

TESTIMONY LOG

IN THE MATTER OF APPLICATION FOR)
 PERMIT NO. 65-23493 & APPLICATION FOR)
 TRANSFER NO. 78252 IN THE NAME OF)
 ALLEN RANCH LLLP)

Beginning at 9:30 a.m.
 December 10-12, 2013
 Hearing Officer: Shelley W. Keen

DIGITAL AND TAPE INFORMATION:

DIGITAL TRACK	DIGITAL LOCATION	TAPE NO. & TIME STAMP	TAPE LOCATION	TESTIMONY DESCRIPTION
NO.	HRS-MIN-SEC	TO	FROM	
01	00:00	tape #1	22	Hearing began @ 9:30am - off record
				motion to strike protest West Mt Water Inc.
006			85	on record
	550		250	Motion to strike West Mt. Water Assoc. + Properties protests West Mt. Properties LLC - no West Mt Assoc. - participation
	14:10		5:10	defer striking protests Motion to ^{objection of} witness list - sustained - upheld.
	15:15		545	Motion for accommodations for hearing - provided
	15:55		~~550~~ 560	prepared testimony will be allowed & can ask additional questions.
	21:20		745	Rules of Procedure - Letter from West Mt Assoc. Dec 6 2013 will not be allowed in record.
07	00:00		967	Mr. Smith calls JE Allen to stand introduced exhibits & objections were ~~presented~~ raised.
	4850		2020	continued w/ questioning objected to referred disallowed exhibits.

DIGITAL TRACK	DIGITAL LOCATION	TAPE NO. & TIME STAMP	TAPE LOCATION	TESTIMONY DESCRIPTION
NO.	HRS-MIN-SEC	TO	FROM	
07	58:00	tape #1	2970	object to testimony being hearsay
				sustain objection - be careful w/questioning
	1:02:00		3125	Tutthill Affidavit.
	1:06:00		3250	reintroduce disallowed exhibits
				exhibits will be excluded
				@ Mr Smith objects
08			3444	after lunch break - cross of Mr. Allen by Ms. Chess
	23:00		44:00	object to POD abandonment questioning
				allow question
	32:00		4800	complaint question - objection
				clarify what complaint she means
	50:00	tape #2		change tape
	59:10		87	object to Ms Chess testifying
	1:03		215	object to maps about POD's for 05-3111A + 05-3111X - move along & not use maps
	1:39:33		13:32	break -
	2:22:33		28:19	talk procedure
009			28:45	interrupt Allen testimony & Mr Smith call Ron Shurtleff
010			3000	Ms Chess cross Mr Shurtleff
	1140		3400	Ms Chess testifying again - sustains
011			3700	Mr Bence cross Mr. Shurtleff
	550		3945	require lockable device if granted
				new POD + new permit
	1145		4000	Mr McClintock cross Mr. Shurtleff
	1325		4204	Ms. " " " "
012			4325	Mr Smith re-cross " "
013			4305	Ms Chess re-cross " "
	325		4513	objection by Mr Smith about
				existence of upper diversion

DIGITAL TRACK	DIGITAL LOCATION	TAPE NO. & TIME STAMP	TAPE LOCATION	TESTIMONY DESCRIPTION
NO.	HRS-MIN-SEC	TO	FROM	
013		tape 2		
	7:26		4694	Mr. Bunce re-cross Mr. Shurtleff
	8:15		4725	Mr. Keen asks Mr Shurtleff
				question - measuring device -
				- nature of Rock Creek -
	10:30		4830	Mr. Shurtleff excused
	10:47		4844	off record.
014	0:00	tape #3	0000	Wednesday, December 11, 2013
				continue cross of Mr Allen by
				Ms. Chess
015	0:00		250	Mr. Bunce cross Mr. Allen
				Mr. Bunce kept questioning about
				His water - now w/R only gets water
				from HOA
	20:36		883	Bread & Shelley can read order.
	2825		1130	motion to dismiss protests by
				West Mt Water Assoc. & properties
				from proceedings - granted
	33:33		1295	Mr Bunce continues w/questioning
				Mr Smith object to questions that are not
				about prepared testimony.
016			1580	Mr McClintick cross Mr Allen
	7:14		1820	Ms McClintick " " "
017			1880	Mr Smith re-cross Mr Allen
018			2045	Ms Chess re cross " "
	2:00		2120	object to stream flow questions
				change type of questioning
	7:35		2310	Mr Bunce re-cross Mr. Allen
			2588	10-min break then 2 hour break
				back to 1:20 off record
019			2588	on record discuss procedures
				& settlement conditions.

