

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

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

TAMPICO SPRINGS 3000, LLC'S INITIAL DISCLOSURE STATEMENT PURSUANT TO Fed. R. Civ. P. 26(A)(1)

Defendant Tampico Springs 3000, LLC ("Defendant"), by and through its undersigned counsel, submits its Initial Disclosure Statement pursuant to Fed. R. Civ. P. 26(a)(1) and the Initial Scheduling and Planning Order, entered in this matter on January 3, 2008. Defendant reserves its right, pursuant to its continuing duty under Fed. R. Civ. P. 26(e)(1) to supplement and/or correct their Initial Disclosure Statement.

A. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION THAT DEFENDANTS MAY USE TO SUPPORT THEIR CLAIMS OR DEFENSES:

1. Ron Kohner
Tampico Springs 3000, LLC
20860 N. Tatum Blvd., Suite 175
Phoenix, Arizona 85050
(623) 581-5551

Mr. Kohner is Manager of Tampico Springs 3000, LLC. He may have discoverable information with respect to the water rights claims held by Defendant in the Zuni River Basin in New Mexico that could be affected by the water rights claims made by the United States and the Zuni Indian Tribe in this matter.

B. DESCRIPTION BY CATEGORY AND LOCATION OF ALL DOCUMENTS AND TANGIBLE THINGS IN POSSESSION, CUSTODY OR CONTROL OF DEFENDANTS:

1. State Engineer permits for water rights claimed by Defendant in the Zuni River Basin in New Mexico.

2. The above documents, to the extent they are in possession, custody or control of Defendant and are not privileged or protected from disclosure, are available for inspection and copying by appointment at the office of counsel for Defendant. To date, specific documents that are subject to the claim of privilege or non-disclosure have not been identified. As documents or materials are reviewed that are subject to a claim of privilege or non-disclosure, such will be identified in particularity and a privilege log will be prepared as provided by Fed. R. Civ. P. 26(b)(5).

C. DESCRIPTION OF CATEGORIES OF DAMAGES:

Not applicable.

D. INSURANCE AGREEMENTS:

Not applicable.

E. RULE 26(e) SUPPLEMENTATION:

The disclosures made herein are based upon Defendant's current understanding of the claims and defenses asserted and issues raised by the pleadings with particularity. As these claims, defenses and issues are more fully developed during the progress of this proceeding, additional persons with knowledge and/or additional relevant documents may become known. Defendant will supplement or revise the disclosures contained herein in accordance with Fed. R. Civ. P. 26(e).

Respectfully submitted,

By:  _____

James M. Noble
Ryley Carlock & Applewhite
1999 Broadway, Suite 1800
Denver, Colorado 80202
Telephone: (303) 813-6713
E-mail: jnoble@rcalaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on July 25, 2008, a true and correct copy of the foregoing **TAMPICO SPRINGS 3000, LLC'S INITIAL DISCLOSURE STATEMENT PURSUANT TO Fed. R. Civ. P. 26(A)(1)** was served on the following counsel and pro se parties to this subproceeding by U.S. Mail.

Arianne Singer
Edward C. Bagley
Office of the State Engineer –
Legal Division
P.O. Box 25102
Santa Fe, NM 87504

William G. Stripp
P.O. Box 159
Ramah, NM 87321

Bidtah Becker
Navajo Nation Dept. of Justice
P.O. Box 2010
Window Rock, AZ 86515

Cary and Lynne Grinold
P.O. Box 828
Ramah, NM 87321


Bradley S. Bridgewater
U.S. Dept. of Justice
1961 Stout Street, 8th Floor
Denver, CO 80294

James E. Haas, Esq.
Losee, Carson & Haas, P.A.
P.O. Box 1720
Artesia, NM 88211-1720

Jane Marx
2825 Candelaria Road, NW
Albuquerque, NM 87107

Peter B. Shoenfeld
P.O. Box 2421
Santa Fe, NM 87504

Tanya Scott
Law & Resource Planning Assoc.
201 3rd Street NW, Ste. 1750
Albuquerque, NM 87102



James M. Noble