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DEC 26 2014

DEPARTMENT OF  
WATER RESOURCES

1 R.C. Stone  
 2 Jason R. Naess  
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 7 Burley, Idaho 83318  
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 10 Idaho State Bar #1890  
 11 Idaho State Bar #8407  
 12 Attorneys for Plaintiff

13 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE  
 14 STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

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13	D.L.EVANS BANK,	)	Case No. CV OC 1317406
14		)	
14	Plaintiff,	)	
15		)	
15	vs.	)	
16		)	
17	BALLENTYNE DITCH COMPANY,	)	EXPERT WITNESS
17	LIMITED; THOMAS MECHAM RICKS;	)	LIST
18	GARY SPACKMAN, IN HIS OFFICIAL	)	
18	CAPACITY AS DIRECTOR OF THE	)	
19	IDAHO DEPARTMENT OF WATER	)	
19	RESOURCES; IDAHO DEPARTMENT	)	
20	OF WATER RESOURCES; AARON	)	
20	RICKS, DIRECTOR OF BALLENTYNE	)	
21	DITCH COMPANY; SHAUN BOWMAN,	)	
21	DIRECTOR OF BALLENTYNE DITCH	)	
22	COMPANY; JOE KING, DIRECTOR	)	
22	OF BALLENTYNE DITCH COMPANY;	)	
23	STEVE SNEAD, DIRECTOR	)	
23	OF BALLENTYNE DITCH COMPANY	)	
24		)	
24	Defendants.	)	
25		)	
26		)	

COMES NOW the Plaintiff, pursuant to the December 22, 2014, Order

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP  
 LAWYERS  
 BURLEY, IDAHO

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Governing Further Proceedings, and hereby identifies the following as expert witnesses:

1. S. Duane Alexander  
1310 12<sup>th</sup> Avenue Road  
Nampa, Idaho 83686  
(208) 446-5027

Mr. Alexander is expected to testify as to the agricultural practices and crops available for use on property of the type foreclosed on by Plaintiff in January 2013, and the effect a denial of water would have on such property and the uses available for the property. Mr. Alexander's testimony will be based on his expertise as a banker and as a commercial and agricultural loan officer in the Treasure Valley. Mr. Alexander has been analyzing agricultural financial and operating information with various banks in the Treasure Valley for over 20 years, and is currently a Vice-President and Commercial and Agricultural Loan Officer with D.L. Evans Bank. No additional compensation is expected for his services. Mr. Alexander has not testified as an expert in any other case in the preceding 4 years.

2. Timothy P. Williams, MAI, CCIM  
531 South Fitness Place  
Eagle, Idaho 83616  
(208) 938-2257

Mr. Williams, with Mr. Rodeghiero, below, was engaged by Plaintiff to appraise the property transferred as a result of the January 22, 2013, foreclosure on Deed of Trust No. 107082317. In particular, Mr. Williams was asked to appraise the property with and without water. If called to testify, it is expected Mr. Williams will express his opinion as to the property's value with and without water based on an analysis of comparable sales and discussions with realtors, land developers, irrigation company representatives, and domestic water company representatives. Mr. Williams and Mr. Rodeghiero have prepared a draft appraisal, which, if finalized, will be used as support for their opinions as to the property's value. Mr. Williams has provided evaluation and appraisal services in the Treasure Valley since 1991. He has not yet been engaged to testify in this matter, and, while it is expected he would be compensated for any testimony given, the amount of compensation to be paid for his testimony is unknown.

3. Paul R. Rodeghiero, MBA  
531 South Fitness Place  
Eagle, Idaho 83616  
(208) 938-2257

Mr. Rodeghiero, with Mr. Williams, above, was engaged by Plaintiff to

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appraise the property transferred as a result of the January 22, 2013 foreclosure on Deed of Trust No. 107082317. Mr. Rodeghiero was asked to appraise the property with and without water, and, if called to testify, will provide his opinion as to the property's value with and without water based on an analysis of comparable sales and discussions with realtors, land developers, irrigation company representatives, and domestic water company representatives. Mr. Rodeghiero and Mr. Williams have prepared a draft appraisal, which, if finalized, will be used as support for their opinions as to the property's value. Mr. Rodeghiero has provided valuation and appraisal services in the Treasure Valley since 1992. He has not yet been engaged to testify in this matter, and, while it is expected he would be compensated for any testimony given, the amount of compensation to be paid for his testimony is unknown.

DATED this 24<sup>th</sup> day of December, 2014.

PARSONS, SMITH, STONE,  
LOVELAND & SHIRLEY, LLP

  
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Jason R. Naess  
Attorneys for D.L. Evans Bank

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 24<sup>th</sup> day of December, 2014, I caused a true and correct copy of the Expert Witness List to be served upon the following person(s) in the following manner:

S. Bryce Farris	<u>  x  </u>	U.S. Mail
SAWTOOTH LAW OFFICE, PLLC	<u>      </u>	Via Facsimile
P.O. Box 7985	<u>      </u>	Via Overnight Carrier
Boise, ID 83707	<u>      </u>	Via Hand Delivery
Chris Bromley	<u>  x  </u>	U.S. Mail
McHugh Bromley, PLLC	<u>      </u>	Via Facsimile
380 S 4 <sup>th</sup> St, Ste 103	<u>      </u>	Via Overnight Carrier
Boise, ID 83702	<u>      </u>	Via Hand Delivery
John Homan	<u>  x  </u>	U.S. Mail
Idaho Department of Water Resources	<u>      </u>	Via Facsimile
P.O. Box 83720-0098	<u>      </u>	Via Overnight Carrier
Boise, ID 83720	<u>      </u>	Via Hand Delivery

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