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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Sun Valley Company

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF
WATER TO WATER RIGHTS HELD BY
MEMBERS OF THE BIG WOOD & LITTLE
WOOD WATER USERS ASSOCIATION
DIVERTING FROM THE BIG WOOD
RIVER

Docket No. CM-DC-2015-001

IN THE MATTER OF DISTRIBUTION OF
WATER TO WATER RIGHTS HELD BY
MEMBERS OF THE BIG WOOD & LITTLE
WOOD WATER USERS ASSOCIATION
DIVERTING FROM THE LITTLE WOOD
RIVER

Docket No. CM-DC-2015-002

**SUBPOENA DUCES TECUM OF
ALTON HUYSER**

THE STATE OF IDAHO TO: ALTON HUYSER
126 E. Highway 26
Shoshone, Idaho 83352-5302

SUBPOENA DUCES TECUM OF ALTON HUYSER - 1

Client 3924541.1

(208) 886-2777

YOU ARE COMMANDED:

☒ to appear at the place, date and time specified below to testify at the taking of a deposition in the above case.

☒ to produce or permit for inspection and copying of the following documents or objects, including electronically stored information, at the place, date, and time specified below:

The deponent is requested to bring all documents relating to the areas of inquiry attached and identified as **Exhibit A**, with the respect to W. Clinton and Michelle Stennett's water right numbers 37-10561A and 37-10561B, and everything related to the above issue captioned.

☐ to permit inspection of the following premises at the date and time specified below:

PLACE: **Moffatt, Thomas, Barrett, Rock & Fields, Chtd.**
101 S. Capitol Blvd., 10th Floor
Boise, Idaho 83702

DATE: **Wednesday, September 23, 2015** TIME: **10:00 a.m.**

FAILURE TO APPEAR

You are further notified that if you fail to appear at the place and time specified above, or to produce or permit copying or inspection as specified above, that you may be held in contempt of court and that the aggrieved party may recover from you the sum of \$100 and all damages which the party may sustain by your failure to comply with this subpoena.

DATED this 12th day of August, 2015.

ISSUING OFFICER SIGNATURE AND
TITLE

By 
Matthew J. McGee – Of the Firm
Attorneys for Sun Valley Company

ISSUING OFFICER'S NAME, ADDRESS,
AND PHONE NUMBER:

Matthew J. McGee
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of August, 2015, I caused a true and correct copy of the foregoing **SUBPOENA DUCES TECUM OF ALTON HUYSER** to be served by U.S. Mail to the following:

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HOMEOWNERS ASSN
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ASSN INC
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C/O CAROLS BOOKKEEPING
PO BOX 1702
KETCHUM ID 83340

SMOKEY DOME LLC
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FAIRFIELD ID 83327

SOUTH COVE VENTURES LLC
PO BOX 333
FAIRFIELD ID 83327

STARWEATHER OWNERS ASSN INC
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WOOD RIVER LAND TRUST
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HAILEY ID 83333



Matthew J. McGee

EXHIBIT A

1. Any and all documents which reflect or concern each water right you contend is being injured.
2. Any and all documents which reflect the:
 - (a) water right number and date of priority for each such water right,
 - (b) purpose of and current use of each such water right,
 - (c) current authorized and actual point(s) of diversion and common diversion name or water district diversion identifier, if applicable, and IDWR metal tag number / point of diversion identifier for each such water right,
 - (d) historic quantities of water actually diverted at each point of diversion under each such water right and when such diversions commenced and ended each year,
 - (e) current place of use for each such water right,
 - (f) historic number of acres actually irrigation within the place of use for each such water right and location of such acreage,
 - (g) complete description of the diversion and delivery system for the water used under each such water right,
 - (h) historic conveyance losses (actual, assigned, or assumed) for each identified channel or delivery path,
 - (i) method for measuring, determining or calculating the conveyance losses (actual, assigned, or assumed) for each identified channel or delivery path,
 - (j) historical methods of irrigation water application for each irrigation water right, and
 - (k) soil type(s) of the irrigated acreage comprising the place of use of each such water right.
3. Any and all documents which reflect or concern any other water right(s) that authorize you to deliver water to each and every actual place of use or stock location ("Overlapping Water Right").
4. Any and all documents which reflect the:
 - (a) the water right number and date of priority for each Overlapping Water Right,
 - (b) the source of water authorized by each Overlapping Water Right,

- (c) the current authorized and actual point(s) of diversion and IDWR metal tag number / point of diversion identifier for each Overlapping Water Right,
- (d) the historic quantities of water actually diverted at each point of diversion under each Overlapping Water Right and when such diversions commenced and ended each year,
- (e) the historic quantities of water diverted under each Overlapping Water Right that is actually delivered to the acreage or stock location,
- (f) the current place(s) of use for each Overlapping Water Right,
- (g) the historic number of acres actually irrigation within the place of use for each Overlapping Water Right and location of such acreage,
- (h) a complete description of the diversion and delivery system for the water under each Overlapping Water Right,
- (i) the historic conveyance losses (actual, assigned, or assumed) for each identified channel or delivery path,
- (j) the method for measuring, determining or calculating the conveyance losses (actual, assigned, or assumed) for each identified channel or delivery path,
- (k) the well number, well identification number or IDWR metal tag number that identifies the well(s) from which each Overlapping Water Right is diverted, and
- (l) the location of the well and the driller's report(s) associated with each well, if applicable.

5. Any and all documents which reflect the nature, source and amount of any application of tail water or waste water to the historic number of acres actually irrigated within the place of use for each injured water right, as well as any run-off from such acreage.

6. Any and all documents or records which reflect or concern any water measurement devices or water measurement and recording devices used at any place within the delivery system that delivers water to your actual place of use for your water rights, including without limitation documents reflecting the size, type, manufacturer, model, serial number, installation date, IDWR identification number, location and date(s) on which each such device was calibrated or checked by a watermaster, IDWR, groundwater district hydrographer or other person or entity, and the identity of such person(s).

7. Any and all documents or records which reflect information, measurements, calibrations, data, or study results concerning water use, water measurement, water availability, or injury for each of your water right(s).

8. Any and all documents or records, including but not limited to maps, GIS shape files, charts, photographs, schematics or other representations that illustrate or show the water delivery system for each of your water rights.
9. Any and all documents, including but not limited to financial and other accountings, Excel, Quickbooks or other accounting spreadsheets, invoices and receipts setting forth your expenses associated with the delivery of water under each of your water rights.
10. Any and all documents which reflect your crop records, including crop reports, crop yields, crop rotations, and crop receipts over the period for which you have such records.
11. Any and all documents which reflect your shares, assessments, ownership, rights or interests in any organized or incorporated irrigation delivery entity, including without limitation canal companies, lateral ditch water users' associations, or irrigation districts, and in any organized or incorporated drainage entity.
12. Any and all organizational and governance documents for the Big Wood & Little Wood Water Users Association, including without limitation any articles of incorporation, organization or association, operating agreements, rules, regulations, bylaws, meeting minutes, and member lists.

DEFINITIONS

A. The terms "Document(s)" and/or "Record(s)," as used herein, mean any tangible thing upon which has been placed handwriting, typewriting, printing, photocopying, photographing, digital or computerized data, or any other form of recording, communication or representation, including but not limited to letters, words, pictures, sounds, magnetic impulses, electronically stored information, symbols, numbers or any combination thereof, whether or not visible to the unassisted human eye. This definition shall include, but is not limited to, any and all originals, copies or drafts of any and all of the following: correspondence, e-mail, records, notes, summaries, schedules, contracts, agreements, drawings, blueprints, sketches, invoices, orders, acknowledgments, diaries, reports, findings, forecasts, tests, appraisals, engineering reports, memoranda, medical records, telephone recordings, telephone logs, letters, telegrams, telexes, facsimiles, cables, tapes, tape recordings, statements, receipts, invoices, check registers, transcripts, recordings, photographs, witness statements, pictures, films, videotapes, computer programs, models, things and materials of any nature whatsoever. Any document which contains any comment, notation, addition, insertion or marking of any kind which is not part of another documents is to be considered as a separate document.

B. The terms "Historic" or "Historical," refers to the entire time period for which you have, or have access to, knowledge, information, documents or records about a subject, or the last ten (10) years, whichever is longer.