

Exhibit A

Declaration of Scott Turnbull

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

UNITED STATES OF AMERICA and)	
STATE OF NEW MEXICO ex rel. STATE)	
ENGINEER,)	
)	
Plaintiffs,)	
)	
and)	No. 01-cv-0072-MV/WPL
)	
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ZUNI RIVER BASIN
)	ADJUDICATION
Plaintiffs in Intervention,)	
)	
v.)	Subfile No. ZRB-4-0453
)	
A & R PRODUCTIONS, et al.,)	
)	
Defendants.)	
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DECLARATION OF SCOTT TURNBULL

1. My name is Scott Turnbull. I am an Associate Engineer with Natural Resources Consulting Engineers, Inc. ("NRCE") in Fort Collins, Colorado. I have a Bachelor of Science in Civil Engineering from Colorado State University and am a Professional Engineer licensed in the State of Colorado (Reg. No. 47227). Since January of 2008, I have conducted technical analysis on behalf of the United States concerning matters associated with the hydrographic survey of the Zuni River Basin and the Zuni River Basin Adjudication.
2. As an employee of NRCE, the engineering consulting firm contracted by the United States to perform the hydrographic survey of the Zuni River Basin, I perform field visits to document and verify water features within and throughout the Basin to support

any necessary technical analysis associated with the Zuni River Basin Adjudication. I also compute water quantities associated with these features based upon available information and by applying accepted engineering methodology.

3. I have reviewed material concerning subfile ZRB-4-0453 with defendant Theodore Broderick. The real property associated with this subfile is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 11 North, Range 15 West, New Mexico Principal Meridian (see Attachment A – Hydrographic Survey Map for Subfile ZRB-4-0453). The material in my review included notes, photographs, and geospatial data collected by NRCE engineers during visits to Mr. Broderick’s property, as well as publicly-available records in the New Mexico Office of the State Engineer’s WATERS database.
4. There is one well in this subfile, identified by NRCE hydrographic survey ID number 3B-4-W172 as shown on the Hydrographic Survey Map for Subfile ZRB-4-0453. This well corresponds to New Mexico Water Right File Number G02744. The well permit application, dated Sept. 25, 2008, indicates that the purpose of use is “DOMESTIC CONSTRUCTION” and remarks “PROPERTY TO BE SOLD”.
5. During a field visit in November 2008, NRCE engineers confirmed that the well had been completed (see Attachment B – Site Photo of Well 3B-4-W172 (11/9/2008)). NRCE engineers again visited the property in April 2012 and found that there were no current uses of well 3B-4-W172 at the time of visit.
6. I have reviewed multiple years of aerial imagery of the property where well 3B-4-W172 is located. No dwelling is apparent on any year of aerial imagery, including the

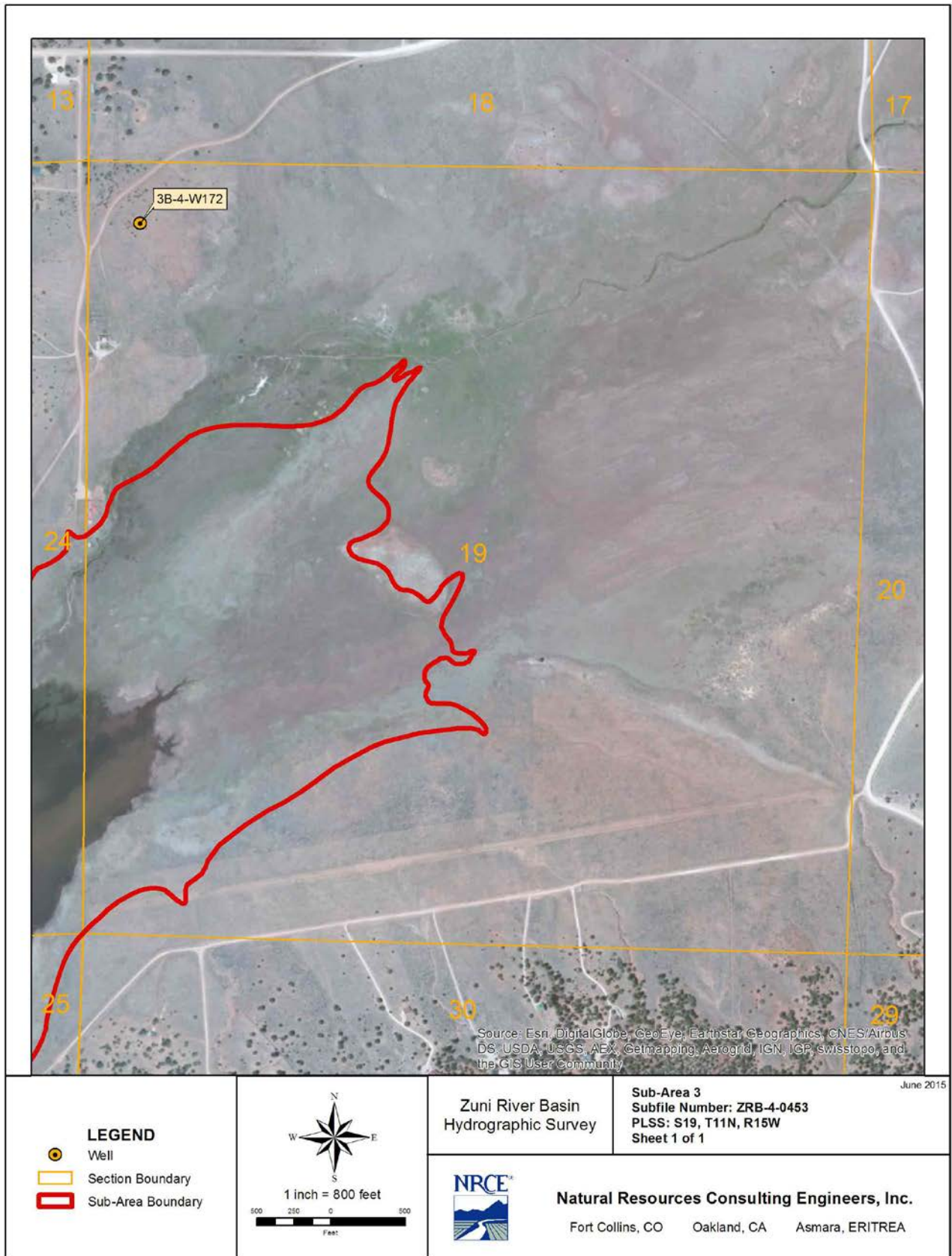
most recent year available which is the 2014 imagery from the USDA National Agriculture Imagery Program (“NAIP”) (see Attachment C – Aerial Imagery of Well 3B-4-W172 (2014 NAIP)). Nothing more than a gravel driveway looks to have been constructed on this property since well 3B-4-W172 was completed.

7. Based upon the foregoing information, it does not appear to me that the Defendant, Mr. Theodore Broderick, has ever put water from well 3B-4-W172 to use, domestic or otherwise, since completion of this well.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on this 15th day of June, 2016.



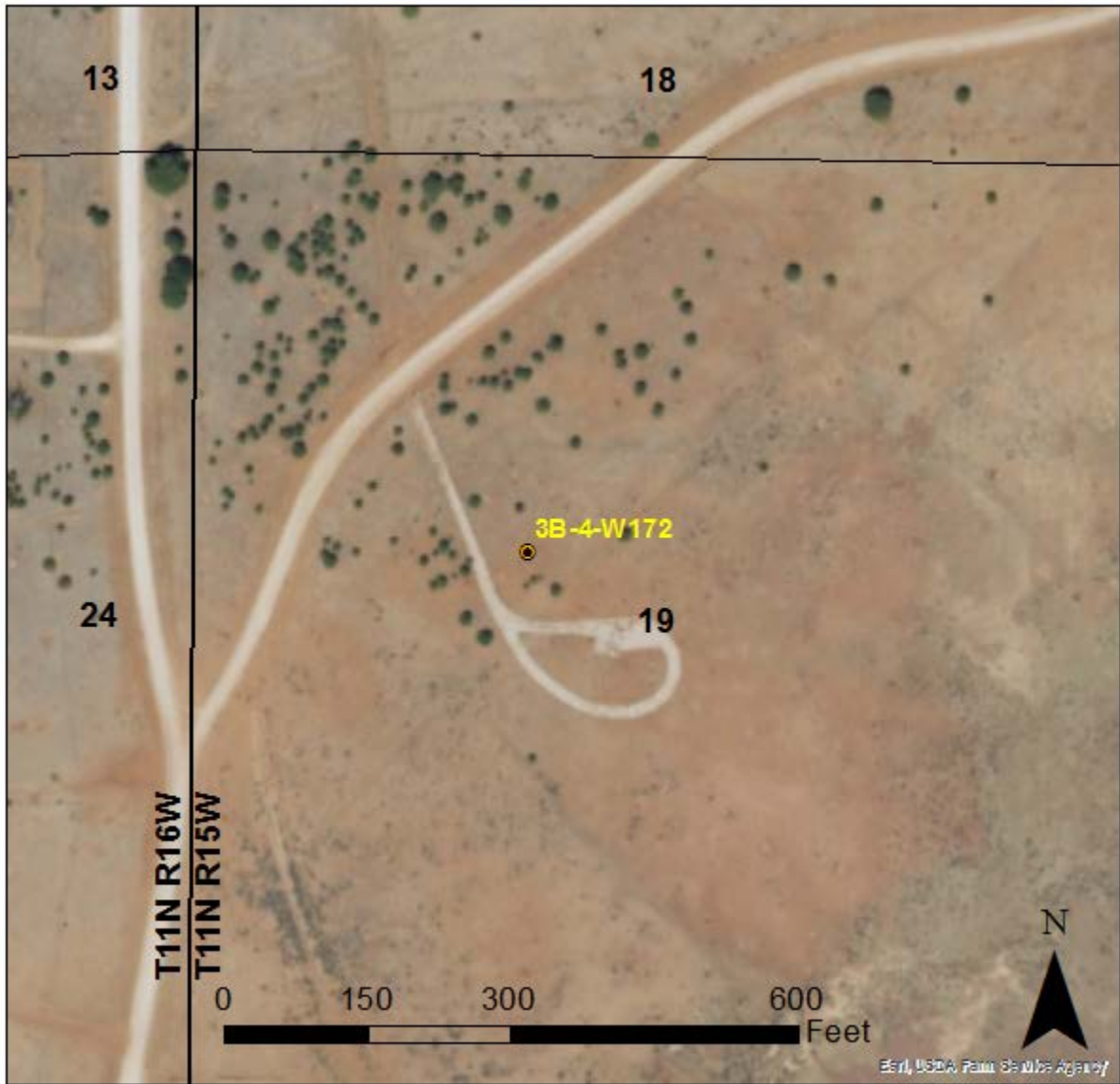
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Attachment A – Hydrographic Survey Map for Subfile ZRB-4-0453



Attachment B – Site photo of well 3B-4-W172 (11/9/2008)



Attachment C – Aerial Imagery of well 3B-4-W172 (2014 NAIP)