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DEPARTMENT OF
WATER RESOURCES

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STATE OF IDAHO**DEPARTMENT OF WATER RESOURCES**

IN THE MATTER OF APPLICATION
FOR TRANSFER 89232 IN THE NAME
OF GOOD TIMBER RANCH, LLC

**THE GOOD NEIGHBORS' FIRST SET
OF DISCLOSURES AND RESPONSES TO
DISCOVERY REQUESTS**

Notice is hereby given that the “Good Neighbors” (Georgie Stanley, Susan Miller, the Maguire Family Trust, Rafe Rivers, Ainsley Rivers, and Gregory Collins) submit the following answers to the *Applicant’s First Set of Discovery Requests* that were individually submitted to George (sic) Stanley, the Maguire Family Trust, Susan Miller, and Rafe and Ainsley Rivers. In the interest of efficiency, and because the discovery requests were identical for each person, the responses will be given collectively, with additional information provided as needed. All documents disclosed in *The Good Neighbor’s First Set of Disclosures and Responses to Discovery Requests*, have been provided in this [Google drive folder](#). The Good Neighbors anticipate that more information will soon be available from their expert witnesses as well as Declarations from their non-expert witnesses, at which time they will promptly issue additional disclosures.

REQUESTS FOR ADMISSION

Request for Admission 1: Admit no other water rights will be injured if the Application is approved.

Answer 1: Currently, despite reasonable inquiry, the information available or that can readily be obtained is insufficient to admit this request and, therefore, the Good Neighbors deny this request for admission.

Request for Admission 2: Admit that the use of water right nos. 22-2279, 22-7658, 22-14625, 22-683A, and 22-14626 as proposed by the Application will not result in an enlargement in use of the water rights.

Answer 2: Currently, despite reasonable inquiry, the information available or that can readily be obtained is insufficient to admit this request and, therefore, the Good Neighbors deny this request for admission.

Request for Admission 3: Admit that the use of water right nos. 22-2279, 22-7658, 22-14625, 22-683A, and 22-14626 as proposed by the Application is consistent with the conservation of water resources within the State of Idaho.

Answer 3: Currently, despite reasonable inquiry, the information available or that can readily be obtained is insufficient to admit this request and, therefore, the Good Neighbors deny this request for admission.

Request for Admission 4: Admit that the use of water right nos. 22-2279, 22-7658, 22-14625, 22-683A, and 22-14626 as proposed by the Application is in the local public interest as defined in section 42-202B, Idaho Code.

Answer 4: Currently, despite reasonable inquiry, the information available or that can readily be obtained is insufficient to admit this request and, therefore, the Good Neighbors deny this request for admission.

Request for Admission 5: Admit that the use of water right nos. 22-2279, 22-7658, 22-14625, 22-683A, and 22-14626 as proposed by the Application will not adversely affect the local economy of the watershed or local area within which the source of water for the proposed use originates.

Answer 5: Currently, despite reasonable inquiry, the information available or that can readily be obtained is insufficient to admit this request and, therefore, the Good Neighbors deny this request for admission.

Request for Admission 6: Admit that the use of water right nos. 22-2279, 22-7658, 22-14625, 22-683A, and 22-14626 as proposed by the Application is a beneficial use of water.

Answer 6: Currently, despite reasonable inquiry, the information available or that can readily be obtained is insufficient to admit this request and, therefore, the Good Neighbors deny this request for admission.

INTERROGATORIES

Interrogatory 1: If you denied any of the above requests for admission, please explain in detail the reason(s) for your denial.

Answer 1: The Good Neighbors oppose Transfer 89232 because the Applicant has failed to meet their statutory burden to factually demonstrate that all of the statutory criteria in I.C. § 42-222 has been met.

Interrogatory 2: Please state whether you oppose the Application in full or part.

Answer 2: At this time, with the information readily available, the Good Neighbors object to Transfer 89232 in full. This contention may be modified as more information is disclosed prior to the hearing.

Interrogatory 3: Please explain in detail every reason for your opposition to the Application.

Answer 3: The Good Neighbors re-iterate all of the positions asserted in their protest forms. In addition, as long-term landowners of the area, the Good Neighbors are well aware of the fragile, unique water systems that this Application seeks to significantly modify. They adamantly object to the proposed destruction of 10 perennial springs and 20 mapped wetlands (which were not in a significantly degraded condition as asserted by the Applicant) in order to create an artificial private water feature. They are likewise concerned about disrupting these interconnected waters, to the detriment of other ground and surface water users. Given the vast negative changes that have occurred on the Good Timber Ranch property since it was purchased by the Applicant in 2021, and the incredibly destructive unpermitted excavation work done last summer, the Good Neighbors do not have confidence that Lake Washikie will be properly managed by the Applicant. Immediately abutting the proposed Lake Washikie are two highly successful organic farms: Canewater Farm and Snowdrift Farm. These farmers are also concerned about pesticide, algicide, and herbicide use by the Applicant during construction and ongoing maintenance of Lake Washikie. All of the Good Neighbors are concerned about their ground and surface water uses being negatively impacted in water availability, temperature, and turbidity as a result of Lake Washikie.

Rafe and Ansley Rivers own [Canewater Farm](http://www.canewaterfarm.com), (www.canewaterfarm.com) which is a USDA Certified Organic family farm that immediately abuts the proposed Lake Washikie at

Good Timber Ranch. They manage 13 acres and grow mixed vegetables, and flowers. They sell their crops at three weekly farmer's markets, and they deliver weekly to over 25 restaurants and retail stores throughout the Teton region. They have six employees. When Good Timber began their unpermitted excavation work for Lake Washikie last summer, their fields became water logged, and unable to be tilled. Moreover, at the exact time Good Timber's excavation work commenced, their well, which they had dug with the intention of using for washing and packing crops, turned intermittently turbid and unusable. It has since remained intermittently turbid and cannot be used for washing and packing crops as intended. Rafe and Ansley's house, greenhouses, and farms sit immediately down gradient from the proposed earthen dam that would retain the waters of Lake Washikie. They are very concerned about potential leaks or failures of this dam.

Sue Miller, Gregory Collins, and Georgie Stanley founded and manage the abutting [Snowdrift Farm](http://www.snowdriftfarm.org) (www.snowdriftfarm.org). Founded in 1999, Snowdrift is highly regarded as a pioneering enterprise in organic agriculture grown in Teton Valley, Idaho. Over the last 26 years, Snowdrift has produced over 150 varieties of organic vegetables, fruits, and flowers on 20 acres. Like Canewater, they are very concerned about chemical contamination of their crops and reduction in the availability of clean, cold, clear water for them to use. Warm Creek is already listed as impaired for temperature, fecal coliform, and combined biota/habitat bioassessments.

Brian and Elizabeth Maguire (The Maguire Family Trust) have already suffered considerable damage to their pond and the section of Little Warm Creek that runs through their property and pond. Because of the unpermitted excavation work by the Applicant last summer, the silts and debris from the Applicant's proposed use (which was initiated in the absence of BMPs, and virtually all state and local permits) trespassed onto their property, damaging it with silt, sediment, leaves, sticks, and debris. They are extremely concerned about potential recurring

damage this spring. The *Declaration of Brian Maguire* has been included in the documents provided in [Google drive folder](#).

All of the Good Neighbors share well-founded concerns that Applicant is not able to manage the proposed use in a safe and capable manner.

Interrogatory 4: Please explain what, if anything, can be done to modify the Application to enable you to support it.

Answer 4: The Good Neighbors have asked the Applicant to relocate their Lake Washikie plan to the “flats” near Pole Creek that are currently in agriculture and are slated to contain cabins and an equestrian center on their Good Timber Ranch master planning documents.

Interrogatory 5: Please explain what conditions could be imposed upon the Department’s approval of the Application to resolve your opposition.

Answer 5: As previously discussed with the Applicant’s legal counsel, with the information readily available at this time, the Good Neighbors cannot make specific requests for conditions because their expert witnesses must first assess the transfer Application in light of the unique hydrological features of the property and surrounding water uses to provide their opinion on the Application’s current and future impacts. These expert witnesses will inform the Good Neighbors as to what, if anything, will be effective conditions to request. However, addressing the specific concerns listed in Answer 3 above, would be the Applicant’s best “first step” towards identifying potential conditions.

Interrogatory 6: For each water right you contend will be injured if the Application is approved, please state the following:

a. Water right number.

Answer a: As stated in their protest forms, the Good Neighbors own water rights 22-13676, 22-14072, and 22-14050. The Good Neighbors also utilize the following wells, listed by Well ID No: 479142, 407750, 354376, and 460174.

b. Current point of diversion and place of use, if different than described on the current Department water right report for the water right.

Answer b: The Good Neighbors are still gathering this documentation; it will be disclosed as soon as possible.

c. All records of water diverted over the last 10 years.

Answer c: The Good Neighbors are still gathering this documentation; it will be disclosed as soon as possible. In addition, the Good Neighbors incorporate by reference, all of the records, materials, and backfile information that is listed for each water right and well under the Idaho Department of Water Resources online search database.

d. If the water right is used for irrigation, the number of acres irrigated under each right during each of the last 10 irrigation seasons.

Answer d: The Good Neighbors are still gathering this documentation; it will be disclosed as soon as possible. Rafe and Ansley Rivers use their water to irrigate approximately 8 acres on their USDA Certified Organic farm. Snowdrift Farm (Susan Miller, Gregory Collings, and Georgie Stanley) irrigate on 6 acres with Trail Creek Sprinkler Irrigation Company (TCSIC) shares. Snowdrift uses their water to irrigate organic vegetable, fruit, and flower crops primarily before Trail Creek Sprinkler Co. water is running, during calls for water, and and also after the Trail Creek Water stops

running. They grow vegetables, herbs, and flowers. They carry the irrigation water from on-farm main lines to their crops and seeds in 4" or 3" hook and latch pipe to a riser and sprinkler head and or via filtered dip line hose. Snowdrift irrigates the entire duration of TCSIC's season, usually May-October. If TCSIC loses its flow to a downstream user, Snowdrift uses surface water pumped from the SW Fork Little Warm Creek.

- e. If the water right is used for something other than irrigation, how the right is used, and any products generated from such use annually over the last 10 years.

Answer e: Susan Miller, Gregory Collins, and Georgie Stanley use their water to irrigate organic vegetable, fruit, and flower crops primarily before Trail Creek Sprinkler Co. water is running, during calls for water, and also after the Trail Creek Water stops running. They carry the irrigation water from on-farm main lines to their crops and seeds in 4" or 3" hook and latch pipe to a riser and sprinkler head and or via filtered dip line hose. Brian and Elizabeth Maguire use their surface right to fill their pond.

Interrogatory 7: Please identify each person you may call as a witness, both expert and non expert, in this matter, and briefly state the facts or opinions you expect each witness to testify to.

Answer 7: At this stage we intend to call the following witnesses. The list might be adjusted by the time of the hearing. The Good Neighbors have advised all expert witnesses, and all non-expert witnesses of the potential to be called as witnesses. Notification emails to agencies have been included in the [Google drive folder](#).

Expert Witness 1: Ryan Colyer, Principal at Biota Research and Consulting, Inc. Fisheries Biologist/Fluvial Geomorphologist. His CV has been submitted in the [Google drive folder](#).

Expert Witness 2: Kent Werlin, PWS, CERP. Wetland Scientist / Restoration

Ecologist at Biota Research and Consulting, Inc. His CV has been submitted in the

[Google drive folder](#).

Expert Witness 3: Dr. Thomas Wood, PhD, PG, hydrogeologist, Founder and CEO of Clearwater Geosciences LLP.

Witness 4: Torin Bjorklund Teton County Planner.

Witness 5: Cherie Windsor, Water Quality Analyst, Idaho Department of Environmental Quality

Witness 6: Brian Maguire. At a minimum, this witness will testify to the historical use of their water, their observations of the Applicant, their observations of the unique features of the area's natural and water resources, and how the Applicant's proposed use has already impacted their water and property. This list is only initial and may be modified prior to hearing.

Witness 7: Elizabeth Maguire. At a minimum, this witness will testify to the historical use of their water, their observations of the Applicant, their observations of the unique features of the area's natural and water resources, and how the Applicant's proposed use has already impacted their water and property. This list is only initial and may be modified prior to hearing.

Witness 8: Rafe Rivers. This witness will testify to the historical use of their water at Canewater Farm, the economic impact of Canewater Farm, their observations of the Applicant, their observations of the unique features of the area's natural and water resources, and how the Applicant's proposed use has already impacted their water, farm, and property. This list is only initial and may be modified prior to hearing.

Witness 9: Ansley Rivers. This witness will testify to the historical use of their water

at Canewater Farm, the economic impact of Canewater Farm, their observations of the Applicant, their observations of the unique features of the area's natural and water resources, and how the Applicant's proposed use has already impacted their water, farm, and property. This list is only initial and may be modified prior to hearing.

Witness 10: Susan Miller. This witness will testify to the historical use of their water at Snowdrift Farm, the economic impact of Snowdrift Farm, their observations of the Applicant, their observations of the unique features of the area's natural and water resources, and how the Applicant's proposed use has already impacted their water, farm, and property. This list is only initial and may be modified prior to hearing.

Witness 11: Gregory Collins. This witness will testify to the historical use of their water at Snowdrift Farm, the economic impact of Snowdrift Farm, their observations of the Applicant, their observations of the unique features of the area's natural and water resources, and how the Applicant's proposed use has already impacted their water, farm, and property. This list is only initial and may be modified prior to hearing.

Witness 12: Georgie Stanley. This witness will testify to the historical use of their water at Snowdrift Farm, the economic impact of Snowdrift Farm, their observations of the Applicant, their observations of the unique features of the area's natural and water resources, and how the Applicant's proposed use has already impacted their water, farm, and property. This list is only initial and may be modified prior to hearing.

Interrogatory 8: Identify and describe each document and tangible item you may attempt to introduce into evidence in this matter, and explain the significance of each to your case.

Answer 8: The Good Neighbors have included a [Google drive folder](#) containing photos, videos, email communications, expert witness *curriculum vitae*'s, well data, witness notification emails, field reports, and other public records which may potentially be introduced into evidence in this matter. This is only an initial response as the Good Neighbors intend to provide additional studies and information as they are made available by their retained experts.

In addition, the Good Neighbors incorporate by reference, all of the records, materials, and backfile information that is listed for each water right and well under the Idaho Department of Water Resources online well records and water rights database. The Good Neighbors also incorporate by reference, all of the records, materials, and data provided on the Environmental Protection Agency's ECHO Reports for Good Timber Ranch under the following facilities identifiers: FRS 110071822693, IDR10C1AO, and IDR10C19L.

REQUESTS FOR PRODUCTION OF DOCUMENTS

Request for Production 1: Produce true and correct copies of all documents referred to or relied upon in answer the interrogatories set forth above, and identify which interrogatory each document relates to.

Answer 1: The Good Neighbors have included a [Google drive folder](#) containing photos, videos, email communications, expert witness *curriculum vitae*'s, well data, witness notification emails, field reports, and other public records which may potentially be introduced into evidence in this matter. This is only an initial response as the Good Neighbors intend to provide additional studies and information as they are made available by their retained experts.

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reference, all of the records, materials, and data provided on the Environmental Protection Agency's ECHO Reports for Good Timber Ranch under the following facilities identifiers: FRS 110071822693, IDR10C1AO, and IDR10C19L.

Request for Production 2: Produce all exhibits or documentary evidence you intend to offer into evidence in this matter.

Answer 2: The Good Neighbors have included a [Google drive folder](#) containing photos, videos, email communications, expert witness *curriculum vitae*'s, well data, witness notification emails, field reports, and other public records which may potentially be introduced into evidence in this matter. This is only an initial response as the Good Neighbors intend to provide additional studies and information as they are made available by their retained experts.

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Request for Production 3: Produce all statements of witnesses or possible witnesses in your possession concerning this matter.

Answer 3: The Good Neighbors have included a [Google drive folder](#) containing photos, videos, email communications, expert witness *curriculum vitae*'s, well data, witness notification emails, field reports, and other public records which may potentially be introduced into evidence in this matter. This is only an initial response as the Good Neighbors intend to provide additional

studies and information as they are made available by their retained experts. The Good Neighbors will soon submit a second round of disclosures that includes non-expert witness declarations.

Dated this 7th day of March, 2025.

TRENTADUE LAW OFFICE PLLC.

BY 

Anna Trentadue
Attorney for the Good Neighbors

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of March, 2025, I served the foregoing documents on the persons below via email or as otherwise indicated:

BY 
Anna Trentadue
Attorney for the Good Neighbors

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