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DEC 13 2010

DEPARTMENT OF  
WATER RESOURCES

**LAWSON LASKI CLARK & POGUE, PLLC**  
ATTORNEYS AT LAW

675 SUN VALLEY ROAD, SUITE A  
POST OFFICE BOX 3310  
KETCHUM, IDAHO 83340  
TELEPHONE: 208-725-0055  
FACSIMILE: 208-725-0076  
WWW.LAWSONLASKI.COM

December 10, 2010

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

Attention: Jeff Peppersack, Hearing Officer

Re: In the Matter of Application for Permit No. 37-22459 and T# 75838-75840  
and T# 75849-75856, inclusive  
Our File No. 10475-008

Dear Mr. Peppersack:

Enclosed are copies of the following documents with regards to the above-referenced Application and Transfer Nos.:

1. Applicants' First Discovery Request (To Blaine County);
2. Applicant's First Discovery Request (To Big Wood Canal Co.);
3. Applicants' First Discovery Request (To Lakeside Industries, Tom O'Gar, John F. Stevenson, Bill Molyneux, Pete Van Der Meulen, Grace Eakin, John Molyneux, Gerald Bashaw and Pepin Corso-Harris; and
4. Notice of Service.

Please feel free to contact Mr. Laski should you have any questions. Thank you.

Sincerely,

LAWSON LASKI CLARK & POGUE, PLLC



Deb Erickson

Assistant to James R. Laski

/dle

Enclosures

cc: Debbie Gibson, IDWR (w/encl.)  
Timothy Graves, Esq. (w/encl.)  
Craig Hobdey, Esq. (w/encl.)  
Albert P. Barker, Esq. (w/encl.)  
Brockway Engineering, PLLC (w/encl.)

SCANNED

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WATER RESOURCES**

James R. Laski, ISB No. 5429  
LAWSON LASKI CLARK & POGUE, PLLC  
675 Sun Valley Road, Suite A  
P.O. Box 3310  
Ketchum, ID 83340  
Telephone: (208) 725-0055  
Facsimile: (208) 725-0076

Attorneys for the Sun Valley Ranch, LLC; and Spring Creek Ranch, LLC

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

**IN THE MATTER OF APPLICATION ) NOTICE OF SERVICE  
FOR PERMIT NO. 37-22459 and )  
APPLICATION FOR TRANSFER NOS. )  
75849, 75850, 75851, 75852 and 75853 )  
FILED IN THE NAME OF THE SUN )  
VALLEY RANCH, LLC, )**

**Applicant,**

**And**

**APPLICATION FOR TRANSFER NOS. )  
75838, 75839, 75840, 75854, 75855, 75856 )  
FILED IN THE NAME OF THE SPRING )  
CREEK IDAHO RANCH LLC, )**

**Applicant,**

**BLAINE COUNTY, BIG WOOD CANAL )  
CO, LAKESIDE INDUSTRIES, )**

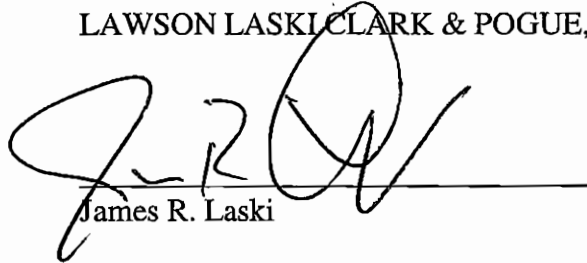
**Protestants.**

**TO: BLAINE COUNTY AND ITS ATTORNEY OF RECORD; BIG WOOD CANAL CO  
AND ITS ATTORNEY OF RECORD; AND LAKESIDE INDUSTRIES AND ITS  
ATTORNEY OF RECORD**

COMES NOW the Applicants, by and through their attorney of record, James R. Laski of  
Lawson Laski Clark & Pogue, PLLC, and hereby serves notice that it sent a First Request for  
Interrogatories, Request for Production of Documents and Request for Admissions by the method  
indicated below, to each of the Protestants.

DATED this 10<sup>th</sup> day of December, 2010.

LAWSON LASKI CLARK & POGUE, PLLC

A handwritten signature in black ink, appearing to read 'J. R. Laski', is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke at the end.

James R. Laski

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of December, 2010, I served a true and correct copy of the within and foregoing document upon the attorney(s) named below in the manner noted:

Timothy Graves, Chief Deputy  
Blaine County Prosecutor's Office  
201 2<sup>nd</sup> Ave. South, Suite 100  
Hailey, ID 83333

Craig Hobdey  
P.O. Box 176  
Gooding, ID 83330

Albert Barker  
BARKER ROSHOLT SIMPSON LAW FIRM  
P.O. Box 2139  
Boise, ID 83701-2139

Copy:  
Idaho Department of Water Resources  
Attn: Hearing Officer, Jeff Peppersack  
P.O. Box 83720  
Boise, ID 83720-0098

☒

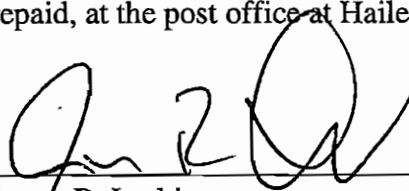
By depositing copies of the same in the United States Mail, postage prepaid, at the post office at Hailey, Idaho.

☐

By hand delivering copies of the same to the office of the attorney(s) at his offices in Hailey, Idaho.

☐

By telecopying copies of same to said attorney(s) at the telecopier number \_\_\_\_\_, and by then mailing copies of the same in the United States Mail, postage prepaid, at the post office at Hailey, Idaho.

  
\_\_\_\_\_  
James R. Laski

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WATER RESOURCES

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Telephone: (208) 725-0055  
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**Attorneys for the Sun Valley Ranch, LLC, and Spring Creek Ranch, LLC**

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

|                                                 |   |                                    |
|-------------------------------------------------|---|------------------------------------|
| <b>IN THE MATTER OF APPLICATION</b>             | ) | <b>APPLICANTS' FIRST DISCOVERY</b> |
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| <b>APPLICATION FOR TRANSFER NOS.</b>            | ) |                                    |
| <b>75849, 75850, 75851, 75852 and 75853</b>     | ) |                                    |
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|                                                 | ) |                                    |
| <b>Applicant,</b>                               | ) |                                    |
|                                                 | ) |                                    |
| <b>And</b>                                      | ) |                                    |
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| <b>APPLICATION FOR TRANSFER NOS.</b>            | ) |                                    |
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| <b>CREEK IDAHO RANCH LLC,</b>                   | ) |                                    |
|                                                 | ) |                                    |
| <b>Applicant,</b>                               | ) |                                    |
|                                                 | ) |                                    |
| <b>BLAINE COUNTY, BIG WOOD CANAL</b>            | ) |                                    |
| <b>CO, LAKESIDE INDUSTRIES,</b>                 | ) |                                    |
|                                                 | ) |                                    |
| <b>Protestants.</b>                             | ) |                                    |

---

**TO: BLAINE COUNTY, AND ITS ATTORNEY TIMOTHY GRAVES**

COMES NOW the Applicant, by and through James R. Laski of Lawson Laski Clark and Pogue, PLLC, and pursuant to the Pre-Hearing Order dated October 27, 2010, IDAPA 37.01.01.524 and I.R.C.P. 33, 34 and 36 submits this First Set of Interrogatories, Requests for the Production of Documents and Requests for Admissions as follows:

### **INSTRUCTIONS AND DEFINITIONS**

The following terms, words, and phrases shall have the following meanings in this discovery pleading:

1. The term “you” or “your” refers to Blaine County, and all its agents, employees, representatives (including insurers), investigators, consultants, and attorneys.
2. The term “document” shall mean any original, reproductions, copy and non-identical copy (whether by reason of alterations or marginal notes) of any typed, printed graphic, electronic, drawn, photographed, recorded or written paper or matter, correspondence, memoranda, reports, notes, magazines, newspapers, booklets, bulletins, notices, instructions, minutes, other communications, questionnaires, surveys, charts, graphs, or any of the foregoing, and/or other electric data compilations from which information can be obtained including any electronic mail (e-mail).
3. The term “identify” when used with respect to a document, or the description or identification of a document, shall be deemed to request the nature and subject matter of the document; the date thereof; the title or name thereof; the name, address, and job title or job capacity of the person who prepared it or who has knowledge of it; and the name, address, and job title or job capacity of the recipient thereof.
4. The term “identify” when used with respect to a person shall be deemed to request the person’s full name, job title, last known business and residence addresses and telephone numbers.

5. The term “identify” when used with respect to oral communications shall be deemed to request whether said communication was in person or by telephone, an identification (as provided in definition 4) of each person who participated in or heard any part of said communication, the date of the communication and the substance of what was said by each person who participated in said communication.

6. These interrogatories are continuing in nature, so as to require you to file supplementary answers in a reasonable manner if you obtain further or different information before trial.

7. Where knowledge or information in possession of a party is requested such request includes information and knowledge either in your possession, under your control, within your dominion, or available to you regardless of whether this information is in your personal possession or is possessed by your agents, attorneys, servants, employees, independent contractors, representatives, insurers or others with whom you have a relationship and from whom you are capable of deriving information, documents or material.

8. Each Interrogatory shall be accorded a separate answer, and each sub-part of an interrogatory shall be accorded a separate answer.

9. The term “these transfer and/or permit applications” refer to application for permit number 37-22459, and application for transfer numbers 75849, 75850, 75851, 75852 and 75856 filed by the Sun Valley Ranch, LLC; and for application for transfer numbers 75838, 75839, 75840, 75854, 75855, 75856 filed in the name of the Spring Creek Idaho Ranch, LLC.

10. The term "file" used in respect to a document means any collection of related documents.

**I. INTERROGATORIES**

**INTERROGATORY NO. 1:** Please state the name, residence and business address, and telephone numbers of each and every person who you know or have reason to believe has knowledge of relevant facts relating to the subject matter of this lawsuit, the cause thereof, the damages resulting therefrom, or your defenses thereto.

**INTERROGATORY NO. 2:** As to each and every person named in your answer to Interrogatory No. 1 please state:

- a. whether you have spoken with said person about the substance of this action;
- b. if so, whether any oral or written statement has been obtained from said person;
- c. identify all documents obtained by you from said person or known to be in the possession of said person or under his or her control; and
- d. state in detail the substance of the information each person possesses relating to the subject matter of the lawsuit.

**INTERROGATORY NO. 3:** Please state the name, residence and business address and telephone number of each and every person who you might or expect to call as a witness at the hearing in this matter.

**INTERROGATORY NO. 4:** Please identify any experts or consultants with whom you or your attorneys or representatives might or expect to call as an expert witness at the hearing in this matter. For each such consultant or expert, please state:

- a. The subject matter on which the expert is expected to testify;

- b. The substance of the opinions to which the expert is expected to testify; and
- c. The underlying facts and data upon which the expert opinions are based, in conformity with I.R.C.P. 24(b)(4) and I.R.E. 705.

**INTERROGATORY NO. 5:** With respect to your protest,

- a. Identify any and all persons who have any knowledge of the relevant facts supporting your protest; and
- b. Identify any and all documents and evidentiary items that relate to or support your protest.

**INTERROGATORY NO. 6:** Please identify all documents and evidentiary items that relate to your protest or that you expect to introduce or use at the administrative hearing of this matter.

**INTERROGATORY NO. 7:** Do you have or have you obtained any oral or written statement or communication from the Applicants or any of them or their agents regarding the transfers and/or permit applications? If so, please identify each and every statement, the person who made the statement, the identity of the person to whom it was made, and the date such statement was made.

**INTERROGATORY NO. 8:** Please identify each and every person and each and every document that supports or relates to your protest, and state how such facts relate to such protest.

**INTERROGATORY NO. 9:** Please identify each and every fact upon which you rely in claiming that these transfer and/or permit applications cause injury to you.

**INTERROGATORY NO. 10:** Please state every fact or reason as to why you filed your protest.

**INTERROGATORY NO. 11:** Unless your answer to any individual Request for Admission was not an unqualified admission, then please identify every fact, document and witness that supports your denial or qualification for each Request for Admission.

## **II. PRODUCTION OF DOCUMENTS**

**REQUEST FOR PRODUCTION NO. 1:** Please produce all documents you expect to introduce into evidence or use at the hearing on these transfers and/or applications for permits. during the hearing on these matters.

**REQUEST FOR PRODUCTION NO. 2:** Please produce each and every document you have that relates in any way to the protests made in the transfer and/or permit applications.

**REQUEST FOR PRODUCTION NO. 4:** Please produce all documents identified by you in your answer to Interrogatory No. 1.

**REQUEST FOR PRODUCTION NO. 5:** Please produce all documents identified by you in your answer to Interrogatory No. 2.

**REQUEST FOR PRODUCTION NO. 6:** Please produce all documents identified by you in your answer to Interrogatory No. 3.

**REQUEST FOR PRODUCTION NO. 7:** Please produce all documents identified by you in your answer to Interrogatory No. 4.

**REQUEST FOR PRODUCTION NO. 8:** Please produce all documents identified by you in your answer to Interrogatory No. 5.

**REQUEST FOR PRODUCTION NO. 9:** Please produce all documents identified by you in your answer to Interrogatory No. 6.

**REQUEST FOR PRODUCTION NO. 10:** Please produce all documents identified by you in your answer to Interrogatory No. 7.

**REQUEST FOR PRODUCTION NO. 11:** Please produce all documents identified by you in your answer to Interrogatory No. 8.

**REQUEST FOR PRODUCTION NO. 12:** Please produce all documents identified by you in your answer to Interrogatory No. 9.

**REQUEST FOR PRODUCTION NO. 13:** Please produce all documents identified by you in your answer to Interrogatory No. 10.

### **III. REQUESTS FOR ADMISSIONS**

If your response to ANY OF THE FOLLOWING REQUESTS FOR ADMISSIONS IS NOT AN UNQUALIFIED ADMISSION, then please describe in detail the factual basis for your denial, as requested in INTERROGATORY NO. 11.

**REQUEST FOR ADMISSION NO. 1:** Please admit that these transfer and/or permit applications will not cause injury to you.

**REQUEST FOR ADMISSION NO. 2:** Please admit that these transfer and/or permit applications will not constitute an enlargement in use from, the original right.

**REQUEST FOR ADMISSION NO. 3:** Please admit that these transfer and/or permit applications are consistent with the conservations of water resources within the State of Idaho.

**REQUEST FOR ADMISSION NO. 4:** Please admit that these transfer and/or permit applications are in the local public interest as defined under Idaho Code Section 42-202B.

**REQUEST FOR ADMISSION NO. 5:** Please admit that these transfer and/or permit applications will not adversely affect the local economy of the watershed or local area within the source of water for the proposed use.

**REQUEST FOR ADMISSION NO. 6:** Please admit that these transfer and/or permit applications and the uses proposed by the transfers do constitute a beneficial use of water.

**REQUEST FOR ADMISSION NO. 7:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 1.

**REQUEST FOR ADMISSION NO. 8:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 2.

**REQUEST FOR ADMISSION NO. 9:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 3.

**REQUEST FOR ADMISSION NO. 10:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 4.

**REQUEST FOR ADMISSION NO. 11:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 5.

**REQUEST FOR ADMISSION NO. 12:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 6.

**REQUEST FOR ADMISSION NO. 13:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 7.

**REQUEST FOR ADMISSION NO. 14:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 8.

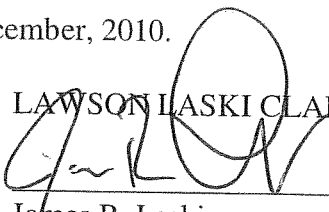
**REQUEST FOR ADMISSION NO. 15:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 9.

**REQUEST FOR ADMISSION NO. 15:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 10.

**REQUEST FOR ADMISSION NO. 15:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 11.

DATED this 10<sup>th</sup> day of December, 2010.

LAWSON LASKI CLARK & POGUE, PLLC

  
James R. Laski  
Attorney for Applicants

## CERTIFICATE OF SERVICE

I hereby certify that on the 10<sup>th</sup> day of December, 2010, I served a true and correct copy of the within and foregoing document upon the attorney(s) named below in the manner noted:

Timothy Graves, Chief Deputy  
Blaine County Prosecutor's Office  
201 2<sup>nd</sup> Ave. South, Suite 100  
Hailey, ID 83333

Craig Hobdey  
P.O. Box 176  
Gooding, ID 83330

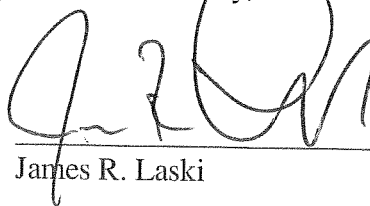
Albert Barker  
BARKER ROSHOLT SIMPSON LAW FIRM  
P.O. Box 2139  
Boise, ID 83701-2139

Copy:  
Idaho Department of Water Resources  
Attn: Hearing Officer, Jeff Peppersack  
P.O. Box 83720  
Boise, ID 83720-0098

  X   By depositing copies of the same in the United States Mail, postage prepaid, at the post office at Hailey, Idaho.

       By hand delivering copies of the same to the office of the attorney(s) at his offices in Hailey, Idaho.

       By telecopying copies of same to said attorney(s) at the telecopier number \_\_\_\_\_, and by then mailing copies of the same in the United States Mail, postage prepaid, at the post office at Hailey, Idaho.

  
\_\_\_\_\_  
James R. Laski

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Attorneys for the Sun Valley Ranch, LLC, and Spring Creek Ranch, LLC

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

|                                                 |   |                                        |
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| <b>IN THE MATTER OF APPLICATION</b>             | ) | <b>APPLICANTS' FIRST DISCOVERY</b>     |
| <b>FOR PERMIT NO. 37-22459 and</b>              | ) | <b>REQUEST (To Big Wood Canal Co.)</b> |
| <b>APPLICATION FOR TRANSFER NOS.</b>            | ) |                                        |
| <b>75849, 75850, 75851, 75852 and 75853</b>     | ) |                                        |
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| <b>VALLEY RANCH, LLC,</b>                       | ) |                                        |
|                                                 | ) |                                        |
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|                                                 | ) |                                        |
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|                                                 | ) |                                        |
| <b>BLAINE COUNTY, BIG WOOD CANAL</b>            | ) |                                        |
| <b>CO, LAKESIDE INDUSTRIES,</b>                 | ) |                                        |
|                                                 | ) |                                        |
| <b>Protestants.</b>                             | ) |                                        |
|                                                 | ) |                                        |

**TO: THE BIG WOOD CANAL CO., AND ITS ATTORNEY CRAIG HOBDEY**

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3. The term “identify” when used with respect to a document, or the description or identification of a document, shall be deemed to request the nature and subject matter of the document; the date thereof; the title or name thereof; the name, address, and job title or job capacity of the person who prepared it or who has knowledge of it; and the name, address, and job title or job capacity of the recipient thereof.

4. The term “identify” when used with respect to a person shall be deemed to request the person’s full name, job title, last known business and residence addresses and telephone numbers.

5. The term “identify” when used with respect to oral communications shall be deemed to request whether said communication was in person or by telephone, an identification (as provided in definition 4) of each person who participated in or heard any part of said communication, the date of the communication and the substance of what was said by each person who participated in said communication.

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7. Where knowledge or information in possession of a party is requested such request includes information and knowledge either in your possession, under your control, within your dominion, or available to you regardless of whether this information is in your personal possession or is possessed by your agents, attorneys, servants, employees, independent contractors, representatives, insurers or others with whom you have a relationship and from whom you are capable of deriving information, documents or material.

8. Each Interrogatory shall be accorded a separate answer, and each sub-part of an interrogatory shall be accorded a separate answer.

9. The term “these transfer and/or permit applications” refer to application for permit number 37-22459, and application for transfer numbers 75849, 75850, 75851, 75852 and 75856 filed by the Sun Valley Ranch, LLC; and for application for transfer

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- a. The subject matter on which the expert is expected to testify;
- b. The substance of the opinions to which the expert is expected to testify; and
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**INTERROGATORY NO. 7:** Do you have or have you obtained any oral or written statement or communication from the Applicants or any of them or their agents regarding the transfers and/or permit applications? If so, please identify each and every statement, the person who made the statement, the identity of the person to whom it was made, and the date such statement was made.

**INTERROGATORY NO. 8:** Please identify each and every person and each and every document that supports or relates to your protest, and state how such facts relate to such protest.

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**INTERROGATORY NO. 11:** Unless your answer to any individual Request for Admission was not an unqualified admission, then please identify every fact, document and witness that supports your denial or qualification for each Request for Admission.

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**REQUEST FOR PRODUCTION NO. 13:** Please produce all documents identified by you in your answer to Interrogatory No. 10.

### **III. REQUESTS FOR ADMISSIONS**

If your response to ANY OF THE FOLLOWING REQUESTS FOR ADMISSIONS IS NOT AN UNQUALIFIED ADMISSION, then please describe in detail the factual basis for your denial, as requested in INTERROGATORY NO. 11.

**REQUEST FOR ADMISSION NO. 1:** Please admit that these transfer and/or permit applications will not cause injury to you.

**REQUEST FOR ADMISSION NO. 2:** Please admit that these transfer and/or permit applications will not constitute an enlargement of use from, the original right.

**REQUEST FOR ADMISSION NO. 3:** Please admit that these transfer and/or permit applications are consistent with the conservations of water resources within the State of Idaho.

**REQUEST FOR ADMISSION NO. 4:** Please admit that these transfer and/or permit applications are in the local public interest as defined under Idaho Code Section 42-202B.

**REQUEST FOR ADMISSION NO. 5:** Please admit that these transfer and/or permit applications will not adversely affect the local economy of the watershed or local area within the source of water for the proposed use.

**REQUEST FOR ADMISSION NO. 6:** Please admit that these transfer and/or permit applications and the uses proposed by the transfers do constitute a beneficial use of water.

**REQUEST FOR ADMISSION NO. 7:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 1.

**REQUEST FOR ADMISSION NO. 8:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 2.

**REQUEST FOR ADMISSION NO. 9:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 3.

**REQUEST FOR ADMISSION NO. 10:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 4.

**REQUEST FOR ADMISSION NO. 11:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 5.

**REQUEST FOR ADMISSION NO. 12:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 6.

**REQUEST FOR ADMISSION NO. 13:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 7.

**REQUEST FOR ADMISSION NO. 14:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 8.

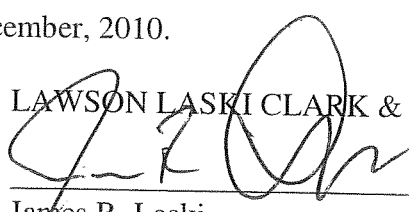
**REQUEST FOR ADMISSION NO. 15:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 9.

**REQUEST FOR ADMISSION NO. 15:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 10.

**REQUEST FOR ADMISSION NO. 15:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 11.

DATED this 10<sup>th</sup> day of December, 2010.

LAWSON LASKI CLARK & POGUE, PLLC

  
James R. Laski  
Attorney for Applicants

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of December, 2010, I served a true and correct copy of the within and foregoing document upon the attorney(s) named below in the manner noted:

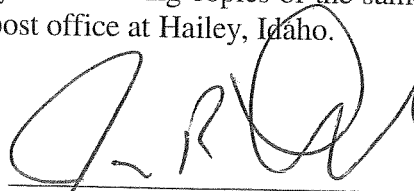
Timothy Graves, Chief Deputy  
Blaine County Prosecutor's Office  
201 2<sup>nd</sup> Ave. South, Suite 100  
Hailey, ID 83333

Craig Hobdey  
P.O. Box 176  
Gooding, ID 83330

Albert Barker  
BARKER ROSHOLT SIMPSON LAW FIRM  
P.O. Box 2139  
Boise, ID 83701-2139

Copy:  
Idaho Department of Water Resources  
Attn: Hearing Officer, Jeff Peppersack  
P.O. Box 83720  
Boise, ID 83720-0098

- X   By depositing copies of the same in the United States Mail, postage prepaid, at the post office at Hailey, Idaho.
- By hand delivering copies of the same to the office of the attorney(s) at his offices in Hailey, Idaho.
- By telecopying copies of same to said attorney(s) at the telecopier number \_\_\_\_\_, and by then mailing copies of the same in the United States Mail, postage prepaid, at the post office at Hailey, Idaho.

  
\_\_\_\_\_  
James R. Laski

DEPARTMENT OF  
WATER RESOURCES

Attorneys for the Sun Valley Ranch, LLC, and Spring Creek Ranch, LLC

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

**IN THE MATTER OF APPLICATION FOR PERMIT NO. 37-22459 and APPLICATION FOR TRANSFER NOS. 75849, 75850, 75851, 75852 and 75853 FILED IN THE NAME OF THE SUN VALLEY RANCH, LLC,**

**) APPLICANTS' FIRST DISCOVERY**  
**) REQUEST (To Lakeside Industries, Tom**  
**) O'Gara, John F. Stevenson, Bill Molyneux,**  
**) Pete Van Der Meulen, Grace Eakin, John**  
**) Molyneux, Gerald Bashaw and Pepin**  
**) Corso-Harris)**

**Applicant,**

And

**APPLICATION FOR TRANSFER NOS.  
75838, 75839, 75840, 75854, 75855, 75856  
FILED IN THE NAME OF THE SPRING  
CREEK IDAHO RANCH LLC,**

**Applicant,**

**BLAINE COUNTY, BIG WOOD CANAL  
CO, LAKESIDE INDUSTRIES,**

### Protestants.

**TO: LAKESIDE INDUSTRIES, TOM O'GARA, JOHN F. STEVENSON, BILL MOLYNEUX, PETE VAN DER MEULEN, GRACE EAKIN, JOHN MOLYNEUX, GERALD BASHAW AND PEPIN CORSO-HARRIS, AND THEIR ATTORNEY ALBERT P. BARKER**

COMES NOW the Applicant, by and through James R. Laski of Lawson Laski Clark and Pogue, PLLC, and pursuant to the Pre-Hearing Order dated October 27, 2010, IDAPA 37.01.01.524 and I.R.C.P. 33, 34 and 36 submits this First Set of Interrogatories, Requests for the Production of Documents and Requests for Admissions as follows:

### **INSTRUCTIONS AND DEFINITIONS**

The following terms, words, and phrases shall have the following meanings in this discovery pleading:

1. The term “you” or “your” refers to Lakeside Industries and other parties, and all of their respective agents, employees, representatives (including insurers), investigators, consultants, and attorneys.
2. The term “document” shall mean any original, reproductions, copy and non-identical copy (whether by reason of alterations or marginal notes) of any typed, printed graphic, electronic, drawn, photographed, recorded or written paper or matter, correspondence, memoranda, reports, notes, magazines, newspapers, booklets, bulletins, notices, instructions, minutes, other communications, questionnaires, surveys, charts, graphs, or any of the foregoing, and/or other electric data compilations from which information can be obtained including any electronic mail (e-mail).
3. The term “identify” when used with respect to a document, or the description or identification of a document, shall be deemed to request the nature and subject matter of the document; the date thereof; the title or name thereof; the name, address, and job title or job capacity of the person who prepared it or who has knowledge of it; and the name, address, and job title or job capacity of the recipient thereof.

4. The term “identify” when used with respect to a person shall be deemed to request the person’s full name, job title, last known business and residence addresses and telephone numbers.

5. The term “identify” when used with respect to oral communications shall be deemed to request whether said communication was in person or by telephone, an identification (as provided in definition 4) of each person who participated in or heard any part of said communication, the date of the communication and the substance of what was said by each person who participated in said communication.

6. These interrogatories are continuing in nature, so as to require you to file supplementary answers in a reasonable manner if you obtain further or different information before trial.

7. Where knowledge or information in possession of a party is requested such request includes information and knowledge either in your possession, under your control, within your dominion, or available to you regardless of whether this information is in your personal possession or is possessed by your agents, attorneys, servants, employees, independent contractors, representatives, insurers or others with whom you have a relationship and from whom you are capable of deriving information, documents or material.

8. Each Interrogatory shall be accorded a separate answer, and each sub-part of an interrogatory shall be accorded a separate answer.

9. The term “these transfer and/or permit applications” refer to application for permit number 37-22459, and application for transfer numbers 75849, 75850, 75851, 75852 and 75856 filed by the Sun Valley Ranch, LLC; and for application for transfer

numbers 75838, 75839, 75840, 75854, 75855, 75856 filed in the name of the Spring Creek Idaho Ranch, LLC.

10. The term "file" used in respect to a document means any collection of related documents.

## **I. INTERROGATORIES**

**INTERROGATORY NO. 1:** Please state the name, residence and business address, and telephone numbers of each and every person who you know or have reason to believe has knowledge of relevant facts relating to the subject matter of this lawsuit, the cause thereof, the damages resulting therefrom, or your defenses thereto.

**INTERROGATORY NO. 2:** As to each and every person named in your answer to Interrogatory No. 1 please state:

- a. whether you have spoken with said person about the substance of this action;
- b. if so, whether any oral or written statement has been obtained from said person;
- c. identify all documents obtained by you from said person or known to be in the possession of said person or under his or her control; and
- d. state in detail the substance of the information each person possesses relating to the subject matter of the lawsuit.

**INTERROGATORY NO. 3:** Please state the name, residence and business address and telephone number of each and every person who you might or expect to call as a witness at the hearing in this matter.

**INTERROGATORY NO. 4:** Please identify any experts or consultants with whom you or your attorneys or representatives might or expect to call as an expert witness at the hearing in this matter. For each such consultant or expert, please state:

- a. The subject matter on which the expert is expected to testify;
- b. The substance of the opinions to which the expert is expected to testify; and
- c. The underlying facts and data upon which the expert opinions are based, in conformity with I.R.C.P. 24(b)(4) and I.R.E. 705.

**INTERROGATORY NO. 5:** With respect to your protest,

- a. Identify any and all persons who have any knowledge of the relevant facts supporting your protest; and
- b. Identify any and all documents and evidentiary items that relate to or support your protest.

**INTERROGATORY NO. 6:** Please identify all documents and evidentiary items that relate to your protest or that you expect to introduce or use at the administrative hearing of this matter.

**INTERROGATORY NO. 7:** Do you have or have you obtained any oral or written statement or communication from the Applicants or any of them or their agents regarding the transfers and/or permit applications? If so, please identify each and every statement, the person who made the statement, the identity of the person to whom it was made, and the date such statement was made.

**INTERROGATORY NO. 8:** Please identify each and every person and each and every document that supports or relates to your protest, and state how such facts relate to such protest.

**INTERROGATORY NO. 9:** Please identify each and every fact upon which you rely in claiming that these transfer and/or permit applications cause injury to you.

**INTERROGATORY NO. 10:** Please state every fact or reason as to why you filed your protest.

**INTERROGATORY NO. 11:** Unless your answer to any individual Request for Admission was not an unqualified admission, then please identify every fact, document and witness that supports your denial or qualification for each Request for Admission.

## **II. PRODUCTION OF DOCUMENTS**

**REQUEST FOR PRODUCTION NO. 1:** Please produce all documents you expect to introduce into evidence or use at the hearing on these transfers and/or applications for permits. during the hearing on these matters.

**REQUEST FOR PRODUCTION NO. 2:** Please produce each and every document you have that relates in any way to the protests made in the transfer and/or permit applications.

**REQUEST FOR PRODUCTION NO. 4:** Please produce all documents identified by you in your answer to Interrogatory No. 1.

**REQUEST FOR PRODUCTION NO. 5:** Please produce all documents identified by you in your answer to Interrogatory No. 2.

**REQUEST FOR PRODUCTION NO. 6:** Please produce all documents identified by you in your answer to Interrogatory No. 3.

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**REQUEST FOR PRODUCTION NO. 11:** Please produce all documents identified by you in your answer to Interrogatory No. 8.

**REQUEST FOR PRODUCTION NO. 12:** Please produce all documents identified by you in your answer to Interrogatory No. 9.

**REQUEST FOR PRODUCTION NO. 13:** Please produce all documents identified by you in your answer to Interrogatory No. 10.

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**REQUEST FOR ADMISSION NO. 14:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 8.

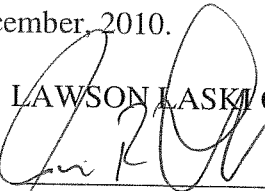
**REQUEST FOR ADMISSION NO. 15:** Please admit to the genuineness, truth, and accuracy of each and every document you provided in your Answer to Request for Production No. 9.

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DATED this 10<sup>th</sup> day of December, 2010.

LAWSON LASKI CLARK & POGUE, PLLC

  
James R. Laski  
Attorney for Applicants

## CERTIFICATE OF SERVICE

I hereby certify that on the 16<sup>th</sup> day of December, 2010, I served a true and correct copy of the within and foregoing document upon the attorney(s) named below in the manner noted:

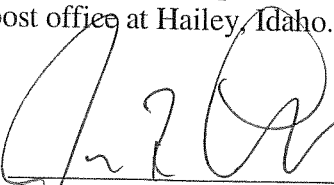
Timothy Graves, Chief Deputy  
Blaine County Prosecutor's Office  
201 2<sup>nd</sup> Ave. South, Suite 100  
Hailey, ID 83333

Craig Hobdey  
P.O. Box 176  
Gooding, ID 83330

Albert Barker  
BARKER ROSHOLT SIMPSON LAW FIRM  
P.O. Box 2139  
Boise, ID 83701-2139

Copy:  
Idaho Department of Water Resources  
Attn: Hearing Officer, Jeff Peppersack  
P.O. Box 83720  
Boise, ID 83720-0098

- X   By depositing copies of the same in the United States Mail, postage prepaid, at the post office at Hailey, Idaho.
- By hand delivering copies of the same to the office of the attorney(s) at his offices in Hailey, Idaho.
- By telecopying copies of same to said attorney(s) at the telecopier number \_\_\_\_\_, and by then mailing copies of the same in the United States Mail, postage prepaid, at the post office at Hailey, Idaho.



James R. Laski