

Bruce M. Smith, ISB #3425
MOORE SMITH BUXTON & TURCKE, CHTD.
Attorneys at Law
950 W. Bannock, Suite 520
Boise, ID 83702
Telephone: (208) 331-1800
Facsimile: (208) 331-1202
E-Mail: bms@msbtlaw.com

Attorney for Allen Ranch LLP

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 65-23493 AND APPLICATION FOR) **NOTICE OF COMPLIANCE**
TRANSFER NO. 78252 IN THE NAME OF)
ALLEN RANCH LLP)
_____)

NOTICE IS HEREBY GIVEN that on this 1st day of November, 2013, the copy of
this **NOTICE OF COMPLIANCE** was served via U.S. Mail upon the following
attorneys along with the respective discovery requests indicated:

**APPLICANT ALLEN RANCH LLP'S FIRST SET OF INTERROGATORIES,
REQUESTS FOR PRODUCTION OF DOCUMENTS AND REQUESTS FOR
ADMISSION TO PROTESTANTS RANDY AND CRIS MCCLINTICK**

Randy and Cris McClintock
PO Box 7
Orvada, NV 89425

**APPLICANT ALLEN RANCH LLP'S FIRST SET OF INTERROGATORIES,
REQUESTS FOR PRODUCTION OF DOCUMENTS AND REQUESTS FOR
ADMISSION TO PROTESTANT WEST MOUNTAIN WATER ASSOCIATION,
INC.**

West Mountain Water Association Inc.
c/o Charles Honsinger
Honsinger Law, PLLC
PO Box 517
Boise, ID 83701

**APPLICANT ALLEN RANCH LLP'S FIRST SET OF INTERROGATORIES,
REQUESTS FOR PRODUCTION OF DOCUMENTS AND REQUESTS FOR
ADMISSION TO PROTESTANT SANDRA CHESS**

Sandra Chess
1200 Lizaso Avenue
Boise, ID 83709

**APPLICANT ALLEN RANCH LLP'S FIRST SET OF INTERROGATORIES,
REQUESTS FOR PRODUCTION OF DOCUMENTS AND REQUESTS FOR
ADMISSION TO PROTESTANTS JOYCE AND GLENN FORD**

Joyce and Glenn Ford
569 Brenda Lane
Cascade, ID 83611

**APPLICANT ALLEN RANCH LLP'S FIRST SET OF INTERROGATORIES,
REQUESTS FOR PRODUCTION OF DOCUMENTS AND REQUESTS FOR
ADMISSION TO PROTESTANT WEST MOUNTAIN PROPERTIES, LLC**

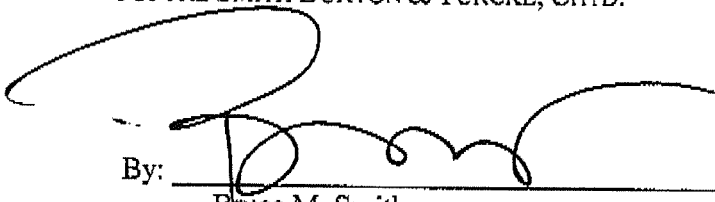
West Mountain Properties LLC
c/o Dwight Jividen
413 Cabarton Road
Cascade, ID 83611

**APPLICANT ALLEN RANCH LLP'S FIRST SET OF INTERROGATORIES,
REQUESTS FOR PRODUCTION OF DOCUMENTS AND REQUESTS FOR
ADMISSION TO PROTESTANT JAMES BUNCE**

James T. Bunce
PO Box 890
Cascade, ID 83611

Dated this 1ST day of November, 2013.

MOORE SMITH BUXTON & TURCKE, CHTD.

By: 

Bruce M. Smith
Attorney for Allen Ranch LLP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 1st day of November, 2013, I caused to be served a true and correct copy of the foregoing **NOTICE OF COMPLIANCE** to the following:

Original to: (Via Facsimile)

Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

Copies to: (Via First Class U.S. Mail)

John Westra
Regional Manager, Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

West Mountain Water Association Inc.
c/o Kris Kotter
PO Box 388
Cascade, ID 83611

Randy and Cris McClintock
PO Box 7
Orvada, NV 89425

Joyce and Glenn Ford
569 Brenda Lane
Cascade, ID 83611

Sandra Chess
1200 Lizaso Avenue
Boise, ID 83709

James T. Bunce
PO Box 890
Cascade, ID 83611

West Mountain Properties LLC
c/o Dwight Jividen
413 Cabarton Road
Cascade, ID 83611



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 E-Mail: bms@msbtlaw.com

Attorney for Allen Ranch LLP

BEFORE THE DEPARTMENT OF WATER RESOURCES
 OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
PERMIT NO. 65-23493 IN THE NAME OF	)	NOTICE OF RULE 30(b)(6)
ALLEN RANCH LLP AND APPLICATION FOR	)	DEPOSITION DUCES TECUM OF
TRANSFER NO. 78252 IN THE NAME OF	)	PROTESTANT WEST MOUNTAIN
ALLEN RANCH LLP	)	WATER ASSOCIATION, INC.
_____	)	

THE STATE OF IDAHO TO:

West Mountain Water Association Inc.
 c/o Charles Honsinger
 Honsinger Law, PLLC
 PO Box 517
 Boise, ID 83701

YOU ARE HEREBY NOTIFIED That Applicant Allen Ranch LLP in the foregoing-captioned case (hereinafter "Applicant") will take the testimony, upon oral examination, pursuant to Rule 30(b)(6) I.R.C.P., of **Protestant WEST MOUNTAIN WATER ASSOCIATION, INC.** on Thursday, the 14th day of November, 2013, at the hour of 11:00 o'clock a.m., at the offices of **MOORE SMITH BUXTON & TURCKE, CHTD., 950 W. Bannock Street, Suite 520, Boise, Idaho**, before a Notary Public and

Court Reporter for the State of Idaho, at which time and place you are notified to appear and take such part in said examination as shall be deemed just and proper.

DOCUMENTS REQUESTED

Applicant requires the Deponent to produce and make available for inspection and/or copying the following:

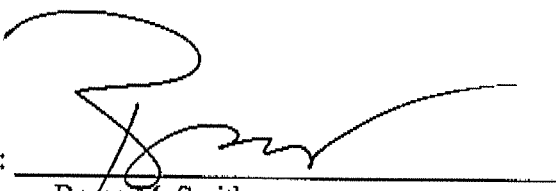
1. All documents that support your protest of the referenced applications.
2. All documents that you believe show the proposed application will reduce the quantity of water under existing water rights.
3. All documents related to the water supply in Rock Creek.
4. All documents that show other water rights would be injured by the proposed applications.
5. All documents you believe show the applications are not in the public interest.
6. All documents you believe show that the amount of water sought to be appropriated is excessive.
7. All documents that show the amount of water in Rock Creek.
8. All documents related to your water right including your usage.
9. All documents you believe show the applications are not made in good faith.
10. All documents evidencing communication between you and any other protestant.
11. All documents evidencing communication between you and IDWR regarding the applications or use of water by the Applicant.

12. All documents that show, explain, or provide details of your diversion systems.
13. A list of your current members.
14. All documents evidencing communications between you and the members of the Association regarding your protest of the applications.
15. All documents that you believe show the upper diversion has not been in existence for at least thirty (30) years.

This deposition shall be taken pursuant to Rule 30(b)(6) of the Idaho Rules of Civil Procedure for use at the hearing of this matter.

Respectfully submitted this 7 day of November, 2013.

MOORE SMITH BUXTON & TURCKE, CHTD.

By: 

Bruce M. Smith
Attorney for Allen Ranch LLP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the / day of November, 2013, I caused to be served a true and correct copy of the foregoing **NOTICE OF RULE 30(b)(6) DEPOSITION DUCES TECUM OF PROTESTANT WEST MOUNTAIN WATER ASSOCIATION, INC.** via prepaid, U.S. Mail, to the following:

Original to: (Via Facsimile)

Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

Copies to: (Via First Class U.S. Mail)

John Westra
Regional Manager, Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

West Mountain Water Association Inc.
c/o Charles Honsinger
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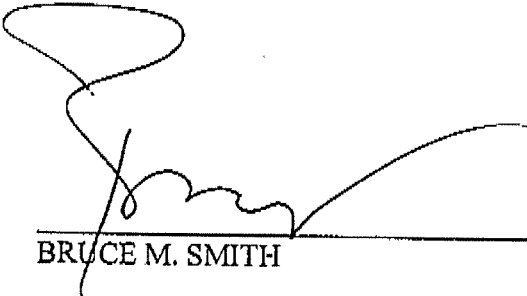
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1200 Lizaso Avenue
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Boise, ID 83709

M&M Court Reporting
421 W. Franklin Street
Boise, ID 83702



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Facsimile: (208) 331-1202
E-Mail: bms@msbtlaw.com

Attorney for Allen Ranch LLP

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
PERMIT NO. 65-23493 IN THE NAME OF	)	NOTICE OF DEPOSITION DUCES
ALLEN RANCH LLP AND APPLICATION FOR	)	TECUM OF PROTESTANT
TRANSFER NO. 78252 IN THE NAME OF	)	SANDRA CHESS
ALLEN RANCH LLP	)	
_____	)	

THE STATE OF IDAHO TO:

Sandra Chess
1200 Lizaso Avenue
Boise, ID 83709

YOU ARE HEREBY NOTIFIED that Applicant Allen Ranch LLP herein will take the testimony, upon oral examination, of **SANDRA CHESS on the 14th day of November, 2013 at the hour of 11:00 a.m., at the offices of Moore Smith Buxton & Turcke, Chtd., 950 W. Bannock Street, Suite 520, Boise, Idaho**, before a notary public and court reporter for the State of Idaho, at which time and place you are notified to appear and take such part in said examination as shall be deemed just and proper.

Applicant requires the deponent to produce and make available for inspection and/or copying the following:

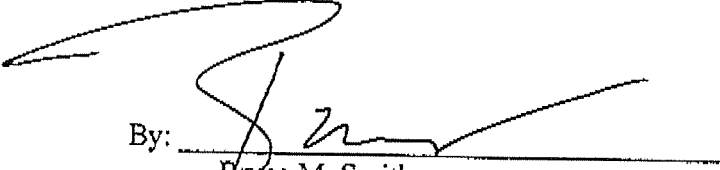
1. All documents that support your protest of the referenced applications.
2. All documents that you believe show the proposed application will reduce the quantity of water under existing water rights.
3. All documents related to the water supply in Rock Creek.
4. All documents that show other water rights would be injured by the proposed applications.
5. All documents you believe show the applications are not in the public interest.
6. All documents you believe show that the amount of water sought to be appropriated is excessive.
7. All documents that show the amount of water in Rock Creek.
8. All documents related to your water right including your usage.
9. All documents you believe show the applications are not made in good faith.
10. All documents evidencing communication between you and any other protestant.
11. All documents evidencing communication between you and IDWR regarding the applications or use of water by the Applicant.

This request not only calls for the documents in the possession of the Deponent, but also for all documents that are in the custody or control of Deponent's employees, representatives and attorneys.

This deposition shall be taken pursuant to the *Idaho Rules of Civil Procedure* for use at the hearing of this matter.

Respectfully submitted this 1 day of November, 2013.

MOORE SMITH BUXTON & TURCKE, CHTD.

By: 

Bruce M. Smith
Attorney for Allen Ranch LLP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the ____ day of November, 2013, I caused to be served a true and correct copy of the foregoing **NOTICE OF DEPOSITION DUCES TECUM OF PROTESTANT SANDRA CHESS** via prepaid, U.S. Mail, to the following:

Original to: (Via Facsimile)

Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

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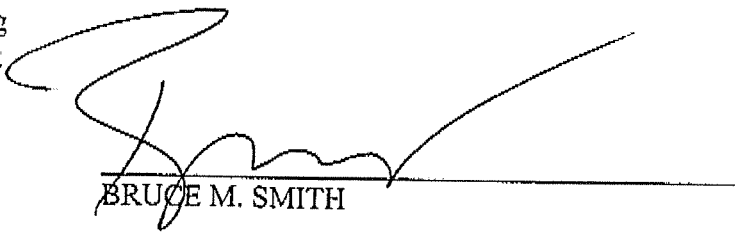
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Attorney for Allen Ranch LLP

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
PERMIT NO. 65-23493 IN THE NAME OF	)	
ALLEN RANCH LLP AND APPLICATION FOR	)	SUBPOENA DUCES TECUM OF
TRANSFER NO. 78252 IN THE NAME OF	)	PROTESTANT SANDRA CHESS
ALLEN RANCH LLP	)	
_____	)	

THE STATE OF IDAHO TO:

Sandra Chess
1200 Lizaso Avenue
Boise, ID 83709

YOU ARE COMMANDED:

To appear at the place, date, and time specified below to testify at the taking of a deposition in the above-captioned case.

To produce or permit inspection and copying of the documents or objects, including electronically stored information, identified as follows at the place, date and time specified below:

1. All documents that support your protest of the referenced applications.

2. All documents that you believe show the proposed application will reduce the quantity of water under existing water rights.
3. All documents related to the water supply in Rock Creek.
4. All documents that show other water rights would be injured by the proposed applications.
5. All documents you believe show the applications are not in the public interest.
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8. All documents related to your water right including your usage.
9. All documents you believe show the applications are not made in good faith.
10. All documents evidencing communication between you and any other protestant.
11. All documents evidencing communication between you and IDWR regarding the applications or use of water by the Applicant.

PLACE, DATE, AND TIME: Moore Smith Buxton & Turcke, Chtd., 950 W. Bannock Street, Suite 520, Boise, Idaho on **Thursday, November 14, 2013 at 11:00 a.m.** continuing thereafter until complete.

YOU ARE FURTHER NOTIFIED that if you fail to appear at the place, date, and time specified above, or to produce or permit copying or inspection as specified above, you may be held in contempt of court and the aggrieved party may recover from you the

sum of \$100.00 and all damages which the party may sustain by your failure to comply with this subpoena.

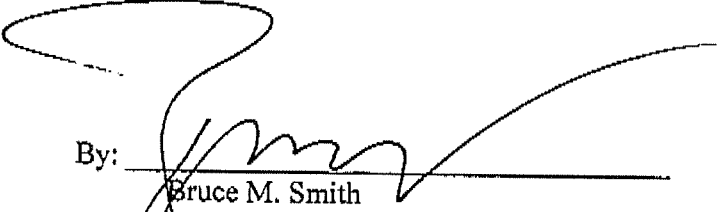
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This deposition shall be taken pursuant to the *Idaho Rules of Civil Procedure* for use at the hearing of this matter.

Respectfully submitted this 1 day of November, 2013.

MOORE SMITH BUXTON & TURCKE, CHTD.

By: 

Bruce M. Smith
Attorney for Allen Ranch LLP

CERTIFICATE OF SERVICE

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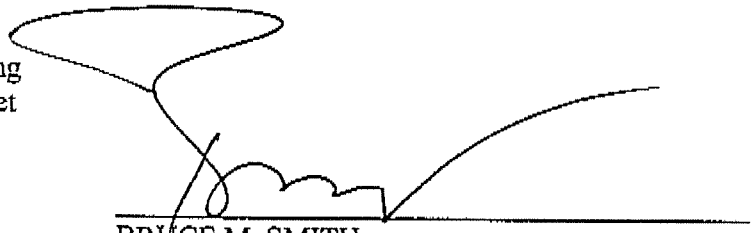
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Boise, ID 83709

M&M Court Reporting
421 W. Franklin Street
Boise, ID 83702



BRUCE M. SMITH

MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AT LAW

950 WEST BANNOCK, SUITE 520
BOISE, ID 83702

TELEPHONE: (208) 331-1800 FAX: (208) 331-1202

FACSIMILE COVER SHEET

DATE: November 1, 2013 RECIPIENT'S FAX: 287-6700
TO: IDWR CLIENT: 1752-00
RE: Allen Ranch LP - Permit No.65-23493 and Transfer No. 78252
FROM: Bruce M. Smith/Kat
NUMBER OF PAGES INCLUDING THIS COVER SHEET: 4

☒ ORIGINAL WILL NOT BE SENT
☐ ORIGINAL WILL BE SENT BY FIRST CLASS MAIL
☐ ORIGINAL WILL BE SENT BY FEDERAL EXPRESS

ADDITIONAL COMMENTS:

Please file with IDWR. Thank you.

***** IMPORTANT MESSAGE *****

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.