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Attorneys for Defendants Gary Spackman and  
the Idaho Department of Water Resources

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

D.L. EVANS BANK,

Plaintiff,

vs.

BALLENTYNE DITCH COMPANY,  
LIMITED; THOMAS MECHAM RICKS,  
GARY SPACKMAN, IN HIS OFFICIAL  
CAPACITY AS THE DIRECTOR OF THE  
IDAHO DEPARTMENT OF WATER  
RESOURCES; AARON RICKS, DIRECTOR  
OF BALLENTYNE DITCH COMPANY;  
SHAUN BOWMAN, DIRECTOR OF  
BALLENTYNE DITCH COMPANY; JOE  
KING, DIRECTOR OF BALLENTYNE  
DITCH COMPANY; STEVE SNEAD,  
DIRECTOR OF BALLENTYNE DITCH  
COMPANY,

**Case No. CV-OC-2013-17406**

**EXPERT WITNESS LIST**

Defendants.

The Director (“Director”) of the Idaho Department of Water Resources (“IDWR”) pursuant to the December 4, 2014 *Stipulation for Scheduling and Planning*, identifies the following expert witnesses:

1. Elizabeth Cresto  
IDWR Technical Hydrologist  
322 E. Front St.  
P.O. Box 83720  
Boise, ID 83720-0098

Ms. Cresto has been employed by IDWR as a surface water hydrologist since 2004. Her job responsibilities include running the water rights accounting program and the storage allocations program for the Boise River system. She has not had any published works within the past 10 years. Ms. Cresto testified as an expert at an administrative hearing before IDWR, June 14, 2011, in regards to permit no. 35-8359. Ms. Cresto will not receive any compensation for testifying beyond her IDWR salary. Ms. Cresto will testify as to the number of water delivery organizations with water rights from the Boise River that are similar to that of Ballentyne Ditch Company’s (“Ballentyne”). She will base her testimony on her knowledge obtained working for IDWR and IDWR records. During her testimony Ms. Cresto may present a table of water delivery companies that own water rights and deliver water to their patrons for beneficial use.

2. Carter Fritschle  
Water Rights Adjudication Section Manager  
322 E. Front St.  
P.O. Box 83720  
Boise, ID 83720-0098

Mr. Fritschle has been employed by IDWR for 27 years and as the Adjudication Section Manager since January 2006. His principal duties include supervising a staff of technical water right professionals and records support personnel as well as reviewing water right claims in Idaho adjudications. Mr. Fritschle has not had any published works in the past 10 years. He testified as an expert witness in subcase no. 63-319 in the Snake River Basin Adjudication (“SRBA”) on July 16, 2014. Mr. Fritschle will testify concerning notice provided to D.L. Evans Bank of the commencement of the SRBA. He will base his testimony on his knowledge of IDWR processes and procedures as well as IDWR records.

2. Rex Barrie  
Boise River Watermaster  
10769 W. State Street  
PO Box 767  
Star, ID 83669-0767

Mr. Barrie was appointed as the Water Master for Water District No. 63 in 2008. He is responsible for administering the rights on the Boise River system. He is also tasked with publishing a Water Master Report every year which includes the total amount of water delivered and the amount delivered to each user each year. Mr. Barrie has not testified as an expert in the past four years. Mr. Barrie will testify as to how water rights are administered. He will base his testimony on his knowledge as Water Master.

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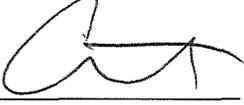
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RESPECTFULLY SUBMITTED this 27<sup>th</sup> day of January 2015.

LAWRENCE G. WASDEN  
Attorney General

CLIVE J. STRONG  
Chief, Natural Resources Division

   
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MEGHAN CARTER  
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Idaho Department of Water Resources

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 27<sup>th</sup> day of January 2015, I caused a true and correct copy of the foregoing document to be filed with the Court and served on the following parties by the indicated methods:

*Original to:*  
Clerk of the Court  
Ada County District Court  
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