

EXHIBIT B

Interrogatory No. 1:

1. Please identify all person(s) providing information for the answering of these interrogatories, requests for production, and requests for admission, including his or her name, occupation, job and/or office description, address and telephone number. Please also identify the interrogatory answers, requests for production responses, and request for admission responses for which each person supplied information.

Interrogatory No. 2:

2. **Discrete Subpart A:** Please identify (as that term is defined above), the present-day boundaries of the Zuni Reservation in New Mexico, as well as any other lands claimed by the Zuni Tribe or individual Zuni allottees (whether individually owned or held in trust) in New Mexico, or lands which the United States holds in trust for the Zuni Tribe in New Mexico.
3. **Discrete Subpart B:** [I]dentify (as that term is defined above) any map, drawing, diagram, survey, patent, deed, grant, or other document (as that term is defined above) which describes, depicts or otherwise references the lands described pursuant to this Interrogatory.

Interrogatory No. 3:

4. **Discrete Subpart A:** For the lands described in your response to Interrogatory No. 2, please identify (as that term is defined above) those portions for which you claim that the Zuni Tribe (and/or the United States as holder of trust lands) holds aboriginal title.
5. **Discrete Subpart B:** For the lands described in your response to Interrogatory No. 2, please identify (as that term is defined above) . . . those [portions] for which a reservation was established by executive order, those for which a reservation was created by an act of Congress, those for which a grant, patent or deed was issued from any sovereign, and those for which title was acquired by some other means. (For any lands in the last category, please identify the means by which title was acquired by the Zuni Tribe or the United States.)
6. **Discrete Subpart C:** In answering this Interrogatory, please identify (as that term is defined above) any map, drawing, diagram, survey, patent, deed, grant, or other document (as that term is defined above) which describes, depicts or otherwise references the lands described pursuant to this Interrogatory.

Interrogatory No. 4:

7. For each of the categories of the title identified in your response to Interrogatory No. 3, please identify the date on which the Zuni Tribe and/or the United States acquired title to that portion of land.

Interrogatory No. 5:

8. For each category of water rights claimed in your Subproceeding Complaint and Statement of Claims [Doc. No. 1], please identify whether you claim those water rights pursuant to the federal reserved water rights doctrine in *Winters v. United States*, 207 U.S. 564 (1908), aboriginal rights such as those discussed in *State ex rel. Reynolds v. Aamodt*, 618 F. Supp. 993 (D.N.M. 1985), pueblo rights such as those discussed in that case, or some other basis in Federal or State Law.

Interrogatory No. 6:

9. **Discrete Subpart A:** For each of the Impoundments identified in Table 1 of your Subprocessing Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): (1) the date of construction,
10. **Discrete Subpart B:** For each of the Impoundments identified in Table 1 of your Subprocessing Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (2) the priority date claimed (if different from the date of construction),
11. **Discrete Subpart C:** For each of the Impoundments identified in Table 1 of your Subprocessing Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (3) the persons(s) responsible for the construction,
12. **Discrete Subpart D:** For each of the Impoundments identified in Table 1 of your Subprocessing Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (4) whether the impoundment has been continually used for the stated purposes(s) [sic] since construction, (5) the dates and causes of any non-use of the impoundment,
13. **Discrete Subpart E:** For each of the Impoundments identified in Table 1 of your Subprocessing Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (6) the amount of water actually put to beneficial use (as opposed to simply stored) from each impoundment,
14. **Discrete Subpart F:** For each of the Impoundments identified in Table 1 of your Subprocessing Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (7) the category of land (as described in your response to Interrogatory No. 3) on which the Impoundment lies, and
15. **Discrete Subpart G:** For each of the Impoundments identified in Table 1 of your Subprocessing Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (8) whether you claim the resulting water right pursuant to the federal reserved water rights doctrine in *Winters v. United States*, 207 U.S. 564 (1908), the aboriginal/pueblo water rights doctrines such as those discussed in *State ex rel. Reynolds v. Aamodt*, 618 F. Supp. 993 (D.N.M. 1985), or some other legal theory.

Interrogatory No. 7:

16. **Discrete Subpart A:** For each of the Reservoirs identified in Table 2 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): (1) the date of construction,
17. **Discrete Subpart B:** For each of the Reservoirs identified in Table 2 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (2) the priority date claimed (if different from the date of construction),
18. **Discrete Subpart C:** For each of the Reservoirs identified in Table 2 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (3) the person(s) responsible for the construction,
19. **Discrete Subpart D:** For each of the Reservoirs identified in Table 2 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (4) whether the reservoir has been continually used for the stated purpose(s) since construction, (5) the dates and causes of any non-use of the reservoir,
20. **Discrete Subpart E:** For each of the Reservoirs identified in Table 2 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (6) the amount of water actually put to beneficial use (as opposed to simply stored) from each reservoir,
21. **Discrete Subpart F:** For each of the Reservoirs identified in Table 2 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (7) the category of land (as described in your response to Interrogatory No. 3) on which the Reservoir lies,
22. **Discrete Subpart G:** For each of the Reservoirs identified in Table 2 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (8) whether you claim the resulting water right pursuant to the federal reserved water rights doctrine in *Winters v. United States*, 207 U.S. 564 (1908), the aboriginal/pueblo water rights doctrines such as those discussed in *State ex rel. Reynolds v. Aamodt*, 618 F. Supp. 993 (D.N.M. 1985), or some other legal theory.

Interrogatory No. 8:

23. **Discrete Subpart A:** For each of the Wells identified in Table 3 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): (1) the date of construction,

24. **Discrete Subpart B:** For each of the Wells identified in Table 3 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (2) the priority of the [sic] date claimed (if different from the date of construction),
25. **Discrete Subpart C:** For each of the Wells identified in Table 3 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (3) the person(s) responsible for the construction,
26. **Discrete Subpart D:** For each of the Wells identified in Table 3 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (4) the depth of each Well and the depth of the water, (5) the size of casing of each Well,
27. **Discrete Subpart E:** For each of the Wells identified in Table 3 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (6) the capacity of each Well in gallons per minute,
28. **Discrete Subpart F:** For each of the Wells identified in Table 3 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (7) the size and type of pump for each Well,
29. **Discrete Subpart G:** For each of the Wells identified in Table 3 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (8) whether each Well has been continually used for the stated purpose(s) since construction, (9) the dates and causes of any non-use of the Well,
30. **Discrete Subpart H:** For each of the Wells identified in Table 3 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (10) the claimed water right from each Well (if different from the amount of water actually put to beneficial use),
31. **Discrete Subpart I:** For each of the Wells identified in Table 3 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (11) the category of land, (as described in your response to Interrogatory No. 3) on which the Well lies, and
32. **Discrete Subpart J:** For each of the Wells identified in Table 3 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (12) whether you claim the resulting water right pursuant to the federal reserved water rights doctrine in *Winters v. United States*, 207 U.S. 564 (1908), the aboriginal/pueblo water rights doctrines such as those discussed in *State ex rel. Reynolds v. Aamodt*, 618 F. Supp. 993 (D.N.M. 1985), or some other legal theory.

Interrogatory No. 9:

33. **Discrete Subpart A:** For each of the Springs identified in Table 4 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): (1) whether any diversion structure or other improvement has been constructed to divert water from the Spring, (2) the date of construction of such diversion structure or other improvement.
34. **Discrete Subpart B:** For each of the Springs identified in Table 4 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (3) the priority date claimed (if different from the date of construction).
35. **Discrete Subpart C:** For each of the Springs identified in Table 4 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (4) the person(s) responsible for the construction.
36. **Discrete Subpart D:** For each of the Springs identified in Table 4 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (5) whether the Spring has been continually used for the stated purpose(s) since construction, (6) the dates and causes of any non-use of the Spring.
37. **Discrete Subpart E:** For each of the Springs identified in Table 4 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (7) the amount of water actually put to beneficial use from each spring.
38. **Discrete Subpart F:** For each of the Springs identified in Table 4 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (8) the claimed water right from each Spring (if different from the amount of water actually put to beneficial use).
39. **Discrete Subpart G:** For each of the Springs identified in Table 4 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (9) the category of land (as described in your response to Interrogatory No. 3.) on which the Spring lies.
40. **Discrete Subpart H:** For each of the Springs identified in Table 4 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (10) whether you claim the resulting water right pursuant to the federal reserved water rights doctrine in *Winters v. United States*, 207 U.S. 564 (1908), the aboriginal/pueblo water rights doctrines such as those discussed in *State ex rel. Reynolds v. Aamodt*, 618 F. Supp. 993 (D.N.M. 1985), or some other legal theory.

Interrogatory No. 10:

41. **Discrete Subpart A:** For each of the Tracts Irrigated by Permanent Works identified in Table 5 to your Subproceeding Complaint and Statement of Claims [Doc. No 1], please

identify (as that term is defined above): (1) the date on which water was first put to beneficial use on the tract.

42. **Discrete Subpart B:** For each of the Tracts Irrigated by Permanent Works identified in Table 5 to your Subproceeding Complaint and Statement of Claims [Doc. No 1], please identify (as that term is defined above): . . . (2) the priority date claimed (if different from the date of first beneficial use of water).
43. **Discrete Subpart C:** For each of the Tracts Irrigated by Permanent Works identified in Table 5 to your Subproceeding Complaint and Statement of Claims [Doc. No 1], please identify (as that term is defined above): . . . (3) the person(s) responsible for the irrigation of the tract, currently and historically.
44. **Discrete Subpart D:** For each of the Tracts Irrigated by Permanent Works identified in Table 5 to your Subproceeding Complaint and Statement of Claims [Doc. No 1], please identify (as that term is defined above): . . . (4) the type(s) of crops grown on each tract, currently and historically.
45. **Discrete Subpart F:** For each of the Tracts Irrigated by Permanent Works identified in Table 5 to your Subproceeding Complaint and Statement of Claims [Doc. No 1], please identify (as that term is defined above): . . . (5) the complete factual basis for the claimed diversion and consumptive use amounts related to each tract.
46. **Discrete Subpart G:** For each of the Tracts Irrigated by Permanent Works identified in Table 5 to your Subproceeding Complaint and Statement of Claims [Doc. No 1], please identify (as that term is defined above): . . . (6) whether the Tract has been continually irrigated since water was first put to beneficial use, (7) the dates and causes of any non-irrigation of the Tract.
47. **Discrete Subpart H:** For each of the Tracts Irrigated by Permanent Works identified in Table 5 to your Subproceeding Complaint and Statement of Claims [Doc. No 1], please identify (as that term is defined above): . . . (8) the maximum amount of water actually put to beneficial use on each Tract.
48. **Discrete Subpart I:** For each of the Tracts Irrigated by Permanent Works identified in Table 5 to your Subproceeding Complaint and Statement of Claims [Doc. No 1], please identify (as that term is defined above): . . . (9) the claimed water right from each Tract (if different from the amount of water actually put to beneficial use).
49. **Discrete Subpart J:** For each of the Tracts Irrigated by Permanent Works identified in Table 5 to your Subproceeding Complaint and Statement of Claims [Doc. No 1], please identify (as that term is defined above): . . . (10) the category of land (as described in your response to Interrogatory No. 3) on which the Tract lies.
50. **Discrete Subpart K:** For each of the Tracts Irrigated by Permanent Works identified in Table 5 to your Subproceeding Complaint and Statement of Claims [Doc. No 1], please

identify (as that term is defined above): . . . (11) whether you can claim the resulting water rights pursuant to the federal reserved water rights doctrine in *Winters v. United States*, 207 U.S. 564 (1908), the aboriginal/ pueblo water rights doctrines such as those discussed in *State ex rel. Reynolds v. Aamodt*, 618 F. Supp. 993 (D.N.M. 1985), or some other legal theory.

Interrogatory No. 11:

51. **Discrete Subpart A:** For each of the Irrigation Water Conveyances identified in Table 7 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): (1) the date of construction.
52. **Discrete Subpart B:** For each of the Irrigation Water Conveyances identified in Table 7 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (2) the person(s) responsible for the construction.
53. **Discrete Subpart C:** For each of the Irrigation Water Conveyances identified in Table 7 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (3) the capacity of each conveyance structure.
54. **Discrete Subpart D:** For each of the Irrigation Water Conveyances identified in Table 7 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (4) whether the conveyance structure has been used since construction, (5) the dates and causes of any non-use of the conveyance structure.
55. **Discrete Subpart E:** For each of the Irrigation Water Conveyances identified in Table 7 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (6) the land on which water was put to beneficial use by the conveyance structures and the purpose(s) thereof.
56. **Discrete Subpart F:** For each of the Irrigation Water Conveyances identified in Table 7 to your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (7) the maximum amount of water actually conveyed by each structure.

Interrogatory No. 12:

57. **Discrete Subpart A:** For each of the Tracts Irrigated by Means of Seasonal or Temporary Works identified in Table 7 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): (1) the date on which water was first put to beneficial use on the tract.
58. **Discrete Subpart B:** For each of the Tracts Irrigated by Means of Seasonal or Temporary Works identified in Table 7 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (2) the priority date claimed (if different from the date of first beneficial use of water).

59. **Discrete Subpart C:** For each of the Tracts Irrigated by Means of Seasonal or Temporary Works identified in Table 7 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (3) the person(s) responsible for the irrigation of the tract, currently and historically.
60. **Discrete Subpart D:** For each of the Tracts Irrigated by Means of Seasonal or Temporary Works identified in Table 7 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (4) the type(s) of crop grown on each tract, currently and historically.
61. **Discrete Subpart E:** For each of the Tracts Irrigated by Means of Seasonal or Temporary Works identified in Table 7 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (5) the complete factual basis for the claimed diversion and consumptive use amounts related to each tract.
62. **Discrete Subpart F:** For each of the Tracts Irrigated by Means of Seasonal or Temporary Works identified in Table 7 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (6) whether the Tract, has been continually irrigated since water was first put to beneficial use, (7) the dates and causes of any non-irrigation of the Tract.
63. **Discrete Subpart G:** For each of the Tracts Irrigated by Means of Seasonal or Temporary Works identified in Table 7 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (8) the maximum amount of water actually put to beneficial use on each Tract.
64. **Discrete Subpart H:** For each of the Tracts Irrigated by Means of Seasonal or Temporary Works identified in Table 7 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (9) the claimed water right from each tract (if different from the amount of water actually put to beneficial use).
65. **Discrete Subpart I:** For each of the Tracts Irrigated by Means of Seasonal or Temporary Works identified in Table 7 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (10) the diversion structure(s) used to convey water to the Tract.
66. **Discrete Subpart J:** For each of the Tracts Irrigated by Means of Seasonal or Temporary Works identified in Table 7 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], please identify (as that term is defined above): . . . (11) the category of land (as described in your response in Interrogatory No. 3) on which the Tract lies.
67. **Discrete Subpart K:** For each of the Tracts Irrigated by Means of Seasonal or Temporary Works identified in Table 7 of your Subproceeding Complaint and Statement

of Claims [Doc. No.1], please identify (as that term is defined above): . . . (12) whether you claim the resulting water right pursuant to the federal reserved water rights doctrine such as those discussed in *Winters v. United States*, 207 U.S. 564 (1908), the aboriginal/pueblo water rights doctrines such as those discussed in *State ex rel. Reynolds v. Aamodt*, 618 F. Supp. 993 (D.N.M. 1985), or some other legal theory.

Interrogatory No. 13:

68. Please describe the entire factual basis for the amount of water for which you claim right [sic] to divert and deplete from wells and springs in paragraph 18 of your Subproceeding Complaint and Statement of Claims [Doc. No.1], including but not limited to the "demographic and economic" data you identify in that document, any person(s) who have evaluated the data, the basis for the claimed amount for historic or present use, and the basis for the claim to a water right not based on historic or present use.

Interrogatory No. 14:

69. Please describe the entire factual basis for the "Practicably Irrigated Acreage" water right claim made in paragraph 24 of your Subproceeding Complaint and Statement of Claims [Doc. No. 1], including but not limited to the basis for your claim that the identified acreages are "practicably irrigated," the basis for your claim that you are entitled to use this standard to request a water right for water not yet put to beneficial use, and any person(s) who have evaluated this claim.

Interrogatory No. 15:

70. **Discrete Subpart A:** For each year which the information is available since the creation of the Zuni Reservation in 1877, please identify: (1) the total population, Indian and non-Indian, within the reservation boundaries.

71. **Discrete Subpart B:** For each year which the information is available since the creation of the Zuni Reservation in 1877, please identify: . . . (2) the total number of acres under cultivation within the reservation boundaries.

72. **Discrete Subpart C:** For each year which the information is available since the creation of the Zuni Reservation in 1877, please identify: . . . (3) the total number of impoundments or reservoirs in use within the reservation boundaries.

73. **Discrete Subpart D:** For each year which the information is available since the creation of the Zuni Reservation in 1877, please identify: . . . (4) the total number of surface diversions and conveyance structures in use within the reservation boundaries.

74. **Discrete Subpart E:** For each year which the information is available since the creation of the Zuni Reservation in 1877, please identify: . . . (5) the total number of wells in use within the reservation boundaries.

75. **Discrete Subpart F:** For each year which the information is available since the creation of the Zuni Reservation in 1877, please identify: . . . (6) the types, and amounts of each type, of crops grown within the reservation boundaries.

76. **Discrete Subpart G:** For each year which the information is available since the creation of the Zuni Reservation in 1877, please identify: . . . (7) the total amount of a water [sic] diverted on an annual basis within the reservation boundaries, and (8) the total amount of water consumed on an annual basis within the reservation boundaries.

Interrogatory No. 16:

77. **Discrete Subpart A:** Please identify (as that term is defined above) the person(s) who investigated, studied and produced Tables 1 through 7 of your Subproceeding Complaint and Statement of Claims [Doc. No.1].

78. **Discrete Subpart B:** Please identify (as that term is defined above) . . . any documents (as that term is defined above) relied upon in the creation of those Tables.

Interrogatory No. 17:

79. Please identify (as that term is defined above) any person you may call as an expert witness in this matter. For each person identified, please state the subject matter on which the expert is expected to testify, the substance of the facts and the opinions to which the expert is expected to testify, and summary [sic] of the grounds for each opinion.

Interrogatory No. 18:

80. Please identify (as that term is defined above) any person you may call as a lay witness in this matter. For each person identified, please state the subject matter on which the witness is expected to testify and the substance of the party's testimony.