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SEP 25 2013

DEPARTMENT OF
WATER RESOURCES

Andrew J. Waldera, ISB No. 6608
MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED
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22567.0002

Attorneys for Tree Top Ranches, L.P.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT TO
APPROPRIATE WATER NOS. 63-32459,
63-32460, 63-33507, and 63-33508 IN THE
NAME OF G. O. INVESTMENTS, LLP

TREE TOP RANCHES, LP'S FIRST SET OF
DISCOVERY REQUESTS TO APPLICANT
G. O. INVESTMENTS, LLP

COMES NOW, Protestant Tree Top Ranches, L.P. ("Tree Top"), by and through undersigned counsel of record and pursuant to Idaho Rules of Civil Procedure 26, 33, 34, and 36; IDAPA 37.01.01.520; and the Idaho Department of Water Resources' Notice of Hearing and Order Authorizing Discovery, dated March 7, 2013, and hereby submits its First Set of Discovery Requests to Applicant G. O. Investments, LLP as follows:

**I.
INSTRUCTIONS**

1. In responding to these Requests for Admissions, Interrogatories and Requests for Production of Documents, you are requested to furnish all information available to

you, or subject to your reasonable inquiry, including information in the possession of your attorneys, investigators, employees, agents, representatives, guardians, consultants, expert witnesses, and any other person or persons acting on your behalf, and not merely such information as is known to you by your own personal knowledge.

2. In responding to these discovery requests, you must make a diligent search of your Records and all other papers and materials that are in your possession or available to you, or to the individuals described in the preceding paragraph. If any item has subparts, please answer each part separately and in full. If you cannot answer any of the following requests in full after exercising due diligence to secure the information necessary to do so, please so state and answer or respond to the extent possible, specifying your inability to answer the remainder and stating whatever information or knowledge you have concerning the unanswered portions.

3. If you object to any discovery request on the ground that the information sought is privileged and non-discoverable, please state the basis for your claim of privilege and, in the case of any request for production, identify the documents and records which you object to producing, in sufficient detail as to enable the Idaho Department of Water Resources' ("Department") Hearing Officer to rule upon the claim of privilege.

4. These discovery requests are deemed to be continuing. If, after responding to these requests, you acquire any further information responsive to them, you are hereby requested, pursuant to Idaho Rule of Civil Procedure 26(e), to file and serve supplemental answers or responses containing such further information.

5. If you fail to respond to one or more of these discovery requests or if your response to one or more of these requests is evasive or incomplete, Tree Top may move the

Department for an order compelling you to fully respond to these requests and to pay the reasonable expenses, including attorney fees, incurred by it in obtaining the order.

6. If you fail to produce documents and records requested herein on the ground that the necessary information, records or documents are not within your care, custody, possession or control, please state what efforts you have made to obtain such information, documents or records.

7. If you fail to respond to any of these discovery requests in full or fail to supplement your answers or responses as requested, Tree Top may move the Department for an order precluding you from introducing into evidence, or otherwise using at hearing, any testimony, witness, exhibit, document, record, publication, or other item or information not timely disclosed in your responses to these discovery requests.

8. You are required to respond to these discovery requests within fourteen (14) days of service pursuant to the Department's pending Order Authorizing Discovery and Hearing Order, dated March 7, 2013.

II. DEFINITIONS

1. The term "Communication(s)" shall include, without limitation, any dissemination of information or transmission of a statement from one person to another or in the presence of another, whether written, oral, or by action or conduct.

2. The terms "Document(s)" and/or "Record(s)" mean any tangible thing upon which has been placed handwriting, e-mail transmission, typewriting, printing, photocopying, photographing, digital or computerized data, or any other form of recording, communication or representation, including but not limited to letters, words, pictures, sounds, magnetic impulses, symbols, numbers or any combination thereof, whether or not visible to the

unassisted human eye. This definition shall include, but is not limited to, any and all originals, copies, or drafts of any and all of the following: Records, notes, summaries, schedules, contracts, agreements, orders, design manuals, inventories, audits, acknowledgments, diaries, findings, forecasts, tests, appraisals, reports, memoranda, telephone recordings, telephone logs, telephone lists, diaries, calendars, planners, daytimers, correspondence and letters, e-mail, telegrams, telexes, facsimiles and faxes, cables, tapes, tape recordings, statements, receipts, invoices, transcripts, recordings, photographs, witness statements, pictures, films, videotapes, computer programs, computer databases, models, things and materials of any nature whatsoever. Any "Document" which contains any comment, notation, addition, insertion or marking of any kind which is not part of another document is to be considered as a separate "Document."

3. When asked to "Identify" a person or entity or when asked for the "Identity" of a person or entity, please include:

- (a) The name of the person or entity;
- (b) The present or last known address and telephone number of the person or entity;
- (c) The present or last known occupation, title, business, and employer of the person or entity; and
- (d) The present or last known address and telephone number of the employer of the person or entity.

4. When asked to "Identify" a Record or Document please include:

- (a) The nature or type of Record or Document (*e.g.*, letter, photograph, map, drawing, tape recording, etc.);

- (b) The subject matter of the Record or Document and/or a general description of its contents;
 - (c) The “identity” of the person who authored or created the Record or Document;
 - (d) The date of the Document or, if it bears no date, the date on which it was prepared or created; and
 - (e) The physical location of the original and any copies of the Document or Record of which you are aware and the “identity” of the present custodian of the Record or Document.
5. The terms “You” and “Your” shall mean Applicant G. O. Investments, LLP.

III. REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1: Please admit that development of the water rights sought under Application for Permit Nos. 63-32459 and 63-33507 requires use of the Haas Ditch for conveyance purposes to your proposed place of use.

REQUEST FOR ADMISSION NO. 2: Please admit that your use of the Haas Ditch is subject to the negotiation of an agreement with the owner of that facility, namely the Haas Ditch Company.

REQUEST FOR ADMISSION NO. 3: Please admit that you have yet to reach an agreement with the Haas Ditch Company for use of the Haas Ditch under your Application for Permit Nos. 63-32459 and 63-33507.

REQUEST FOR ADMISSION NO. 4: Please admit that the Haas Ditch currently lacks the capacity necessary to accommodate the 24.0 cfs water right you seek to develop under Application for Permit No. 63-33507 during the irrigation season (3/1 – 11/15).

REQUEST FOR ADMISSION NO. 5: Please admit that diversion of water under Application for Permit Nos. 63-32459 and 63-33507, if approved, threatens to reduce Boise River flows through (if not de-water) the westerly river channel flowing around the in-stream island locally known, and commonly referred to, as McConnel Island, located in Township 5 North, Range 5 West, Sections 22 and 27.

REQUEST FOR ADMISSION NO. 6: Please admit that under Application for Permit Nos. 63-32460 and 63-33508 you seek to divert water from an agricultural drain locally known as the Baldwin Meadows Drain (the “Drain”), which is tributary to the Boise River.

REQUEST FOR ADMISSION NO. 7: Please admit that the confluence of the Drain with the Boise River is located immediately upstream of the westerly channel flowing around the in-stream island locally known, and commonly referred to, as McConnel Island, located in Township 5 North, Range 5 West, Sections 22 and 27.

REQUEST FOR ADMISSION NO. 8: Please admit that diversion of water under Application for Permit Nos. 63-32460 and 63-33508, if approved, will intercept and capture water that would otherwise flow into the Boise River immediately upstream of the westerly channel flowing around the in-stream island locally known, and commonly referred to, as McConnel Island, located in Township 5 North, Range 5 West, Sections 22 and 27.

REQUEST FOR ADMISSION NO. 9: Please admit that diversion of water under Application for Permit Nos. 63-32460 and 63-33508, if approved, threatens to reduce Boise River flows through (if not de-water) the westerly river channel flowing around the in-stream

island locally known, and commonly referred to, as McConnel Island, located in Township 5 North, Range 5 West, Sections 22 and 27.

REQUEST FOR ADMISSION NO. 10: Please admit that you do not own the Drain.

REQUEST FOR ADMISSION NO. 11: Please admit that you do not have permission to use the Drain as proposed under Application for Permit Nos. 63-32460 and 63-33508.

REQUEST FOR ADMISSION NO. 12: Please admit that the diversion of water under the above-captioned Applications for Permit, if approved, conflicts with the local public interest because the diversions threaten the integrity of Boise River flows through the westerly river channel flowing around the in-stream island locally known, and commonly referred to, as McConnel Island, located in Township 5 North, Range 5 West, Sections 22 and 27.

REQUEST FOR ADMISSION NO. 13: Please admit that the diversion of water under the above-captioned Applications for Permit, if approved, is contrary to the conservation of water resources within the state of Idaho because the diversions threaten the integrity of Boise River flows through the westerly river channel flowing around the in-stream island locally known, and commonly referred to, as McConnel Island, located in Township 5 North, Range 5 West, Sections 22 and 27.

IV. INTERROGATORIES

INTERROGATORY NO. 1: Please identify all persons with knowledge of any element or component of your Application for Permit Nos. 63-32459, 63-32460, 63-33507, and 63-33508, including the proposed diversion structures and methods for conveying water to your proposed place of use, and how you intend to put the water sought to beneficial use.

INTERROGATORY NO. 2: Please identify all persons you intend to call to testify as a lay witness at the hearing on the above-captioned Applications for Permit, and please summarize the subject matter and contents of their expected testimony.

INTERROGATORY NO. 3: Please identify all persons you intend to call to testify as an expert witness at the hearing on the above-captioned Applications for Permit, and please provide the subject matter upon which the expert witness is expected to testify, a complete statement of all opinions to be expressed by the expert and the reasons therefor, the substance of the expert witness' opinions, the basis and reasons for the opinions, the underlying facts and data upon which those opinions are based, and all information referenced in and required by Rule 26(b)(4)(A)(i) of the Idaho Rules of Civil Procedure.

INTERROGATORY NO. 4: Please identify any and all exhibits you intend to use at the hearing on the above-captioned Applications for Permit; if the proposed exhibit is one that summarizes information, documents, or other exhibits, please identify the information, documents, and/or other exhibits that the summary exhibit summarizes.

INTERROGATORY NO. 5: Please describe in full and complete detail all facts and bases supporting the above-captioned Applications for Permit, including, without limitation, the evaluation criteria contained in Idaho Code Section 42-203A.

INTERROGATORY NO. 6: To the extent any of your responses to the requests for admission contained herein are anything other than unqualified admissions, please describe in full and complete detail all facts and bases supporting your denials (qualified or not). When answering this interrogatory, please cross-reference the request(s) for admission to which your answer applies.

INTERROGATORY NO. 7: Please identify and describe in full and complete detail all precautions and measures you will undertake to protect the integrity of Boise River flows through the westerly river channel flowing around the in-stream island locally known, and commonly referred to, as McConnel Island, located in Township 5 North, Range 5 West, Sections 22 and 27 if the above-captioned Applications for Permit are approved.

INTERROGATORY NO. 8: Please identify and describe in full and complete detail all Haas Ditch improvements (including diversion structure improvements) you intend to undertake to facilitate and accommodate your diversion and use of the water sought under Application for Permit Nos. 63-62459 and 63-33507.

INTERROGATORY NO. 9: Please identify and describe in full and complete detail all water diversion and conveyance works you intend to use under Application for Permit Nos. 63-32460 and 63-33508, including, without limitation, whether you own the works identified, whether you have permission to use the works identified but not owned by you, how the works prevent the co-mingling and diversion of Boise River water, how the works will bypass excess Drain flows to the Boise River, and whether and how the works can be modified to measure diversions from the Drain.

INTERROGATORY NO. 10: Please identify and describe all Drain flow data you possess demonstrating that the Drain is sufficient to support your Application for Permit Nos. 63-32460 and 63-33508, including the source of the data, the period of record of the data, and the sources of water tributary to the Drain.

V.

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 1: Please produce any and all documents used, referenced, or relied upon in responding to the requests for admission contained herein.

REQUEST FOR PRODUCTION NO. 2: Please produce any and all documents identified, used, referenced, or relied upon in responding to the interrogatories contained herein.

REQUEST FOR PRODUCTION NO. 3: Please produce all exhibits you intend to introduce at the hearing with respect to Application for Permit Nos. 63-32459, 63-32460, 63-33507, and 63-33508.

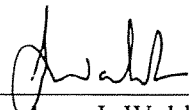
REQUEST FOR PRODUCTION NO. 4: Please produce any and all documents you sent to, or received from, any third party (including experts) relating to Application for Permit Nos. 63-32459, 63-32460, 63-33507, and 63-33508.

REQUEST FOR PRODUCTION NO. 5: Please produce the curriculum vitae or resume for each and every expert consulted by you in reference to this matter, including Idaho Rule of Civil Procedure 26(b)(4)(A) experts.

REQUEST FOR PRODUCTION NO. 6: For every expert you intend to call to testify as an expert witness at hearing regarding the above-captioned Applications for Permit, please produce any and all reports (both formal and informal), opinions, analyses, and studies relating in any way to the issues in this matter, and any other document that reflects an opinion relating to the above-captioned Applications for Permit or Tree Top's Notices of Protest.

DATED this 24th day of September, 2013.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 

Andrew J. Waldera – Of the Firm
Attorneys for Tree Top Ranches, L.P.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of September, 2013, I caused the foregoing **TREE TOP RANCHES, LP'S FIRST SET OF DISCOVERY REQUESTS TO APPLICANT G. O. INVESTMENTS, LLP** to be served by the method indicated below, and addressed to the following:

Director
IDAHO DEPARTMENT OF WATER RESOURCES
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Michael Creamer
GIVENS PURSLEY LLP
P.O. Box 2720
Boise, ID 83701-2720

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Albert P. Barker
BARKER, ROSHOLT & SIMPSON LLP
P.O. Box 2139
Boise, ID 83701-2139

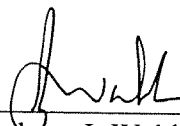
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Dana Hofstetter
HOFSTETTER LAW OFFICE
608 W. Franklin Street
Boise, ID 83702

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Lori Graves
SPF WATER ENGINEERING, LLC
300 E. Mallard Drive, Suite 350
Boise, ID 83706

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Andrew J. Waldera

Andrew J. Waldera, ISB No. 6608
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Attorneys for Tree Top Ranches, L.P.

BEFORE THE DEPARTMENT OF WATER RESOURCES
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IN THE MATTER OF PERMIT TO
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63-32459, 63-62460, 63-32462, 63-33507
AND 63-33508
IN THE NAMES OF:
W & H LIMITED LIABILITY CO.,
G O INVESTMENTS LLC; and
TREE TOP RANCHES, L.P.

NOTICE OF SERVICE OF TREE TOP
RANCHES, LP'S FIRST SET OF DISCOVERY
REQUESTS TO APPLICANT G. O.
INVESTMENTS, LLP

NOTICE IS HEREBY GIVEN that on the 24th day of September, 2013, a copy
of TREE TOP RANCHES, LP'S FIRST SET OF DISCOVERY REQUESTS TO APPLICANT G. O.
INVESTMENTS, LLP and a copy of the NOTICE OF SERVICE were served by the method indicated
below and addressed to the following at the address shown below:

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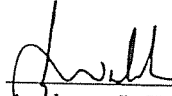
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NOTICE OF SERVICE OF TREE TOP
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REQUESTS TO PROTESTANT J.F. WATSON
FARMS COMPANY

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of TREE TOP RANCHES, LP'S FIRST SET OF DISCOVERY REQUESTS TO PROTESTANT J.F.
WATSON FARMS COMPANY and a copy of the NOTICE OF SERVICE were served by the method
indicated below and addressed to the following at the address shown below:

Director
IDAHO DEPARTMENT OF WATER RESOURCES
322 E. Front Street
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Boise, ID 83720-0098

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BARKER, ROSHOLT & SIMPSON LLP
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Boise, ID 83701-2139

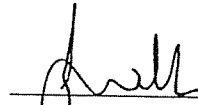
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Andrew J. Waldera

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

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DEPARTMENT OF
WATER RESOURCES

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Idaho Falls
Pocatello

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September 24, 2013

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SEP 26 2013

WATER RESOURCES
WESTERN REGION

Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
David B. Lincoln
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns
Patricia M. Olsson
Christine E. Nicholas

Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
Michael W. McGreaham
David P. Gardner
Julian E. Gabiola
Kimberly D. Evans Ross
Jon A. Stenquist
Mark C. Peterson
Tyler J. Anderson
Andrew J. Waldera
Dylan B. Lawrence
C. Edward Cather III

Benjamin C. Ritchie
Noah G. Hillen
Matthew J. McGee
Mindy M. Willman
Andrea J. Rosholt
Jetta Hatch Mathews

Robert E. Bakes, *of counsel*
Norman M. Semanko, *of counsel*

Willis C. Moffatt, 1907-1980
Eugene C. Thomas, 1931-2010
John W. Barrett, 1931-2011
Kirk R. Helvie, 1956-2003

Director
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720

Re: Documents for Filing with the Department
MTBR&F File No. 22567.0002

Dear Director:

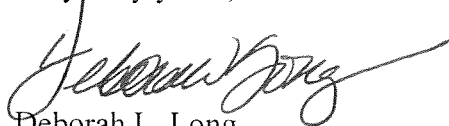
Enclosed for filing in the above-referenced matter are the following original documents:

1. Notice of Service of Tree Top Ranches, LP's First Set of Discovery Requests to Applicant G. O. Investments, LLP; and
2. Notice of Service of Tree Top Ranches, LP's First Set of Discovery Requests to Protestant J.F. Watson Farms Company.

Please conform the copies of these documents and return them via the enclosed self-addressed, postage prepaid envelope. 

Thank you for your assistance.

Very truly yours,



Deborah L. Long
Administrative Assistant to
Andrew J. Waldera

/dll
Enclosures

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**NOTICE OF SERVICE OF TREE TOP RANCHES, LP'S FIRST SET OF
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Client:3025352.1

ORIGINAL

Director
IDAHO DEPARTMENT OF WATER RESOURCES
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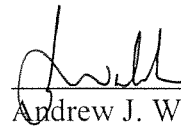
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FARMS COMPANY**

NOTICE IS HEREBY GIVEN that on the 24th day of September, 2013, a copy
of **TREE TOP RANCHES, LP'S FIRST SET OF DISCOVERY REQUESTS TO PROTESTANT J.F.
WATSON FARMS COMPANY** and a copy of the **NOTICE OF SERVICE** were served by the method
indicated below and addressed to the following at the address shown below:

Director
IDAHO DEPARTMENT OF WATER RESOURCES
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Michael Creamer
GIVENS PURSLEY LLP
P.O. Box 2720
Boise, ID 83701-2720

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Albert P. Barker
BARKER, ROSHOLT & SIMPSON LLP
P.O. Box 2139
Boise, ID 83701-2139

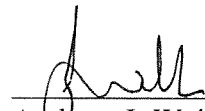
☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Dana Hofstetter
HOFSTETTER LAW OFFICE
608 W. Franklin Street
Boise, ID 83702

☐ U.S. Mail, Postage Prepaid
☒ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Lori Graves
SPF WATER ENGINEERING, LLC
300 E. Mallard Drive, Suite 350
Boise, ID 83706

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile



Andrew J. Waldera

Dana L. Hofstetter, ISB No. 3867
HOFSTETTER LAW OFFICE, LLC
608 West Franklin Street
Boise, Idaho 83702
Telephone: (208) 424-7800
Facsimile: (208) 424-8774

Attorney for G.O. Investments Idaho, LLC and
JF Watson Farms Company

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AUG 30 2013

DEPARTMENT OF
WATER RESOURCES

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SEP 03 2013

WATER RESOURCES
WESTERN REGION

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

IN THE MATTER OF APPLICATION FOR
PERMIT NOS. 63-32458, 63-32459,
63-32460, 63-32462, 63-33507, & 63-33508
IN THE NAMES OF W & H LIMITED
LIABILITY COMPANY, G.O.
INVESTMENTS, LLC & TREE TOP
RANCHES LP

**G.O. INVESTMENTS IDAHO, LLC AND
JF WATSON FARMS COMPANY'S
DISCLOSURE OF EXPERT
WITNESSES**

COME NOW G.O. Investments Idaho, LLC and JF Watson Farms Company, by and through their counsel of record, and in accordance with the, March 7, 2013, Order Authorizing Discovery and Hearing Order in this proceeding identify the following witnesses who may testify as experts at trial, reserving the right to identify others experts needed for rebuttal or other experts who may substitute for these:

Norm Young
ERO Resources
3314 Grace Street
Boise, Idaho 83703

Greg Obendorf
c/o Hofstetter Law Office, LLC
608 West Franklin Street
Boise, Idaho 83702

DATED this 29th day of August, 2013.

HOESTETTER LAW OFFICE, LLC



Dana L. Hofstetter

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of August, 2013, I caused to be served copies of the foregoing document by the pre-paid method(s) indicated below:

Original to:

Director
Idaho Department of Water Resources
The Idaho Water Center
322 East Front Street
Boise, Idaho 83702
☒ U.S. Mail ☐ FedEx ☐ Hand ☒ Fax

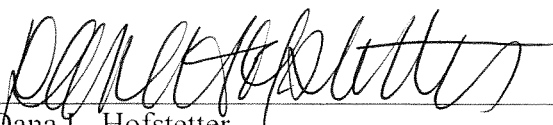
Copies to:

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082
☒ U.S. Mail ☐ FedEx ☐ Hand ☐ Fax

Albert P. Barker, ISB #2867
BARKER ROSHOLT & SIMPSON LLP
1010 W. Jefferson St., Ste. 102
P.O. Box 2139
Boise, ID 83701-2139
☒ U.S. Mail ☐ FedEx ☐ Hand ☐ Fax

Andrew Waldera
Moffatt, Thomas, Barrett, Rock & Fields,
Chtd.
PO Box 829
Boise, ID 83701-0829
☒ U.S. Mail ☐ FedEx ☐ Hand ☐ Fax

Michael Lawrence
Givens Pursley LLP
PO Box 2720
Boise, ID 83701
☒ U.S. Mail ☐ FedEx ☐ Hand ☐ Fax



Dana L. Hofstetter

HOFSTETTER LAW OFFICE

608 West Franklin Street
Boise, Idaho 83702

Dana@IdahoWaterLaw.com

Dana L. Hofstetter
Attorney at Law

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

August 29, 2013

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AUG 30 2013

DEPARTMENT OF
WATER RESOURCES

Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

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SEP 03 2013

WATER RESOURCES
WESTERN REGION

Re: In the Matter of Application for Permit Nos. 63-32458, 63-32459,
63-32460, 63-32462, 63-33507 & 63-33508

Dear Sir/Madam:

Enclosed are the original and a copy of the following document filed today by
facsimile in the above-referenced matter

G.O. and JF Watson's Disclosure of Expert Witnesses

Please file the enclosed original in the above-referenced file and conform the copy
and return the conformed copy to me in the enclosed addressed and stamped envelope. 
Please contact me if you have any questions about this matter. Thank you for your
assistance with this matter.

Sincerely,

HOFSTETTER LAW OFFICE, L.L.C.



Dana L. Hofstetter

Enclosures
4027.2/10546

Albert P. Barker, ISB #2867
BARKER ROSHOLT & SIMPSON LLP
1010 W. Jefferson St., Ste. 102
P.O. Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

RECEIVED
SEP 04 2013
WATER RESOURCES
WESTERN REGION

Attorneys for Haas Ditch Company, Protestant

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT TO	)	
APPROPRIATE WATER NOS.	)	HAAS DITCH COMPANY'S EXPERT
63-32458, 63-32459, 63-32462,	)	WITNESS DISCLOSURE
63-33507 and 63-33508 IN THE	)	
NAMES OF W & H LIMITED	)	
LIABILITY CO., G O INVESTMENTS	)	
<u>LLC; and TREE TOP RANCHES, L.P.</u>	)	

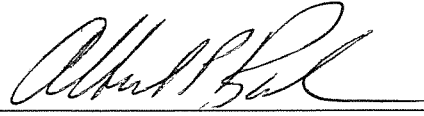
COMES NOW Haas Ditch Company ("Haas Ditch"), by and through its attorneys of record, Albert P. Barker of the firm Barker Rosholt & Simpson LLP, and hereby submits this Expert Witness Disclosure in compliance with the Notice of Hearing entered March 7, 2013.

Haas Ditch disclosures as its expert witness Neal Allison, 1854 Syringa Road, Adrian, Oregon 97901. A statement of opinions, and basis and reasons therefore, will be prepared and submitted by the deadline of September 26, 2013.

DATED this 30 day of August 2013.

///

BARKER ROSHOLT & SIMPSON LLP

A handwritten signature in black ink, appearing to read 'Albert P. Barker', written over a horizontal line.

Albert P. Barker
Attorneys for Protestant

RECEIVED

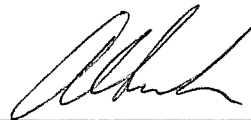
SEP 04 2013

WATER RESOURCES
WESTERN REGION

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of August 2013, I caused to be served a true and correct copy of the foregoing **HAAS DITCH COMPANY'S EXPERT WITNESS DISCLOSURE** by the method indicated below, and addressed to each of the following:

Idaho Department of Water Resources Western Region 2735 Airport Way Boise, ID 83705-5082	☐ U.S. Mail, Postage Prepaid ☐ Hand Delivered ☐ Overnight Mail ☒ Facsimile
Dana L. Hofstetter Hofstetter Law Office LLC 608 W. Franklin Street Boise, ID 83702	☐ U.S. Mail, Postage Prepaid ☐ Hand Delivered ☐ Overnight Mail ☒ Facsimile
Andrew Waldera Moffatt, Thomas, Barrett, Rock & Fields, Chtd. P.O. Box 829 Boise, ID 83701-0829	☐ U.S. Mail, Postage Prepaid ☐ Hand Delivered ☐ Overnight Mail ☒ Facsimile
Michael Lawrence Givens Pursley LLP P.O. Box 2720 Boise, ID 83701	☐ U.S. Mail, Postage Prepaid ☐ Hand Delivered ☐ Overnight Mail ☒ Facsimile



Albert P. Barker

RECEIVED

AUG 29 2013

DEPARTMENT OF
WATER RESOURCES

RECEIVED

AUG 30 2013

WATER RESOURCES
WESTERN REGION

Andrew J. Waldera, ISB No. 6608
MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED
101 S. Capitol Blvd., 10th Floor
Post Office Box 829
Boise, Idaho 83701
Telephone (208) 345-2000
Facsimile (208) 385-5384
ajw@moffatt.com
22567.0002

Attorneys for Tree Top Ranches, L.P.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT TO
APPROPRIATE WATER NOS. 63-32458,
63-32459, 63-62460, 63-32462, 63-33507
AND 63-33508
IN THE NAMES OF:
W & H LIMITED LIABILITY CO.,
G O INVESTMENTS LLC; and
TREE TOP RANCHES, L.P.

**TREE TOP RANCHES, L.P.'S EXPERT
WITNESS DISCLOSURE**

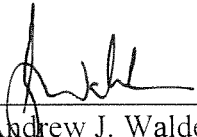
COMES NOW, Tree Top Ranches, L.P. ("Tree Top"), by and through its attorney of record, Andrew J. Waldera of the firm Moffatt Thomas Barrett Rock & Fields, Chtd., and hereby submits this expert witness disclosure in compliance with the Notice of Hearing entered March 7, 2013.

Tree Top discloses as its expert witnesses Scott King and Terry Scanlan of SPF Water Engineering, LLC, 300 East Mallard Drive, Suite 350, Boise, Idaho 83706. A statement

of opinions, and basis and reasons therefore, will be prepared and submitted by the deadline of September 26, 2013.

DATED this 28th day of August, 2013.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 

Andrew J. Waldera – Of the Firm
Attorneys for Tree Top Ranches, L.P.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of August, 2013, I caused the foregoing **TREE TOP RANCHES, L.P.'S EXPERT WITNESS DISCLOSURE** to be served by the method indicated below, and addressed to the following:

Original to:

Director
IDAHO DEPARTMENT OF WATER RESOURCES
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

☒ U.S. Mail, Postage Prepaid
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☐ Facsimile

Copies to:

Michael Creamer
GIVENS PURSLEY LLP
P.O. Box 2720
Boise, ID 83701-2720

☒ U.S. Mail, Postage Prepaid
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☐ Overnight Mail
☐ Facsimile

Albert P. Barker
BARKER, ROSHOLT & SIMPSON LLP
P.O. Box 2139
Boise, ID 83701-2139

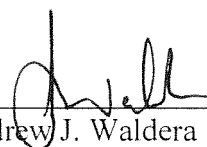
☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Dana Hofstetter
HOFSTETTER LAW OFFICE
608 W. Franklin Street
Boise, ID 83702

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Lori Graves
SPF WATER ENGINEERING, LLC
300 E. Mallard Drive, Suite 350
Boise, ID 83706

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile



Andrew J. Waldera