

RECEIVED  
NOV 27 2013  
Department of Water Resources  
*gpr*

West Mountain Water Association, Inc  
c/o Sandra Chess  
1200 Lizaso Ave  
Boise, ID 83709  
Protestant  
and  
Sandra Chess  
1200 Lizaso Ave  
Boise, ID 83709  
(208) 863-8769  
Protestant

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

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

**West Mountain Water Assoc.  
and Sandra Chess  
Joint disclosure of witnesses**

Protestants West Mountain Water Assoc., Inc. and Sandra Chess; hereby submits joint list of witnesses. Protestants reserve the right to call rebuttal witnesses if deemed necessary.

Witnesses:

1. Any member of West Mountain Water Association, Inc.
2. see attached list from Interrogatory response under No. 1 & 2
3. Applicant
4. Any witness called by applicant

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**West Mountain Water Association, Inc. and Sandra Chess, joint witness list.**

Respectfully submitted this 27<sup>th</sup>, day of November, 2013

A handwritten signature in black ink that reads "Sandra M. Chess". The signature is written in a cursive style with a large initial 'S'.

Sandra M. Chess – Pro Se

Sandra M. Chess – Director, West Mountain Water Association

I HEREBY CERTIFY that on this 27<sup>th</sup>, day of October, 2013, I personally served the joint witness list for West Mountain Water Association, Inc. and Sandra chess in person to :

Allen Ranch LLP  
in c/o  
Bruce M Smith  
Moore Smith Buxton & Turcke  
950 W. Bannock St., Ste 520  
Boise, ID 83702

Idaho Department of Water Resources  
Shelley Keen – Hearing Officer  
322 East Front Street  
Boise, ID 83720

Randy and Cris McClintick  
At Duffy Lane  
Cascade, ID 83611

West Mountain Properties, LLC  
c/o Dwight Jividen  
413 Carbarton Rd  
Cascade, ID 83611

Copies have been electronically submitted on this 27<sup>th</sup> day of October, 2013, hard copies mailed via US Postal Service to:

James T. Bunce  
P.O. Box 890  
Cascade, ID 83611



Sandra M. Chess – Pro Se  
Sandra M. Chess – Director, West Mountain Water Association

Interrogatory # 1:  
n/a

Interrogatory # 2:

James Bunce  
P.O. Box 890  
Cascade, ID 83611  
(208)315-1628

Mr. Bunce has lived in the area for approximately 54 years and is a member of the Board of Directors. He acts as a watermaster for the Association. He is aware of all aspects of delivery of both the Association's water rights and Allen Ranches' water rights during that entire period of time.

Jerry Dye  
3 Lige Lane  
Cascade, ID 83611  
(208) 859-8284

Mr. Dye has lived in the area for approximately 20 years. He is a member of the Association's Board of Directors and acts as a watermaster for the Association. He is aware of all aspects of delivery of the Association's water rights during that period of time.

Cindi Carmona  
10421 W. Campville St.  
Boise, ID 83709  
(208) 830-9591

Ms. Carmona has lived at the location of Allen Ranches' SRBA decreed point of diversion from Rock Creek since 2003. She has knowledge regarding flows in Rock Creek, and use of Allen Ranches' SRBA decreed point of diversion during that time. She is a neighbor of Association members.

Randy McClintock  
Chris McClintock  
P.O. Box 7  
Orvada, NV 89425  
(775) 761-5747

Mr. and Mrs. McClintock have owned property on Rock Creek for approximately 20 years, and Mr. McClintock has visited the property for his entire life. They both have knowledge regarding flows of Rock Creek during the times specified. They are neighbors of Association members.

Issy Bunce  
P.O. Box 890  
Cascade, ID 83611  
(208)315-1628

Ms. Bunce is secretary/treasurer of the West Mountain Water Association. She has lived in the area for approximately 54 years and is aware of the use of both the Association's water rights and Allen Ranches' water rights during that period of time.

Dwight Jividen  
413 Cabarton Road  
Cascade, ID 83611  
(208) 382-4921

Mr. Jividen is a member of the LLC owning the property where Allen Ranch's alleged upper diversion on Rock Creek is located, and owns the property on which Little Rock Creek originates. He has had an ownership interest in the property for at least ten years. He has not given permission for Allen Ranches to access or use the alleged upper diversion on his property. He is a neighbor of Association members and Mr. Allen.

Joyce Ford  
569 Brenda Lane  
Cascade, ID 83611  
(208) 830-6133

Ms. Ford has lived in the area for at least ten years. Ms. Ford is aware of the flows of Rock Creek during that period. She is a neighbor of Association members.

Ron Shurtleff  
Basin 65 Watermaster  
102 N. Main St.  
Payette, ID 83661  
(208)642-4465

Mr. Shurtleff is the current watermaster for Basin 65. He may have knowledge regarding the flows in Rock Creek. He may have knowledge regarding the delivery of all parties' water rights.

John Westra  
Manager, IDWR Western Region  
2735 Airport Way  
Boise, ID 83705  
(208)334-2190

Mr. Westra is the manager of IDWR's Western Regional Offices. He may have knowledge regarding permission that may or may not have been temporarily granted to Allen Ranches to use the alleged upper diversion on Rock Creek.

Steve Lester  
IDWR Western Region  
2735 Airport Way  
Boise, ID 83705

(208)334-2190

Mr. Lester is an IDWR employee who conducted a field exam in November of 2010 in response to a complaint filed by West Mountain Water Association member Sandra Chess. He may have knowledge regarding that examination and other pertinent information.

Frank Phillips

Address and phone No. unknown.

Mr. Phillips has knowledge regarding the number of cattle grazing at the stockwater place of use listed on Allen Ranches' water rights application.

J.R. Allen

2624 S. Inglenook Pl.

Meridian, ID 83642

(208)866-4370

Mr. Allen is a member of the LLC that is the applicant in this matter.

John Allen

Address and Phone Number unknown

Mr. Allen is a member of the LLC that is the applicant in this matter.

Corporal Tom Cimbalik

Valley County Sheriff's Office

107 W. Spring St.

Cascade, ID 83611

(208) 382-7150

Corporal Cimbalik has knowledge of a conflict on Rock Creek between Allen Ranches and various property owners who use the waters of Rock Creek.

Melvin Pursell

1077 Washington St.

Reno, NV 89503

(775)335-9087

Mr. Pursell has owned property in the area for at least 30 years. He is aware of flows in Rock Creek during the entirety of his residency. He is a neighbor of Association members.

Wade and Nancy Zurcher

2625 N. Croft Ln.

Eagle, ID 83616

(208) 939-2378

Mr. and Mrs. Zurcher have owned property in the area since approximately 2003. They have knowledge regarding flows of Rock Creek during that time. They are neighbors of

Association members.

Robert Mitchell  
409 W. Highland View Dr.  
Boise, ID 83702  
(208)336-1928

Mr. Mitchell owns property near Rock Creek across which the ditch from Allen Ranch's SRBA decreed point of diversion on Rock Creek runs. He has owned this property for at least ten years and has knowledge regarding the use of the ditch crossing the property for the same period of time. He is a neighbor of Association members.

West Mountain Water Association, Inc. shareholders  
There are approximately 62 shareholders in the West Mountain Water Association. All of them have some knowledge regarding this matter.

**Interrogatory # 3:**

Not applicable.

**Interrogatory # 4**

Not applicable.

**Interrogatory # 5**

I may call any of the persons listed under response to Interrogatory # 2.

**Interrogatory # 6**

The documentation, photos (pending print), audio (pending transcription) are provided, or will be provided with detail. Please see attached.

**Interrogatory # 7**

Yes.

1. J.R. Allen  
August 25, 2011  
Valley County Sheriff's Office, Cascade, Idaho  
and/or unknown.  
Recorded oral statement.  
Original statement in possession of Valley County Sheriff
2. John Westra  
August, 2011  
Valley County Sheriff's Office, Cascade, Idaho  
Recorded telephone conversation  
Original statement in possession of Valley County Sheriff

Copies of both statements are attached on external USB, pending transcription.