

Exhibit List

Contested Case: Applications for Transfer 86942 and 86951
Applicant: Rohn R. Nelson and Lori A. Nelson
Date/Time: May 23-24, 2023
Location: IDFG Conference Room – Salmon, Idaho
Hearing Officer: James Cefalo

No.	Description	Offered?	Objection?	Admitted?
1	Rohn Nelson Idaho WRs Civil/Criminal Case Report	Y	Y	Y
2 Series	Attachments to Exhibit 1 (Rohn Nelson Report) (Exhibits 2.1 through 2.256 as shown on this list)	Y	Y	Y
2.1	Salmon Shop and Swap Ad	Y	Y	Y
2.2	Text from John Nelson – Images of Property	Y	Y	Y
2.3	IDWR Webpage Conditions of Use	Y	Y	Y
2.4	IDWR Overview of Water Rights	Y	Y	Y
2.5	Text from R Nelson to R Byers – Interest in Property	Y	Y	Y
2.6	Text from R Byers to R Nelson – Record of Survey	Y	Y	Y
2.7	Text from J Nelson to R Nelson – Videos of Property	Y	Y	Y
2.8	Texts about Written Purchase Agreement	Y	Y	Y
2.9	Lemhi Title Company – Purchase Agreement	Y	Y	Y
2.10	Lemhi Title Company – ALTA Commitment for Title	Y	Y	Y
2.11	Addendum to Sales Agreement	Y	Y	Y
2.12	Lemhi Title Company – Wiring Instructions	Y	Y	Y
2.13	Lemhi Title Company – Signed Closing Documents	Y	Y	Y
2.14	12/15/21 Email from David Graybill responding to Water Right Inquiry	Y	Y	Y

No.	Description	Offered?	Objection?	Admitted?
2.15	12/15/21 Email from R Nelson to David Graybill about Property Boundary	Y	Y	Y
2.16	12/15/21 Email from David Graybill Identifying Water Rights	Y	Y	Y
2.17	Notice of Change in Water Right Ownership	Y	Y	Y
2.18	Correspondence from IDWR Completing Ownership Change	Y	Y	Y
2.19	Correspondence from IDWR Reversing Ownership Change	Y	Y	Y
2.20	4/5/22 Email from Jared Adamson – Water Right 74-2183A	Y	Y	Y
2.21	4/8/22 Email from Jared Adamson – Application for Permit Form	Y	Y	Y
2.22	4/8/22 Email from Jared Adamson – Process for Purchasing Water Right	Y	Y	Y
2.23	5/2/13 Notice of Change In Water Right Ownership filed by R Byers	Y	N	Y
2.24	Map of Water Right 74-16256	Y	Y	Y
2.25	Maps of Klemmer Water Rights (74-210B, 74-2183A, 74-10160)	Y	Y	Y
2.26	IDWR Claim File for Water Right 74-210B	Y	Y	Y
2.27	Maps and Photos for Water Right 74-15842	Y	Y	Y
2.28	6/12/20 Email from Cindy Yenter – Wimpy Creek 1 Diversion	Y	Y	Y
2.29	6/15/20 Email from Cindy Yenter – Site Visit to Wimpy Creek 1 Diversion	Y	Y	Y
2.96	8/1/22 Text from Phil Moulton to R Nelson	Y	Y	Y
2.126	10/19/22 Email from James Cefalo – Authority to File Transfer Application	Y	Y	Y
2.234	Email from Rob Harris to Fred Snook – Property Access for Expert Witness	Y	Y	Y
2.235	Email from Rob Harris to Fred Snook – Follow-Up on Property Access for Expert Witness	Y	Y	Y
2.246	Email from Fred Snook to Rob Harris – Authorizing Access except for J Nelson	Y	Y	Y
2.256	Email from Fred Snook to Rob Harris – Authorizing Access to Payne Property except for J Nelson	Y	Y	Y

No.	Description	Offered?	Objection?	Admitted?
3 Series	Audio Recordings of Phone Conversations (Exhibits 3.1 through 3.13)	Y	N	Y
3.1	Ronald Byers 5/27/22	Y	N	Y
3.2	Ronald Byers 5/30/22	Y	N	Y
3.3	Ronald Byers 6/1/22	Y	N	Y
3.4	Ronald Byers 6/6/22	Y	N	Y
3.5	Ronald Byers 6/6/22	Y	N	Y
3.6	Ronald Byers 6/6/22	Y	N	Y
3.7	Ronald Byers 6/7/22	Y	N	Y
3.8	Phil Moulton 8/7/22	Y	N	Y
3.9	Kirk Klemmer 8/7/22	Y	N	Y
3.10	Fred Payne 8/8/22	Y	N	Y
3.11	Ronald Byers 8/8/22	Y	N	Y
3.12	Ronald Byers 8/8/22	Y	N	Y
3.13	Fred Payne 8/10/22	Y	N	Y
4	Transfer Overall Summary Map	Y	N	Y
5	Transfer Map 1	Y	N	Y
6	Original Map for Water Right 74-210B	Y	N	Y
7	Original Map for Water Right 74-2183A	Y	N	Y
8	Nelson Water Right 74-16256 Map	Y	N	Y
9	Split History for Water Right 74-210	Y	N	Y
10	Split History for Water Right 74-734	Y	N	Y

No.	Description	Offered?	Objection?	Admitted?
11	Split History for Water Right 74-2183	Y	N	Y
12	Lemhi Decree Wimpey Creek 74-210 and 74-734	Y	N	Y
13	Lemhi Decree Wimpey Creek 74-2183	Y	N	Y
14	Updated IDWR Map – Klemmer Water Right 74-210B	N		
15	Updated IDWR Map – Klemmer Water Right 74-2183A	N		
16	IDWR Map for Bair Water Right 74-210E	N		
17	Survey of Nelson Parcel	Y	N	Y
18	Final Expert Report – Rocky Mountain Environmental Associates Inc.	Y	N	Y
19	Attachments to Final Expert Report – Rocky Mountain Environmental Associates Inc.	Y	N	Y
20	Transfer Consent from Ronald Byers	Y	N	Y
21	Bair Protest	N		
22	Klemmer Protest	N		
23	Moulton Protest	N		
24	Payne Protest	N		
25	Bair Discovery Responses	N		
26	Klemmer Discovery Responses	N		
27	Moulton Discovery Responses	N		
28	Payne Discovery Responses	N		
29	Payne Discovery Responses – Correcting Response to Interrogatory 8	N		
30	IDWR Map for Gibson Water Right 74-2183B	N		
31	IDWR Map for Koncz Water Right 74-2183C	N		

No.	Description	Offered?	Objection?	Admitted?
32-49	Unused			
50	Video by John Nelson (IMG_7029)	Y	N	Y
51	Video by John Nelson (IMG_7030)	Y	N	Y
52	Video by John Nelson (IMG_7031)	Y	N	Y
53	Video by John Nelson (IMG_7032)	Y	N	Y
54	Video by John Nelson (IMG_7046)	Y	N	Y
55	Video by John Nelson (IMG_7047)	Y	N	Y
56	Video by John Nelson (IMG_7048)	Y	N	Y
57	Video by John Nelson (IMG_7049)	Y	N	Y
58	Photo by John Nelson (IMG_7034)	Y	N	Y
59	Photo by Lori Nelson of Fish Screen	Y	N	Y
60	Photo by Lori Nelson of Fish Screen	Y	N	Y
61	Photo of Fence (IMG_7976)	N		
62	Photo of Fence (IMG_7977)	N		
63	Video by John Nelson (IMG_5246)	Y	N	Y
64	Video by John Nelson (IMG_5247)	Y	N	Y
65	Video by John Nelson (IMG_5248)	Y	N	Y

Witness List

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WITNESS	CALLED BY	DATE / TIME
Ronald Byers	Rob Harris	5/23/23 9:28
Rohn Nelson	Rob Harris	5/23/23 10:28
John Nelson	Rob Harris	12:55
Lori Nelson	Rob Harris	13:26
Bryce Contor	Rob Harris	13:30
William Rick Sager	Fred Snook	16:07
John Blower	Fred Snook	16:43
Chad Stephenson	Fred Snook	16:56
Edwin R. Gibson	Fred Snook	17:14
Matthew Green	Fred Snook	5/24/23 8:38
Lacey French	Fred Snook	8:54
Kirk Klemmer	Fred Snook	9:25
Frederick Payne	Fred Snook	10:25
Phillip Moulton	Fred Snook	11:20