raw daily climatic data (maximum and minimum air temperature, dew point temperature, average wind speed, and total sky cover) for the period of record (1949 through 2008) and the filled and extended data for the period of record (1949 through 2008) using the month of July as a sample. Data for the other 11 months is available upon request.

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Supervising Civil / Agricultural Engineer

Mr. DeMaggio has been employed by Stetson Engineers Inc. since 1979. His professional expertise lies in the area of irrigation system design and cost estimation, agricultural water requirements, municipal engineering and facilities design, dam design, environmental engineering, flood control and restoration, surface water and groundwater resource studies, and water rights investigations. Mr. DeMaggio is responsible for directing agricultural and civil engineering projects as well as providing expert witness testimony.

EDUCATION: B.S. Agricultural Engineering
California Polytechnical State University, San Luis Obispo, 1978

CREDENTIALS: Professional Civil Engineer No. 32954, California, 1981
Agricultural Engineer No. 440, California, 1982

PROFESSIONAL EXPERIENCE: 30 years

SELECTED PROJECTS:

Agricultural Engineering

- Irrigation system design for revegetation plan for the Cibola National Wildlife Refuge, Blythe, California. *(Parametrix, 2008 to Present)*
- Quantification of reserved water rights including determination of Practicably Irrigable Acreage (PIA), irrigation facilities design and cost estimation, water supply studies, and HYDROSS modeling for the Flathead Indian Reservation, Montana. *(Bureau of Indian Affairs, 1989 to present)*
- Nutria Irrigation Project feasibility assessment for the Zuni Indian Reservation, New Mexico. *(Zuni Tribe, 2007 to present)*
- Irrigation system and dam design and cost estimation for a Practicably Irrigable Acreage (PIA) study. Including dams, canals, pump, sprinkler system and water supply modeling on the Fort Belknap Indian Reservation, Montana. *(White Shield International, 1999 to present)*
- Irrigation system and dam design and cost estimation for a Practicably Irrigable Acreage (PIA) study. Determined on-farm irrigation system efficiency for presently irrigated lands on the Crow Indian Reservation, Montana. *(White Shield International, 1996 to present)*
- Calculate natural flow of Peoples Creek and Milk River, Montana. *(U.S. Bureau of Indian Affairs, 2005 to 2007)*
- Determine irrigation demand, length of irrigation season for alfalfa, and participate in water rights issues for the Pueblo of Isleta, New Mexico. *(Pueblo of Isleta, 2004 to 2006)*

JOE DEMAGGIO, P.E.

Supervising Civil / Agricultural Engineer

- Prepare comprehensive water rights claim for the Confederated Tribes of the Umatilla Indian Reservation, Oregon. *(Confederated Tribes of the Umatilla Indian Reservation, 2005)*
- Evaluate water availability for Group 5 lands located on the Uinta Indian Reservation. *(Northern Ute Indian Tribe, 2005)*
- Irrigation system, wells, and dam design and cost estimation including economic analysis for 2,600 acres for determination of the reserved water rights for the Capitan Grande Indian Reservation, California. *(Barona Tribe, 2003 to 2004)*
- PIA study for Round Valley Indian Reservation, California. *(Round Valley Tribe, 2001 to 2004)*
- Design of irrigation system and pipelines for a 50-acre wetlands development at Zuni Heaven in Arizona. *(Zuni Tribe, 2001 to 2003)*
- Agricultural water use efficiency study for 9,000 acres for four of the Cachuma Project Member Units in connection with the State of California Water Resources Control Board hearings. *(Cachuma Conservation District, 2003)*
- Irrigation system design and cost estimation for a PIA study and determination of presently and historically irrigated acreage on the Gila River Indian Reservation, Arizona. *(U.S. Department of Justice, 1996 to 2003)*
- Review of land classification and PIA study for Fort Yuma Indian Reservation, Arizona. *(U.S. Department of Justice, 2001 to 2003)*
- Appraisal-level design and cost estimation of 31 irrigation projects including dams, canals, pump stations, wells, pipelines, tunnels and diversion dams. *(San Carlos Apache Tribe, 2001 to 2002)*
- PIA study for an off-reservation allotment located in the Yakima River Basin, Washington. *(U.S. Department of Justice, 1997 to 2001)*
- Crop water requirement determination for various crops grown in the Pauma Valley, California. *(Pauma Mutual Water Company, 2000)*
- Irrigation system design and cost estimation and crop water requirements for the Pechanga, Cahuilla and Ramona Indian Reservations, California. *(U.S. Department of Justice, 1993 to 2000)*
- PIA study for 2,000 acres for the Lower Peoples Creek area of the Fort Belknap Indian Reservation, Montana, using a storage reservoir. *(U.S. Bureau for Indian Affairs, 1995 to 1999)*
- PIA study for 500 acres for the Upper Peoples Creek area of the Fort Belknap Indian Reservation, Montana. *(U.S. Bureau of Indian Affairs, 1995 to 1998)*
- PIA study and review of technical basis supporting the Fort Peck-Montana Compact, Fort Peck Indian Reservation, Montana. *(U.S. Department of Justice, 1997)*

JOE DEMAGGIO, P.E.

Supervising Civil / Agricultural Engineer

- PIA study for 1,800 acres including appraisal-level RCC dam design and cost estimation for the Shivwits Indian Reservation, Utah. *(U.S. Department of Justice, 1997)*
- Center Pivot, micro sprinkler and drip irrigation system design and cost estimation for 6,000 acres located on the Navajo Indian Reservation, Arizona. *(Natural Resources Consulting Engineers, 1994 to 1996)*
- Crop water requirement and presently/historically irrigated acreage determination for the Owyhee River basin located upstream of the Duck Valley Indian Reservation, Nevada. *(Shoshone-Paiute Tribes, 1994 to 1995)*
- Design and cost estimation for four dams/reservoirs and water delivery system operation model for about 130,000 irrigated acres as part of the Uinta Basin Replacement Project, Utah. *(Northern Ute Indian Tribe, 1994 to 1995)*
- Sprinkler and drip irrigation system and pump station design and cost estimation for 32,700 acres located in the Toppenish, Simcoe and Satus Creek basins on the Yakama Indian Reservation, Washington. *(HKM Associates and U.S. Department of Justice, 1994 to 1995)*
- Quantification of the water resources and irrigation system design and cost estimation for a PIA study for 18,000 acres, Fort Belknap Indian Reservation, Montana. *(U.S. Bureau of Indian Affairs, 1987 to 1994)*
- U.S. Whiterocks Canal water distribution and operation study for 4,000 acres of irrigated land located on the Uintah and Ouray Indian Reservation, Utah. *(Northern Ute Indian Tribe, Uintah and Ouray Reservation, Utah, 1993 to 1994)*
- Quantification of the water resources and irrigation system design and cost estimation for a PIA study for 30,000 acres, Flathead Indian Reservation, Montana. *(U.S. Bureau of Indian Affairs, 1986 to 1994)*
- Sprinkler and drip irrigation system and pump station design and cost estimation for 3,600 acres located in the Ahtanum Creek basin on the Yakama Indian Reservation, Washington. *(U.S. Department of Justice, 1993)*
- On-farm irrigation system design and cost estimation for 33,000 acres using center pivots, drip, micro sprinklers and level furrow irrigation systems for the proposed Leupp Irrigation Project located on the Navajo and Hopi Indian Reservations, Arizona. *(U.S. Department of Justice 1991 to 1992)*
- Outlet Creek Waterfowl Production Area review of impacts on Tribal water supply, Fort Peck Indian Reservation, Montana. *(Sonosky, Chambers, Sachse & Endreson, 1992)*
- Surface water depletion study and agricultural development plan including irrigation system design and cost estimation for a PIA study for 100,000 acres, Yakama Indian Reservation, Washington. *(U.S. Department of Justice, 1984 to 1991)*
- Irrigation development plan for the south slope of Ahtanum Ridge, consisting of about 9,000 acres, Yakama Indian Reservation, Washington. *(Confederated Tribes and Bands of the Yakama Indian Nation, 1990)*

JOE DEMAGGIO, P.E.

Supervising Civil / Agricultural Engineer

- Conceptual irrigation system design for the Duck Valley Indian Reservation, Idaho.
(U.S. Bureau of Indian Affairs, 1988)
- Feasibility study of using drainage runoff water to irrigate 3,000 acres of land located on the Fallon Naval Air Station, Nevada.
(Pyramid Lake Paiute Tribe, 1987)
- Center pivot and wheelline sprinkler irrigation system design for 2,400 acres using water pumped from Truckee River, Nevada.
(Pyramid Lake Paiute Tribe, 1987)
- Studies in connection with the “President’s Water Policy Implementation 10-Year Plan for Review of Indian Water Claims” including water supply, irrigation water requirements, irrigation system design and cost estimation and related studies, Fort Hall Indian Reservation, Idaho.
(Shoshone and Bannock Tribes, 1984 to 1987)
- Drip irrigation system evaluation for five acres of specialty crops, Hollister, California.
(Cienega Valley Farms, 1986)
- Irrigation system design and cost estimation for 1,100 acres and water resources and water requirement evaluation, Warm Springs Indian Reservation, Oregon.
(Confederated Tribes of the Warm Springs Reservation, 1984)
- Quantification of water resources and potential water requirements of the Fort Belknap and Rocky Boys Indian Reservations, Montana. *(U.S. Bureau of Indian Affairs, 1982 to 1984)*
- Design and construction supervision of a drip irrigation system, including well and filtration system, for 140 acres of wine grapes located in Hollister, California.
(Almaden Vineyards, 1984)
- Preliminary water and land resource inventory and design and cost estimation of center pivot irrigation system for 1,500 acres, Standing Rock Sioux Indian Reservation, North Dakota.
(Standing Rock Sioux Tribe, 1983)
- Water resource and agricultural development investigations for a PIA study for the San Carlos Indian Reservation, Arizona.
(San Carlos Apache Tribe, 1981)
- Preparation of comprehensive water development plan including an agricultural engineering study of potential irrigation water demand, Northern Cheyenne Indian Reservation, Montana.
(U.S. Bureau of Indian Affairs, 1979 to 1983)
- Agricultural system development plan including irrigation system design and cost estimation for a PIA study for 60,000 acres, and determination of future and historic irrigation water requirements, Wind River Indian Reservation, adjudication of the Big Horn River System, Wyoming. *(U.S. Bureau of Indian Affairs and U.S. Department of Justice, 1979 to 1982)*

Municipal Engineering and Facilities Design

- Water treatment plant design for Stinson Beach, California.
(Stinson Beach Water District, 2008 to present)

JOE DEMAGGIO, P.E.

Supervising Civil / Agricultural Engineer

- Design plans and specifications for 60 foot span bridge crossing Pala Creek on the Pala Indian Reservation, California. *(Pala Tribe, 2008 to present)*
- Water distribution system evaluation, City of Solvang, California. *(ID#1, 2008)*
- Design plans for capital improvement projects for Santa Ynez River Water Conservation District No.1 (ID#1), California. *(ID#1, 2006 to present)*
- Water Delivery System Hydraulic Capability – Evaluation for Santa Ynez River Water Conservation District Improvement District No. 1 (ID#1), California. *(ID# 1, 2006 to 2007)*
- Pump station design for Hollywood Hills Memorial Park, California. *(Forest Lawn, 2005 to 2007)*
- Structural analysis for single family residence located in Bear Valley, California. *(Steve Evanko, 2006)*
- Preparation of a reconnaissance level plan for relocating the Hoh Indian Tribe's Housing and Municipal facilities, Washington. *(Entrix, 2005 to 2006)*
- Prepare improvement plans and management plan for Lake H and I and Cope Lake groundwater recharge facilities located in Pleasanton, California. *(Zone 7 Water Agency, 2002 to 2006)*
- Arroyo Mocho turnout and fish screen design for a 100 cfs capacity for diversion of state water project water, California. *(Hanson Aggregates, 2002 to 2006)*
- Design three creek crossings for rural driveway access across Arroyo Mocho located in Livermore, California. *(Zone 7 Water Agency, 2003 to 2005)*
- Prepare design plans and specifications for a temporary 35 cfs pumping plant. *(Zone 7 Water Agency, 2003 to 2004)*
- Prepare water supply study for Marin Country Club. *(Marin Country Club, 2004)*
- Well pump specification for six municipal wells located in the San Gabriel Valley Water District, California. *(San Gabriel Water Company, 2003 to 2004)*
- Prepare construction design plans and specifications for two 6-inch diameter outlet works for two dams. *(Wetlands Research Associates, 2001)*
- Water System Master Plan for the town of Wadsworth, Nevada. *(Pyramid Lake Paiute Tribe, 2000 to 2001)*
- Gallery well water delivery system evaluation located in Santa Ynez, California. *(Santa Ynez River Water Conservation District, Improvement District No. 1, 1998 to 2000)*
- Conformance review and report for a 3,800 gpm capacity booster pump station located in Santa Ynez, California. *(Santa Ynez River Water Conservation District, Improvement District No. 1, 1998 to 1999)*

JOE DEMAGGIO, P.E.

Supervising Civil / Agricultural Engineer

- Design and construction of a booster pump station with 1,100 gpm capacity located in Santa Ynez, California.
(Santa Ynez River Water Conservation District, Improvement District No. 1, 1998)
- Design and specifications for a booster pump station with 6,000 gpm capacity costing \$300,000 for delivering water from the State Water Project to Santa Ynez Water Conservation District, California.
(Santa Ynez River Water Conservation District, Improvement District No. 1, 1995 to 1996)
- Conjunctive water use study including irrigation system survey, water use investigation and irrigation economics study for the Lower Mokelumne River area, California.
(East Bay Municipal Utility District, 1994)
- Design of pipeline connection from State Water Project to existing Santa Ynez Water Conservation Districts system, Santa Ynez, California.
(Santa Ynez River Water Conservation District Improvement District No. 1, 1991)
- Design the pipeline connection from the State Water Project to the City of Buellton's existing system, Buellton, California.
(Buellton Community Services District, 1991)
- Water tank design and water treatment plant modifications for the City of Buellton, California.
(Buellton Community Services District, 1990)
- Evaluate the water supply and present demand, and estimate the future water demand for the City of Buellton. Determined future system improvements needed for development based on computerized Hardy Cross pipe network analysis for the City of Buellton, California.
(Buellton Community Services District, 1987)
- Assessment of the probable cause of foundation movement of a house located in Moraga, California.
(Action Adjusters and Appraisers, 1986)
- Appraisal-level design and cost estimate for an inverted siphon under the Missouri River, Fort Peck Indian Reservation, Montana.
(U.S. Bureau of Indian Affairs, 1984)

Flood Control and Restoration

- Watershed Flood Damage reduction and creek management study for Corte Madera Creek/ San Anselmo Creek, California.
(Marin County Flood Control & Water Conservation District, 2009)
- Hydrology and hydrologic analysis for the design of the Lagunitas Road bridge located in Ross, California.
(URS Corporation, 2007 to 2008)
- Provide construction design plans, specifications and cost estimates for creek channel design and culvert replacement to improve fish passage at five sites located in Woodacre, California.
(Marin County Department of Public Works, 2005 to 2008)
- Fish ladder design and cost estimate at Pastori, Sanders and Lansdale sites on San Anselmo Creek, California.
(Friends of Corte Madera Creek, 2005 to present)

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Supervising Civil / Agricultural Engineer

- Prepare design plans for creek bank erosion control on Fairfax Creek, California.
(John Legnitto, 2007)
- Prepare design plans for creek bank erosion control on Fairfax Creek, California.
(Scot Lance, 2006 to 2007)
- Analysis of fish passage and bank stability on Corte Madera Creek below Lagunitas Bridge, Fairfax, California.
(Friends of Corte Madera Creek Watershed, 2005 to 2006)
- Prepare design plans for creek bank erosion control on Novato Creek, California.
(Art Olsen, 2006)
- Prepare design plans for creek bank erosion control on Fairfax Creek, California.
(Laury Croter, 2006)
- Prepare design plans for creek bank erosion control on Fairfax Creek, California.
(Gary Leo, 2006)
- Review of 100-year flood hydrology and hydraulics in connection with the environmental study of Corte Madera Pond, California.
(Town of Corte Madera, 2004 to 2005)
- Prepare design plans for creek bank stabilization on San Anselmo Creek, California.
(Kunst Family Trust, 2003 to 2004)
- Determine 100-year flood flow and water surface elevation for HUD housing on the Duck Valley Indian Reservation, Nevada.
(Shoshone-Paiute Tribes, 2004)
- Appian Creek channel improvements design and construction, El Sobrante, California.
(Salvation Army, 1993)

Water Rights Investigations

- Consultant for Imperial Irrigation District equitable distribution of water group, Imperial California.
(Mike Maloney, 2006 to 2008)
- Water rights investigations for the Newlands Project, Nevada.
(Pyramid Lake Paiute Tribe, 1999 to present)
- Participation in the Fort Belknap Indian Reservation water rights negotiations with the Montana Reserved Water Rights Compact Commission.
(U.S. Bureau of Indian Affairs, 1998 to 2006)
- Participation in the Flathead Indian Reservation Federal Negotiation Technical Team water rights negotiations, Montana.
(U.S. Bureau of Indian Affairs, 1998 to present)
- Quantification of the reserved water rights for the Umatilla Indian Reservation, Oregon.
(Confederated Tribes of the Umatilla Indian Reservation, 2005)
- Quantification of DCMI water rights claim for the Pascua Yaqui Indian Reservation, Arizona.
(Pascua Yaqui Tribe, 2004)

JOE DEMAGGIO, P.E.

Supervising Civil / Agricultural Engineer

- Determine crop water requirements for Safford Valley lands in connection with Globe Equity decree, Arizona. *(U.S. Department of Justice, 2001 to 2003)*
- Water rights negotiation for the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation with the State of Idaho and Riddle Ranch. *(Shoshone-Paiute Tribes, 1999 to 2003)*
- Water rights negotiation for the Shoshone-Paiute Tribes with the State of Nevada and the Owyhee River upstream water users. *(Shoshone Paiute Tribes, 1995 to 2003)*
- Technical analysis supporting the Fort Peck-Montana compact, Montana. *(U.S. Department of Justice, 1997)*
- Surface water resources investigation, Little Colorado River basin, determination of present and future water use and preparation of preliminary water rights claims, Navajo and Hopi Indian Reservations, Arizona. *(U.S. Department of Justice, 1985 to 1991)*
- Determination of available water supply, present and future water requirements and preparation of preliminary water rights claims, Camp Verde, Prescott and Fort McDowell Indian Reservations, Arizona. *(U.S. Bureau of Indian Affairs, 1985)*

Surface Water Resource Studies

- Prefeasibility Analysis of the Valseltz Reservoir for the Siletz Indians, Oregon. *(Entrix, 2008)*
- HYDROSS model review and calibration for the Flathead Indian Irrigation Project (120,000 acres) for the Flathead Indian Reservation, Montana. *(U.S. Bureau of Indian Affairs, 1998 to present)*
- Evaluate El Vado Reservoir operation model for the storage of their prior and paramount water rights for the Pueblo of Isleta, New Mexico. *(Pueblo of Isleta, 2004 to 2006)*
- HYDROSS model documentation report for the Milk River Basin, Montana. *(U.S. Bureau of Indian Affairs, 1998 to 1999)*
- Design and cost estimation for Little Bighorn Dam, located on the Crow Indian Reservation, Montana. *(U.S. Bureau of Indian Affairs, 1996 to 2000)*
- Inventory of surface water supplies potentially available to the Round Valley Tribe; developed model to determine unregulated and natural flow from gaged data for the upper Eel River basin to evaluate the Potter Valley Project (FERC relicense) transbasin diversion impacts; use the model to evaluate the Potter Valley Projects transbasin diversions and reservoir operation scenarios impact on the fishery; develop fisheries flow regimes. *(Round Valley Indian Tribe, 1997 to 1999)*
- Fresno Reservoir enlargement, conceptual irrigation development plan, and wildlife habitat, design and cost estimation for the Fort Belknap Indian Reservation, Montana. *(U.S. Bureau of Indian Affairs, 1995 to 1998)*

JOE DEMAGGIO, P.E.

Supervising Civil / Agricultural Engineer

- RCC dam design and cost estimation for the Shivwits Indian Reservation, Utah.
(U.S. Dept. of Justice, 1997)
- Design and cost estimation for four dams/reservoirs located on the Uintah and Ouray Reservation, Utah.
(Northern Ute Indian Tribe, 1994 to 1995)
- Reservoir operation model for three proposed reservoirs located on the Fort Belknap Indian Reservation, Montana.
(U.S. Bureau of Indian Affairs, 1994)
- Appraisal-level dam and spillway design and cost estimation for three dams located on the Fort Belknap Indian Reservation, Montana. *(U.S. Bureau of Indian Affairs, 1990 to 1991)*

Ground Water Resource Studies

- Groundwater recharge pond design plans and specifications for Camp Pendleton, California.
(United States Marine Corps, 2008 to present)
- Value engineering construction cost evaluation of estimates made by USBR and Bookman-Edmonston for the Madera Ranch Groundwater Banking Project.
(U.S. Bureau of Reclamation, 1998)
- Groundwater modeling for Pryor Creek, Crow Indian Reservation, Montana.
(White Shield International, 1996 to present)
- Analysis of benefits and costs of the seepage reduction options available to the San Luis Drainage Unit located in the Central Valley of California. *(U.S. Bureau of Reclamation, 1990)*

Environmental Engineering Studies

- Lake O'Neill dredging design plans and specifications for Camp Pendleton, California.
(United States Marine Corps, 2008 to present)
- Evaluation of Boadle Tract Duck Ponds located near Great Falls, Montana.
(Montana Department of Justice 2008 to present)
- Evaluation of water system facilities for Zuni Heaven Wetlands, Arizona.
(Zuni Tribe, 2005 to present)
- Prepare construction plan edits for the N-1 Channel filling for a 160-acre wetland development located in Fremont, California. *(Prologis, 2006 to 2007)*
- Review of hydrology and hydraulics in connection with environmental study of Corte Madera pond located in Corte Madera, California. *(Town of Corte Madera, 2004)*
- Lake O'Neill rehabilitation feasibility study for a 1,500 acre-foot lake located on Camp Pendleton, California. *(United States Marine Corps, 2004)*
- Prepare construction plans and specifications for a 45-acre wetland development located in Fremont, California. *(Wetlands Research Associates, 2002)*

JOE DEMAGGIO, P.E.

Supervising Civil / Agricultural Engineer

- Santa Margarita River Recharge and Recovery Enhancement Program, Permit 15000 Feasibility Study for Marine Corps Base, Camp Pendleton.
(United States Marine Corps, 2000 to 2001)
- Programmatic Environmental Assessment on Section 504 of Title V, Public Law 102-575 for the Uintah and Ouray Indian Reservation, Utah. *(Northern Ute Tribe, 1999 to 2001)*
- Prepare construction plans for wetlands as part of a mitigation plan for a housing development in Rohnert Park, California. *(Brookfield Homes, 2001)*
- Prepare construction plans and specifications for 160 acres of wetlands including design of a temporary steel bridge for a 100-ton scraper. *(Wetlands Research Associates, 2001)*
- Review and comment on Water Quality Standards submitted by the Shoshone-Paiute Tribes to the EPA. *(Shoshone-Paiute Tribes, 2000)*

Expert Witness Testimony

- United States v. Alpine Land & Reservoir Company (Civil No.D-184-HDM). Water right transfer hearings for the Newlands Project, Nevada.
(Pyramid Lake Paiute Tribe, 2000 to present)
- Testify at the State of California Water Resources Control Board hearings regarding agriculture water use efficiency for 9,000 acres served by the Cachuma Project located near Santa Barbara, California. *(Cachuma Conservation District, 2003)*
- State of Washington, Department of Ecology v. Acquavella, et al., (Civil No. 77-2-01484-5), Superior Court, Yakima County, Washington. Off-Reservation Allotment Number HA-355 Conceptual Irrigation Development Plan and Irrigation Water Requirements, Yakima Indian Nation, Washington. *(U.S. Department of Justice, 2001)*
- State of Washington, Department of Ecology v. Acquavella, et al., (Civil No. 77-2-01484-5), Superior Court, Yakima County, Washington. Irrigation system design and cost for the Yakama Indian Nation, Washington. *(U.S. Department of Justice, 1991)*

PROFESSIONAL AFFILIATIONS

- American Society of Agricultural Engineers

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA)	
and	)	07cv00681-BB
ZUNI INDIAN TRIBE,)	
	)	ZUNI RIVER BASIN
Plaintiffs,	)	ADJUDICATION
)	
-v-)	
)	
STATE OF NEW MEXICO, ex rel.)	
STATE ENGINEER, et al.,	)	Subproceeding 1
	)	Zuni Indian Claims
Defendants.)	
_____)	

**CERTIFICATE OF SERVICE
OF ZUNI INDIAN TRIBE'S DISCLOSURES**

The Zuni Indian Tribe, through undersigned counsel, hereby certifies that, pursuant to Fed.R.Civ.P. 26(a)(2) and the September 24, 2008 *Scheduling Order* (Doc. No. 264), on March 12, 2009, the *Zuni Indian Tribe's Rule 26(a)(2) Disclosures Concerning Claims Based on Evidence of Past or Present Irrigation By Means of Permanent Irrigation Works* were served via first class mail, postage prepaid on the following counsel of record and *pro se* parties:

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