

CERTIFICATE OF SERVICE

RECEIVED

MAR 16 2015

Department of Water Resources
Eastern Region

RE: APPLICATION FOR TRANSFERS 79357,79380,79384,79466

I HEREBY CERTIFY ON THIS 4TH DAY OF MARCH, 2015, A TRUE AND CORRECT COPY/COPIES OF THE DOCUMENT(S) DESCRIBED BELOW WAS/WERE SERVED BY PLACING A COPY OF THE SAME WITH THE UNITED STATES POSTAL SERVICE, CERTIFIED MAIL, POSTAGE PREPAID AND PROPERLY ADDRESSED TO THE FOLLOWING:

DOCUMENTS SERVED: EXPERT WITNESS LIST: WITNESS LIST: EXHIBITS: CONCERNS/RESOLUTIONS

CERTIFIED MAIL

BARKER ROSHOLT SIMPSON

ATT: TRAVIS THOMPSON

195 RIVER VISTA PLACE, STE 204

TWIN FALLS, IDAHO 83301

MR. JAMES CEFALO

HEARING OFFICER

IDAHO DEPT OF WATER RESOURCES

900 N. SKYLINE DR STE A

IDAHO FALLS, IDAHO 83402

SIGNATURE



PRINTED NAME

PROTESTANT

In 1972, mid-october ,Elmer Parrott retained Arnold Elsing and his new air rotary to drill his first well. Livestock ponds, cisterns(ditch water) and house cisterns were used (8 exist on this farm.

In the early days water was hauled in 1000 gallon tanks,from Hollister water system.

In 1957 Babcock drilled a well that Hafliger located his dairy on, while he drilled one more immediately. Neighbors within 5 miles hauled from the Babcock well. In winter a day was picked and 4 to 6 trucks would be in and out, filling 4000 gallon cisterns. Co-operation was evident. Babcocks well was started many times a winter.

Richard Parrott

These new homes are North and East of the existing 15 dairy well with large and small permits.

Eric relayed that the welding shop 3 miles northeast of the dairy sites lost his well when the 20th home was built between him and the lowline canal.

The Hafliger dairy complex draws from water seeping down from the highline canal when it is running April thru October, then the household water tables drop.

On the record from the hearing 10 or 50 years ago Mr. Brockway assured the city of Filer that the "plume" goes Northwest away from the (original) Dairy site.

Filer City concerns was pollution and they were petitioning to be a part of the hearing. If that is correct , 500 homes worth of water is being requested from this transfer.

Richard Parrott

CERTIFICATE OF SERVICE

RECEIVED
MAR 06 2015
Department of Water Resources
Eastern Region

I HEREBY CERTIFY that on this 4th day of March, 2015, a true and correct copy/copies of the document(s) described below was/were served by placing a copy of the same with the United States Postal Service, certified mail, postage prepaid and properly addressed to the following:

Documents Served: Witness List

CERTIFIED MAIL

Barker Rosholt & Simpson
Attn: Travis Thompson
195 River Vista Place, Ste 204
Twin Falls, ID 83301-3027

Mr. James Cefalo
Hearing Officer
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

Signature Leslie Ellsworth

Printed Name LESLIE ELLSWORTH

Protestant Leslie Ellsworth

EXHIBITS:

Mr. Ed Squires' Expert Report dated 13 February 2015. Including Mr. Squires CV. (Previously submitted on 13 February 2015 to the Hearing Officer and Applicants.)

Mr. Ed Squires' Expert Report Rebuttal. (To be submitted on or before 6 March 2015 to Hearing Officer and Applicants)

Mr. DuWayne Kimball's Expert Reports, ("Water Budget" and "Groundwater Flow Direction....." Dated 26 January 2015. Including Mr. Kimball's CV. (Previously submitted to Hearing Officer and Applicants on 13 February 2015)

Mr. DuWayne Kimball's Expert Report Rebuttal, dated 28 February 2015

Mr. Bill Bonnichsen's Expert Report, Dated 11 February 2015. Including Mr. Bonnichsen's CV. (Previously submitted to Hearing Officer and Applicants on 13 February 2015)

Mr. Bill Bonnichsen's Expert Report Rebuttal, (To be submitted on or before 6 March 2015).

List of Protestant's Concerns/Conditions for water transfer approval. Dated 2 March 2015.

Edward S. Smith's Position Paper on ground water in the Leno Well area. Dated 2 March 2015

Edward S. Smith's Photo of large map. (Original Map was copied by Applicants on 18 December 2014, and the original, or copy thereof, will be provided to the Hearing Officer at the Hearing).

Applicant's Responses to Protestant's Second Discovery Request. Dated: 9 February 2015

Applicant's slide presentation presented to protestants in October 2014.

RECEIVED
MAR 06 2015
Department of Water Resources
Eastern Region

Barbara Stephens
Lynn Stephens
PO Box 2118
Twin Falls, ID 83303

Martin Hackard
3289 N 2300 E
Twin Falls, ID 83301

Jeanie McCreary
2217 E 3300 N
Twin Falls, ID 83301

Pam Ritter
3283 N 2300 E
Twin Falls, ID 83301

Delea Miller
2239 E 3300 N
Twin Falls, ID 83301

Elizabeth Betty Slifer
3779 N 2250 E
Filer, ID 83328

Lois Rice
PO Box 200
Filer, ID 83328

Jim Conder
3623 N 2000 E
Filer, ID 83328

Ed Smith
PO Box 6015
Twin Falls, ID 83303

Victoria B. Hansen
3295 N 2300 E
Twin Falls, ID 83301

Eric Parrott
2152 E 3300 N
Twin Falls, ID 83301

Richard M. Parrott
1389 E 4400 N
Buhl, ID 83316

Shadow & Bonnie Seaman
1940 E 3700 N
Filer, ID 83328

William D. Hamby
2399 E 3300 N
Twin Falls, ID 83301

Michael & Jana Humphries
2382 E 3300 N
Twin Falls, ID 83301

Scott R. Houtz
2231 E 3300 N
Twin Falls, ID 83301

Margaret Winsryg
Leroy Elliott
3290 N 2200 E
Twin Falls, ID 83301

Expert Witnesses:

Bill Bonnicksen
927 East Seventh Street
Moscow, ID 83843

Edward Squires
1002 W. Franklin St.
Boise, ID 83702

DuWayne Kimball
1335 E 3500 N
Buhl, ID 83316

CERTIFICATE OF SERVICE

RECEIVED

MAR 05 2015

Department of Water Resources
Eastern Region

I HEREBY CERTIFY that on this 3RD day of March, 2015, a true and correct copy/copies of the document (s) described below was/were served by placing a copy of the same with the United States Postal Service certified mail, postage prepaid and properly address to the following:

Documents Served: Witness List + EXPERT WITNESS LIST
Martin Hackard's Well Logs for 3289 N 2300 E Twin Falls, ID
Dennis Henson's Well Log (previous owner) for 3289 N 2300 E
City of Twin Falls Well Log for 2676 E 3200 N Twin Falls, ID
List of Protestant's Concerns/Conditions for Water Transfer
Approval

CERTIFIED MAIL

Barker, Rosholt & Simpson
Attn: Travis Thompson
195 River Vista Place, Ste 204
Twin Falls, ID 83301-3027

Mr. James Cefalo
Hearing Officer
Idaho Department of Water Resources
900 N Skyline Dr, Ste. A
Idaho Falls, ID 83402

Signature Martin Hackard
Printed Name Martin Hackard
Protestant Martin Hackard

LIST OF WITNESSES

Elizabeth "Betty" Slifer
3779 N 2250 E
Filer, ID 83328

William D Hamby
2399 E 3300 N
Twin Falls, ID 83301

Barbara Stephens
Lynn Stephens
PO Box 2118
Twin Falls, ID 83303-2118

Michael & Jana Humphries
2382 E 3300 N
Twin Falls, ID 83301

Jeanie McCreary
2217 E 3300 N
Twin Falls, ID 83301

Leslie Ellsworth
PO Box 5023
Twin Falls, ID 83303

Pam Ritter
3283 N 2300 E
Twin Falls, ID 83301

Jimmie L. Conder
3823 N 2000 E
Filer, ID 83328

Delea Miller
2239 E 3300 N
Twin Falls, ID 83301

Ed Smith
PO Box 6015
Twin Falls, ID 83303

Lois Rice
PO Box 200
Filer, ID 83328

Vickie Henson
3295 N 2300 E
Twin Falls, ID 83301

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Leroy Elliott
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Twin Falls, ID 83301

Richard M Parrott
1389 E 4400 N
Buhl, ID 83316

Shadow & Bonnie Seaman
1940 E 3700 N
Filer, ID 83328

EXPERT WITNESSES:

Mr. Ed Squires, Hydro Logic, Inc, 1002 W. Franklin, Boise Idaho 83702

Mr. Bill Bonnichsen, 927 East Seventh Street, Moscow, Idaho 83843

Mr. DuWayne Kimball, 1335 E. 3500 N. Buhl, Idaho 83316

CERTIFICATE OF SERVICE

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MAR 06 2015
Department of Water Resources
Eastern Region

I HEREBY CERTIFY that on this _____ day of March, 2015, a true and correct copy/copies of the document (s) described below was/were served by placing a copy of the same with the United States Postal Service certified mail. postage prepaid and properly address to the following:

Documents Served: Witness List

List of Protestant's Concerns/Conditions for Water Transfer Approval

CERTIFIED MAIL

Barker, Rosholt & Simpson
Attn: Travis Thompson
195 River Vista Place, Ste 204
Twin Falls, ID 83301-3027

Mr. James Cefalo
Hearing Officer
Idaho Department of Water Resources
900 N Skyline Dr, Ste. A
Idaho Falls, ID 83402

Signature Jeanie McCreary
Printed Name Jeanie McCreary
Protestant Jeanie McCreary

LIST OF WITNESSES

RECEIVED
MAR 06 2015
Department of Water Resources
Eastern Region

Elizabeth "Betty" Slifer
3779 N 2250 E
Filer, ID 83328

William D Hamby
2399 E 3300 N
Twin Falls, ID 83301

Barbara Stephens
Lynn Stephens
P O Box 2118
Twin Falls, ID 83303-2118

Micahel & Jana Humphries
2382 E 3300 N
Twin Falls, ID 83301

Pam Ritter
3283 N 2300 E
Twin Falls, ID 83301

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P O BOX 5023
Twin Falls, ID 83303

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Twin Falls, ID 83301

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Filer, ID 83328

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Mr. Ed Squires, Hydro Logic, Inc, 1002 W. Franklin , Boise Idaho 83702

Mr. Bill Bonnichsen, 927 East Seventh Street, Moscow, Idaho 83843

Mr. DuWayne Kimball, 1335 E. 3500 N. Buhl, Idaho 83316



HUTCHINSON LAW OFFICE, CHTD.

Keith E. Hutchinson, Esq.

ATTORNEY AT LAW

PHONE: (208) 733-9300

WATS: (800) 753-2529

FAX: (208) 733-9343

FAX

To:	James Cefalo, WaterMaster	From:	Delea Miller
Fax:	208-525-7177	Date:	March 4, 2015
Re:	Transfers	Pages:	5 (includes cover)

URGENT	FOR REVIEW	PLEASE COMMENT	PLEASE REPLY	PLEASE RECYCLE
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Mr. Cefalo:

Please find attached my Notice of Service and my Expert Witness / Exhibit disclosure. Full copies of my exhibits will be made available to you at hearing, if you need them prior to please let me know ASAP.

Sincerely,

DELEA MILLER, Protestant

2239 E 3300 N

Twin Falls, ID 83301

(208) 731-7946

The information contained in this facsimile communication is attorney/client privileged and/or confidential information intended only for the use of the individual or entity named above. If the reader of this cover page is not the intended recipient or the agent or employee of the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication or the information contained herein is strictly prohibited. If you have received this communication in error, please immediately call our office at (208) 733-9300. Thank you for your cooperation.

DELEA C. MILLER
2239 E 3300 N
Twin Falls, ID 83301
Telephone: (208) 731-7946

RECEIVED
MAR 04 2015
Department of Water Resources
Eastern Region

Pro Se

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER NOS. 79357, 79380, & 79384
(in the name of Thomas Leno); and
79466 (in the name of Four Sisters
Dairy LLC)

NOTICE OF SERVICE

PLEASE TAKE NOTICE that on the 4th day of March, 2015, I
served the original PROTESTANT DELEA C. MILLER'S ANSWERS TO APPLICANT'S
FIRST DISCOVERY REQUESTS together with a copy of this Notice, upon counsel for
applicant in the above-entitled matter, addressed to:

Travis Thompson
Barker Rosholt & Simpson
195 River Vista Place, Ste 204
Twin Falls, ID 83301-3027

DATED this 4th day of March, 2014.

By:

Delea C. Miller
DELEA C. MILLER
Protestant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of March, 2014 I caused to be served a true and correct copy of the foregoing as follows:

Travis Thompson
BARKER, ROSHOLT & SIMPSON
195 River Vista Place, Ste 204
Twin Falls, ID 83301

US Mail X
Hand Delivery
Express Mail
Facsimile

Delea Miller
DELEA MILLER

DELEA C. MILLER
2239 E 3300 N
Twin Falls, ID 83301
Telephone: (208) 731-7946

Pro Se

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR
TRANSFER NOS. 79357, 79380, & 79384
(in the name of Thomas Leno); and
79466 (in the name of Four Sisters
Dairy LLC)

**PROTESTANT DELEA C. MILLER'S EXPERT
WITNESS DISCLOSURE AND
PRODUCTION OF HEARING EXHIBITS**

COMES NOW the Protestant and submits PROTESTANT DELEA C. MILLER'S
EXPERT WITNESS DISCLOSURE AND PRODUCTION OF HEARING EXHIBITS as follows:

PROTESTANT'S EXPERT WITNESSES:

Protestant anticipates calling the following expert witnesses at the hearing of this
matter: Ed Squires, DuWayne Kimball, Bill Bonnicksen.

PROTESTANT'S EXHIBITS:

- A. Report of Ed Squires, HydroLogic
- B. Report of DuWayne Kimball
- C. Report of Bill Bonnicksen
- D. Well Driller's Report

DATED this 4th day of March, 2015.

By: _____

DELEA C. MILLER
Protestant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of March, 2014 I caused to be served a true and correct copy of the foregoing as follows:

Travis Thompson
BARKER, ROSHOLT & SIMPSON
195 River Vista Place, Ste 204
Twin Falls, ID 83301

US Mail	<u>X</u>
Hand Delivery	<u> </u>
Express Mail	<u> </u>
Facsimile	<u> </u>

Delea Miller
DELEA MILLER

CERTIFICATE OF SERVICE

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MAR 06 2015
Department of Water Resources
Eastern Region

RE: APPLICATION FOR TRANSFERS 79357,79380,79384,79466

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DOCUMENTS SERVED: EXPERT WITNESS LIST: WITNESS LIST: EXHIBITS: CONCERNS/RESOLUTIONS

CERTIFIED MAIL

BARKER ROSHOLT SIMPSON

ATT: TRAVIS THOMPSON

195 RIVER VISTA PLACE, STE 204

TWIN FALLS, IDAHO 83301

MR. JAMES CEFALO

HEARING OFFICER

IDAHO DEPT OF WATER RESOURCES

900 N. SKYLINE DR STE A

IDAHO FALLS, IDAHO 83402

SIGNATURE

Pam Ritter

PRINTED NAME

Pam Ritter

PROTESTANT

Pam Ritter

Pam Ritter

3283 North 2300 East

Twin Falls, Idaho 83301

RECEIVED
MAR 06 2015
Department of Water Resources
Eastern Region

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION
FOR TRANSFERS NOS. 79357,79380
79384 AND 79466.**

**EXPERT WITNESS LIST
WITNESS LIST
EXHIBITS
CONCERNS/
RESOLUTIONS**

The following list identifies Expert Witnesses, Witnesses, and Exhibits that Protestant, Pam Ritter would like to enter into the Hearing Record:

EXPERT WITNESSES:

Mr. Ed Squires, Hydro Logic, Inc. 1002 W. Franklin, Boise, Idaho 83705

Mr. Bill Bonnichsen, 927 East Seventh Street, Moscow, Idaho 83843

Mr. DuWayne Kimball, 1335 E 3500 N. Buhl, Idaho 83316

WITNESSES:

Barbara and Lynn Stephens P. O. Box 2118 Twin Falls, Idaho 83301

Leslie Ellsworth P. O. Box 5023 Twin Falls, Idaho 83301

Shadow and Bonnie Seaman 1940 E. 3700 N. Filer, Idaho 83328

Martin Hackard 3289 N 2300 E Twin Falls, Idaho 83301

Jim Conder 3623 N. 2000E. Filer, Idaho 83328

William D. Hamby 2399 E 3300 N Twin Falls, Idaho 83301

Elizabeth "Betty" Slifer 3779 N 2250 E Filer, Idaho 83328

Victoria B. Henson 3295 N. 2300 E Twin Falls, Id 83301

Scott Houtz 2281 E 3300 N Twin Falls, Idaho 83301

Jeanie McCreary 2217 E. 3300 N Twin Falls, Id 83301

Ed Smith P. O. Box 6015 Twin Falls, Id 83303

Michael and Jana Humphries 2399 E. 3300 N Twin Falls, Id 83301

Delea Miller 2239 E 3300N. Twin Falls, Id 83301

Eric Parrott 2152 E. 3300 N. Twin Falls, Id 83301

Margaret Winsryg and Leroy Elliott 3290 N 2200 E Twin Falls, Id 83301

Lois Rice P O Box 200 Filer, Idaho 83328

Richard Parrott 1389 E 4400 N Buhl, Idaho 83316

Charlie Lenkner 3023 C E 3400 N Twin Falls, Idaho 83301

EXHIBITS:

WELL LOG FOR PAM RITTER

WATER RIGHTS OWNED BY HANK HAFLIGER

APPLICATION BY HENRY HAFLIGER TO LEASE A WATER RIGHT INTO WATER BANK

COLORED MAP OF HANK HAFLIGER WELL LOCATIONS (GIVEN TO PROTESTANT WITH APPLICANTS RESPONSES)

WELL DEPTHS AND STATIC WATER LEVELS OF HANK HAFLIGER WELLS(GIVEN TO PROTESTANT WITH APPLICANTS RESPONSES)

APPLICANTS RESPONSES TO PROTESTANT PAM RITTERS FIRST DISCOVERY REQUESTS

CONCERNS AND RESOLUTIONS

RECEIVED

MAR 05 2015

Department of Water Resources
Eastern Region

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of March, 2015, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, certified mail, postage prepaid and properly addressed to the following:

Documents Served: List of Exhibits, Expert Witnesses, and Witnesses

"Listing and Discussion of Protestant's Concerns over the Proposed Hafliger Dairy Water Right Transfers (Thomas and Dorothy Leno and Four Sisters Dairy Transfers) Including Actions and/or Conditions That Would Resolve Those Concerns

CERTIFIED MAIL

Barker Rosholt & Simpson
Travis Thompson
195 River Vista Place, Ste 204
Twin Falls, ID 83301-3027

Mr. James Cefalo
Hearing Officer
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

Signature Elizabeth "Betty" Slifer

Printed Name Elizabeth "Betty" Slifer

Protestant March 3, 2015

The following list identifies Exhibits, Expert Witnesses, and Witnesses that Protestant, Elizabeth "Betty" Slifer, would like to enter into the Hearing Record:

EXHIBITS:

Mr. Ed Squires' Expert Report dated 13 February 2015. Including Mr. Squires CV. (Previously submitted on 13 February 2015 to the Hearing Officer and Applicants.)

Mr. Ed Squires' Expert Report Rebuttal. (To be submitted on or before 6 March 2015 to Hearing Officer and Applicants)

Mr. DuWayne Kimball's Expert Reports, ("Water Budget" and "Groundwater Flow Direction....." Dated 26 January 2015. Including Mr. Kimball's CV. (previously submitted)

Mr. DuWayne Kimball's Expert Report Rebuttal, dated 28 February 2015

Mr. Bill Bonnichsen's Expert Report, Dated 11 February 2015. Including Mr. Bonnichsen's CV. (previously submitted)

Mr. Bill Bonnichsen's Expert Report Rebuttal, (To be submitted on or before 6 March 2015).

List of Protestant's Concerns/Conditions for water transfer approval. Dated 2 March 2015.

Applicant's Responses to Protestant's Second Discovery Request. Dated: 9 February 2015

Applicant's slide presentation presented to protestants in October 2014.

Copy of Idaho Department of Water Resources report showing the 1930 date of my water right

EXPERT WITNESSES:

Mr. Ed Squires, Hydro Logic, Inc, 1002 W. Franklin, Boise Idaho 83702

Mr. Bill Bonnichsen, 927 East Seventh Street, Moscow, Idaho 83843

Mr. DuWayne Kimball, 1335 E. 3500 N. Buhl, Idaho 83316

WITNESSES:

Fellow Protestants identified on the attached: "List of Witnesses"

Elizabeth "Betty" Slifer
Protestant

List of Witnesses

Barbara Stephens
Lynn Stephens
PO Box 2118
Twin Falls, ID 83303

Martin Hackard
3289 N 2300 E
Twin Falls, ID 83301

Jeanie McCreary
2217 E 3300 N
Twin Falls, ID 83301

Pam Ritter
3283 N 2300 E
Twin Falls, ID 83301

Delea Miller
2239 E 3300 N
Twin Falls, ID 83301

Lois Rice
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Filer, ID 83328

Leslie Ellsworth
PO Box 5023
Twin Falls, ID 83303

Jim Conder
3623 N 2000 E
Filer, ID 83328

Ed Smith
PO Box 6015
Twin Falls, ID 83303

Victoria B. Hansen
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Twin Falls, ID 83301

Eric Parrott
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Twin Falls, ID 83301

Richard M. Parrott
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Buhl, ID 83316

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Michael and Jana Humphries
2382 E 3300 N
Twin Falls, ID 83301

Scott R. Houtz
2231 E 3300 N
Twin Falls, ID 83301

Margaret Winsryg
Leroy Elliott
3290 N 2200 E
Twin Falls, ID 83301

Expert Witnesses:

Bill Bonnichsen
927 East Seventh Street
Moscow, ID 8384

Edward Squires
1002 W. Franklin St.
Boise, ID 83702

DuWayne Kimball
1335 E 3500 N
Buhl, ID 83316

Elizabeth "Betty" Shifer
Feb. 2015

Edward S. Smith
PO Box 6015
Twin Falls, Idaho 83303
(208) 326-3270

4 March 2015

PRO SE

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED
MAR 06 2015
Department of Water Resources
Eastern Region

IN THE MATTER OF APPLICATION FOR
TRANSFER NOS. 79357, 79380, 79384
(in the name of Thomas and Dorothy Leno)
AND 79466 (in the name of Four Sisters Dairy
LLC)

NOTICE OF SERVICE OF
PROTESTANT'S SUBMISSION OF
EXHIBITS, EXPERT WITNESSES AND
WITNESSES.

TO THE HEARING OFFICER, AND ATTORNEY FOR APPLICANTS,

PLEASE TAKE NOTICE that Edward S. Smith, Protestant, has submitted to the HEARING OFFICER and the APPLICANTS the documents the Protestant would like to enter into the Hearing Record.

CERTIFICATE OF SERVICE

The Office of Travis L. Thompson
Barker Rosholt and Simpson LLP
195 River Vista Place, Suite 204
Twin Falls, Idaho 83301-3029

By Hand delivery on 4 March 2015

Idaho Department of Water Resources
Hearing Officer, James Cefalo
900 N. Skyline Dr. Suite A
Idaho Falls, Idaho 83402-1718

By US Postal Service on 4 March 2015

Edward S. Smith

Edward S. Smith,
Protestant

4 MAR 15

Edward S. Smith
PO Box 6015
Twin Falls, Idaho 83303
(208) 326-3270

4 March 2015

PRO SE

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER NOS. 79357, 79380, 79384
(in the name of Thomas and Dorothy Leno)
AND 79466 (in the name of Four Sisters Dairy
LLC)

NOTICE OF FILING OF PROTESTANT'S
EXHIBITS, EXPERT WITNESSES, AND
WITNESSES

TO THE HEARING OFFICER, AND ATTORNEY FOR APPLICANTS,

PLEASE TAKE NOTICE that Edward S. Smith, Protestant, has submitted to the Hearing Officer and the Applicants the items identified on the attached sheet as those items that Protestant wants to enter into the hearing record. Documents not previously delivered to the Hearing Officer and the Applicants are included in this packet.

NOTICE OF FILING

The Office of Travis L. Thompson
Barker Rosholt and Simpson LLP
195 River Vista Place, Suite 204
Twin Falls, Idaho 83301-3029

By Hand delivery on 4 March 2015

Idaho Department of Water Resources
Hearing Officer, James Cefalo
900 N. Skyline Dr. Suite A
Idaho Falls, Idaho 83402-1718

By US Postal Service on 4 March 2015


Edward S. Smith,
Protestant

4 MAR 15

Edward S. Smith
PO Box 6015
Twin Falls, Idaho 83303
(208) 326-3270

6 March 2015

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Department of Water Resources
Eastern Region

PRO SE

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER NOS. 79357, 79380, 79384
(in the name of Thomas and Dorothy Leno)
AND 79466 (in the name of Four Sisters Dairy
LLC)

NOTICE OF FILING OF PROTESTANT'S
EXPERT REPORT REBUTTAL'S

TO THE HEARING OFFICER AND ATTORNEY FOR APPLICANTS,

PLEASE TAKE NOTICE that Edward S. Smith, Protestant, has submitted to the HEARING OFFICER and the APPLICANTS on behalf of the Protestants listed on the attached sheet, those items that the Protestant wants to enter into the hearing record. Expert Report Rebuttals are from:

Mr. Ed Squires, Hydro Logic Inc, Hydrogeologist
Mr. Bill Bonnicksen, Ph.D
Mr. DuWayne Kimball, PE

NOTICE OF FILING

The Office of Travis L. Thompson
Barker Rosholt and Simpson LLP
195 River Vista Place, Suite 204
Twin Falls, Idaho 83301-3029

By Hand delivery on 6 March 2015

Idaho Department of Water Resources
Hearing Officer, James Cefalo
900 N. Skyline Dr. Suite A
Idaho Falls, Idaho 83402-1718

By US Postal Service on 6 March 2015


Edward S. Smith,
Protestant

6 MAR 15

LIST OF PROTESTANTS

Jimmie L. Conder
3623 N. 2000E.
Filer, ID 83328

Michael and Jana Humphries
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Edward S. Smith
PO Box 6015
Twin Falls, Idaho 83303
(208) 326-3270

6 March 2015

PRO SE

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED
MAR 09 2015
Department of Water Resources
Eastern Region

IN THE MATTER OF APPLICATION FOR
TRANSFER NOS. 79357, 79380, 79384
(in the name of Thomas and Dorothy Leno)
AND 79466 (in the name of Four Sisters Dairy
LLC)

NOTICE OF SERVICE OF
PROTESTANT'S EXPERT REPORT
REBUTTAL'S

TO THE HEARING OFFICER AND ATTORNEY FOR APPLICANTS,

PLEASE TAKE NOTICE that Edward S. Smith, Protestant, has submitted to the HEARING OFFICER and the APPLICANTS the Expert Report Rebuttal's the Protestant would like to enter into the Hearing Record on behalf of the Protestants listed on the attached sheet. Rebuttal's are from:

Mr. Ed Squires, Hydro logic, Inc, Hydrogeologist
Mr. Bill Bonnicksen, Ph.D
Mr. DuWayne Kimball, PE

CERTIFICATE OF SERVICE

The Office of Travis L. Thompson
Barker Rosholt and Simpson LLP
195 River Vista Place, Suite 204
Twin Falls, Idaho 83301-3029

By Hand delivery on 6 March 2015

Idaho Department of Water Resources
Hearing Officer, James Cefalo
900 N. Skyline Dr. Suite A
Idaho Falls, Idaho 83402-1718

By US Postal Service on 6 March 2015

Edward S. Smith
Edward S. Smith, 6 MAR 15
Protestant

LIST OF PROTESTANTS

Jimmie L. Conder
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2231 E 3300 N
Twin Falls, ID 83301

EXHIBITS, EXPERT WITNESSES AND WITNESSES

4 March 2015

The following list identifies Exhibits, Expert Witnesses, and Witnesses that Protestant, Edward S. Smith, would like to enter into the Hearing Record:

EXHIBITS:

Mr. Ed Squires' Expert Report dated 13 February 2015. Including Mr. Squires CV. (Previously submitted on 13 February 2015 to the Hearing Officer and Applicants.)

Mr. Ed Squires' Expert Report Rebuttal. (To be submitted on or before 6 March 2015 to Hearing Officer and Applicants)

Mr. DuWayne Kimball's Expert Reports, ("Water Budget" and "Groundwater Flow Direction....." Dated 26 January 2015. Including Mr. Kimball's CV. (Previously submitted to Hearing Officer and Applicants on 13 February 2015)

Mr. DuWayne Kimball's Expert Report Rebuttal, dated 28 February 2015

Mr. Bill Bonnichsen's Expert Report, Dated 11 February 2015. Including Mr. Bonnichsen's CV. (Previously submitted to Hearing Officer and Applicants on 13 February 2015)

Mr. Bill Bonnichsen's Expert Report Rebuttal, (To be submitted on or before 6 March 2015).

List of Protestant's Concerns/Resolutions for water transfer approval. Dated 2 March 2015.

Edward S. Smith's Position Paper on ground water in the Leno Well area. Dated 3 March 2015

Edward S. Smith's Photo of large area map. (Original Map was copied by Applicants on 18 December 2014, and the original, or copy thereof, will be provided to the Hearing Officer at the Hearing).

Edward S. Smith's Rebuttal to the Applicant's Expert Report. Dated: 28 February 2015

Protestant's Answers to Applicant's First Discovery Request. Dated 18 December 2014

Applicant's Responses to Protestant's First Discovery Request. Dated: 16 January 2015

Applicant's Responses to Protestant's Second Discovery Request. Dated: 9 February 2015

Edward S. Smith's: "Notice of Protest" for Transfers #79357, #79380, #79384, Dated: 21 July 2014

Edward S. Smith's: "Notice of Protest" for Transfer #79466, Dated: 22 August 2014.

Edward S. Smith's: Notice to Mr. Thomas Leno of filing Protests to all four water transfers. Dated: 8 September 2014.

Applicant's slide presentation presented to protestants in October 2014.

Edward S. Smith's Well Log for 3652 Cedar Draw Lane, Filer, Idaho

Studies and Reports relevant to these water transfers. Available on internet and identified within various documents related to these water transfers.

EXPERT WITNESSES:

Mr. Ed Squires, Hydro Logic, Inc, 1002 W. Franklin, Boise Idaho 83702

Mr. Bill Bonnicksen, 927 East Seventh Street, Moscow, Idaho 83843

Mr. DuWayne Kimball, 1335 E. 3500 N. Buhl, Idaho 83316

WITNESSES:

Phuong B. Smith, 3652 Cedar Draw Lane, Filer, Idaho. (Wife)

Fellow protestants identified on the attached: "List of Protestants".

Edward S. Smith

Edward S. Smith
Protestant

4 MAR 15

LIST OF PROTESTANTS

Jimmie L. Conder
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Twin Falls, ID 83301

Scott Houtz
2231 E 3300 N
Twin Falls, ID 83301

RECEIVED
MAR 09 2015
Department of Water Resources
Eastern Region

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of March, 2015, a true and correct copy/copies of the document (s) described below was/were served by placing a copy of the same with the United States Postal Service certified mail. postage prepaid and properly address to the following:

Documents Served: Witness List

Barbara Stephens & Lynn Stephens Well Log 2349 E 3250 N Twin Falls ID
List of Protestant's Concerns/Conditions for Water Transfer Approval

CERTIFIED MAIL

Barker, Rosholt & Simpson
Attn: Travis Thompson
195 River Vista Place, Ste 204
Twin Falls, ID 83301-3027

Mr. James Cefalo
Hearing Officer
Idaho Department of Water Resources
900 N Skyline Dr, Ste. A
Idaho Falls, ID 83402

Signature Barbara Stephens

Printed Name BARBARA STEPHENS
Protestant

Signature Lynn Stephens

Printed Name LYNN STEPHENS
Protestant

LIST OF WITNESSES

Elizabeth "Betty" Slifer
3779 N 2250 E
Filer, ID 83328

Jeanie McCreary
2217 E 3300 N
Twin Falls, ID 83301

Martin F Hackard
3289 N 2300 E
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Twin Falls, ID 83301

Richard M Parrott
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Buhl, ID 83316

Shadow & Bonnie Seaman
1940 E 3700 N
Filer, ID 83328

EXPERT WITNESSES:

Mr. Ed Squires, Hydro Logic, Inc, 1002 W. Franklin, Boise Idaho 83702

Mr. Bill Bonnichsen, 927 East Seventh Street, Moscow, Idaho 83843

Mr. DuWayne Kimball, 1335 E. 3500 N. Buhl, Idaho 83316

Jimmie L. Conder
3623 N. 2000 E.
Filer, Idaho 83328
Telephone: (208-326-5467)

Pro Se

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR
TRANSEER NOS. 79357, 79380 & 79384
(in the name of Thomas Leno) and 79466
(in the name of Four Sisters Dairy LLC)

**NOTICE OF SERVICE OF
PROTESTANT'S SUBMISSION
OF EXHIBITS, EXPERT
WITNESSES AND WITNESSES**

TO THE HEARING OFFICER, AND ATTORNEY FOR APPLICANTS,

PLEASE TAKE NOTICE that Jimmie L. Conder, Protestant, has submitted to the HEARING OFFICER and the APPLICANTS the items identified on the attached sheet as those items that Protestant wants to enter into the hearing record. Documents not previously delivered to the Hearing Officer and the Applicants are included in this packet.

NOTICE OF FILING

The Office of Travis L. Thompson
Barker Rosholt and Simpson LLP
195 River Vista Place, Suite 204
Twin Falls, Idaho 83301-3029

By US Postal Service on March 4, 2015

Idaho Department of Water Resources
Hearing Officer, James Cefalo
900 N. Skyline Dr. Suite A
Idaho Falls, Idaho 83402-1718

By US Postal Service on March 4, 2015


Jimmie L. Conder
Protestant

SCANNED

APR 10 2015

Jimmie L. Conder
3623 N. 2000 E.
Filer, Idaho 83328
Telephone: (208-326-5467)

RECEIVED
MAR 06 2015
Department of Water Resources
Eastern Region

Pro Se

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR
TRANSEER NOS. 79357, 79380 & 79384
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**NOTICE OF SERVICE OF
PROTESTANT'S SUBMISSION
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WITNESSES AND WITNESSES**

TO THE HEARING OFFICER, AND ATTORNEY FOR APPLICANTS,

PLEASE TAKE NOTICE that Jimmie L. Conder, Protestant, has submitted to the HEARING OFFICER and the APPLICANTS the documents the Protestant would like to enter into the Hearing Record.

CERTIFICATE OF SERVICE

The Office of Travis L. Thompson
Barker Rosholt and Simpson LLP
195 River Vista Place, Suite 204
Twin Falls, Idaho 83301-3029

By US Postal Service on March 4, 2015

Idaho Department of Water Resources
Hearing Officer, James Cefalo
900 N. Skyline Dr. Suite A
Idaho Falls, Idaho 83402-1718

By US Postal Service on March 4, 2015


Jimmie L. Conder
Protestant

SCANNED
APR 10 2015

EXHIBITS AND WITNESSES

March 4, 2015

The following list identifies Exhibits and Witnesses that Protestant, Jimmie L. Conder, would like to enter into the Hearing Record:

EXHIBITS:

Attachment A. DEQ, Idaho Nitrate priority areas.

Attachment B. Filer city ordinance #527.

Attachment C. Conder domestic well information.

Attachment D. Twin Falls Canal Company shares information.

Attachment E. Fellow protestants identified on the attached: "List of Protestants".

Attachment F. List of Protestant's Concerns/Conditions for water transfer approval.

EXPERT WITNESSES:

Mr. Ed Squires, Hydro Logic, Inc. 1002 W. Franklin, Boise, Idaho 83702

Mr. Bill Bonnicksen, 927, East Seventh Street, Moscow, Idaho 83843

Mr. DuWayne Kimball, 1335 E. 3500 N. Buhl, Idaho 83316

LAY WITNESS:

Mayor Richard Dunn, , 300 Main, Filer, Idaho. (Telephone: 208-326-5000) or the Mayor's Representative.

WITNESSES:

Fellow protestants identified on attachment E: "List of Protestants".

"I SUPPORT THE ABOVE CONCERNS AND RESOLUTIONS"

 4 MARCH 2015

Jimmie L. Conder
Protestant

SCANNED
APR 10 2015

David A. Coleman, ISB #5742
COLEMAN, RITCHIE & CLUFF
156 2nd Avenue West
P.O. Box 525
Twin Falls, ID 83303-0525
Telephone: 208-734-1224
Fax: 208-734-3983

RECEIVED
MAR 06 2015
Department of Water Resources
Eastern Region

Attorney for Protestants Margaret Winsryg and Leroy Elliott

**BEFORE THE DEPARTMENT OF WATER RESOURCES
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IN THE MATTER OF APPLICATION FOR
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name of Four Sisters Dairy LLC)

DISCLOSURE OF WITNESSES

COMES NOW Protestant Margaret Winsryg and Leroy Elliott by and through their attorney of record, David A. Coleman of the firm Coleman, Ritchie & Cluff, and advises the Department and counsel that they intend to call Margaret Winsryg as a witness at the hearing scheduled for March 18 and 19, 2015 beginning at 8:30am at the SRBA Court located at 253 3rd Avenue North, Twin Falls, Idaho.

Protestants Margaret Winsryg and Leroy Elliott reserve the right to cross-examine any witnesses identified by the Applicants and other Protestants at the hearing and further reserves the right

to call any rebuttal witnesses not identified in this document. Protestant Margaret Winsryg and Leroy Elliott reserves the right to supplement its witness disclosure as necessary.

DATED this 4th day of March, 2015.

COLEMAN, RITCHIE & CLUFF

By David A. Coleman
DAVID A. COLEMAN

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 4th day of March, 2015, I served a true and correct copy of the foregoing DISCLOSURE OF WITNESSES by depositing the same in the United States mail, postage prepaid, addressed to the following:

James Cefalo, Hearing Officer
IDWR – Eastern Regional Office
900 N Skyline Drive, Ste. A
Idaho Falls, ID 83402-1718

William D. Hamby
2399 E 3300 N
Twin Falls, ID 83301

Martin F. Hackard
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Twin Falls, ID 83301

Travis Thompson
Barker Rosholt & Simpson
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Barbara Stephens
Lynn Stephens
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Michael and Jana Humphries
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Bonnie Seaman
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Greg Sullivan
Brockway Engineering, PLLC
2016 N Washington St., Ste. 4
Twin Falls, ID 83301



DAVID A. COLEMAN

David A. Coleman, ISB #5742
COLEMAN, RITCHIE & CLUFF
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Twin Falls, ID 83303-0525
Telephone: 208-734-1224
Fax: 208-734-3983

RECEIVED
MAR 06 2015
Department of Water Resources
Eastern Region

Attorney for Protestants Margaret Winsryg and Leroy Elliott

**BEFORE THE DEPARTMENT OF WATER RESOURCES
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IN THE MATTER OF APPLICATION FOR
TRANSFER NOS. 79357, 79380, & 79384
(in the name of Thomas Leno); and 79466 (in the
name of Four Sisters Dairy LLC)

DISCLOSURE OF EXHIBITS

COMES NOW Protestant Margaret Winsryg and Leroy Elliott by and through their attorney of record, David A. Coleman of the firm Coleman, Ritchie & Cluff, and hereby disclose and identify the exhibits that may be used at the hearing scheduled for March 18 and 19, 2015 beginning at 8:30am at the SRBA Court located at 253 3rd Avenue North, Twin Falls, Idaho.

See Exhibit "A" attached hereto and incorporated herein by reference.

Protestants Margaret Winsryg and Leroy Elliott reserve the right to utilize as exhibits any documents identified and disclosed by the Applicants in Discovery as well as any documents and exhibits disclosed by any of the other Protestants to this Application.

DATED this 4th day of March, 2015.

COLEMAN, RITCHIE & CLUFF

By David A. Coleman
DAVID A. COLEMAN

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 4th day of March, 2015, I served a true and correct copy of the foregoing DISCLOSURE OF EXHIBITS by depositing the same in the United States mail, postage prepaid, addressed to the following:

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DAVID A. COLEMAN