RECEIVED
SEP 23 2015
DEPARTMENT OF
WATER RESOURCES

Scott L. Campbell, ISB No. 2251
Norman M. Semanko, ISB No. 4761
Matthew J. McGee, ISB No. 7979
MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED
101 S. Capitol Blvd., 10th Floor
Post Office Box 829
Boise, Idaho 83701
Telephone (208) 345-2000
Facsimile (208) 385-5384
slc@moffatt.com
nms@moffatt.com
mjm@moffatt.com
16845.0025
16845.0026
Attorneys for Sun Valley Company

Susan E. Buxton, ISB # 4041
Cherese D. McLain, ISB # 7911
MOORE SMITH BUXTON & TURCKE, CHTD.
950 W. Bannock St., Ste. 520
Boise, Idaho 83702
Telephone: (208) 331-1800
Fax: (208) 331-1202
Attorneys for the Cities of Ketchum and Fairfield

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 **OBJECTION TO AGENCY RECORD** ***In Re: SUN VALLEY COMPANY v. SPACKMAN, et al.*, ADA COUNTY DISTRICT COURT CASE NO. CV-WA-2015-14500**

ORIGINAL

COMES NOW Sun Valley Company and the Cities of Ketchum and Fairfield, by and through undersigned counsel of record, and pursuant to Rule 84(j), Idaho Rules of Civil Procedure and the Notice of Lodging Agency Record with the Agency, dated September 9, 2015, objects to the Agency Record lodged in the matter of *In Re: SUN VALLEY COMPANY v. SPACKMAN, et al.,* ADA COUNTY DISTRICT COURT CASE NO. CV-WA-2015-14500. The lodged Agency Record is comprised of each and every filing or pleading generated by every party in the above-captioned administrative actions. Many of the filings and pleadings are not relevant to the issues on appeal before the District Court, and in the interest of efficiency and judicial economy, Sun Valley Company and the Cities of Ketchum and Fairfield submit that the Agency Record on appeal should be narrowed accordingly. Attached hereto as Exhibits A and B are copies of the tables of contents of the Agency Record in each of the above-captioned administrative actions, respectively, which Exhibits have been highlighted with the filings Sun Valley Company and the Cities of Ketchum and Fairfield propose should comprise the Agency Record on appeal.

DATED this 23rd day of September 2015.

MOFFATT, THOMAS, BARRETT, ROCK & FIELDS, CHARTERED

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

DATED this 23rd day of September 2015.

MOORE SMITH BUXTON & TURCKE, CHTD.

By: _____
Susan E. Buxton
Attorneys for Cities of Ketchum and Fairfield

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of September 2015, I caused a true and correct copy of the foregoing **OBJECTION TO AGENCY RECORD *In Re: SUN VALLEY COMPANY v. SPACKMAN, et al.*, ADA COUNTY DISTRICT COURT CASE NO. CV-WA-2015-14500** to be served by the method indicated below, and addressed to the following:

Joseph F. James
BROWN & JAMES
130 Fourth Ave. W.
Gooding, Idaho 83330
Facsimile (208) 934-4101
Attorneys for Big Wood/Little Wood Water Users Association

(X) U.S. Mail, Postage Prepaid
( ) Hand Delivered
( ) Overnight Mail
( ) Facsimile

Garrick Baxter
Emmi Blades
Deputy Attorneys General
IDAHO DEPARTMENT OF WATER RESOURCE
P.O. Box 83720
Boise, ID 83720-0098
Facsimile (208) 287-6700
Attorneys for Idaho Department of Water Resources

(X) U.S. Mail, Postage Prepaid
( ) Hand Delivered
( ) Overnight Mail
( ) Facsimile

Dylan Lawrence
VARIN WARDWELL LLC
P.O. Box 1676
Boise, ID 83701-1676
Facsimile (866) 717-1758
Attorneys for WD 37-B Groundwater Group

(X) U.S. Mail, Postage Prepaid
( ) Hand Delivered
( ) Overnight Mail
( ) Facsimile

Susan Buxton
Cherese McLain
MOORE SMITH BUXTON & TURCKE, CHTD.
950 W. Bannock St., Suite 520
Boise, ID 83702
Facsimile (208) 331-1202
Attorneys for the City of Ketchum and City of Fairfield

(X) U.S. Mail, Postage Prepaid
( ) Hand Delivered
( ) Overnight Mail
( ) Facsimile

James R. Laski
Heather E. O'Leary
LAWSON LASKI CLARK & POGUE, PLLC
675 Sun Valley Rd., Suite A
P.O. Box 3310
Ketchum, ID 83340
Facsimile (208) 725-0076
Attorneys for Intervenors

(X) U.S. Mail, Postage Prepaid
( ) Hand Delivered
( ) Overnight Mail
( ) Facsimile

Albert P. Barker
Paul L. Arrington
BARKER, ROSHOLT & SIMPSON, LLP
1010 W. Jefferson St., Suite 102
P.O. Box 2139
Boise, ID 83701-2139
Facsimile (208) 344-6034
Attorneys for South Valley Ground Water District

(X) U.S. Mail, Postage Prepaid
( ) Hand Delivered
( ) Overnight Mail
( ) Facsimile

Matthew J. McGee

EXHIBIT A

TABLE OF CONTENTS

AGENCY RECORD
Prepared by the Idaho Department of Water Resources
Sun Valley Company v. IDWR; CV-WA-2015-14500
Filed August 19, 2015

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 (Big Wood Delivery Call) IDWR Docket No. CM-DC-2015-001

VOLUME I

Letter to Gary Spackman from Joseph F. James on behalf of Big Wood River Water Users Association requesting administration of water rights, dated February 23, 2015 1-5

Letter to Joseph F. James from Gary Spackman acknowledging request for administration as delivery calls, dated March 6, 2015 6

First Amended Petition for Administration of Water Rights Under the Prior Appropriation Doctrine, dated March 12, 2015 7-11

Letter to Junior Priority ground water right holders from Gary Spackman re. Water Right Delivery Calls filed by the Big Wood and Little Wood Water Users Association, dated March 20, 2015 12

Mailing List for Letter to Junior Priority ground water holder from Gary Spackman re. Water Right Delivery Calls filed by the Big Wood and Little Wood Water Users Association, dated March 20, 2015 13-20

Letter to Joseph F. James from Deborah Gibson re. legal notice of water right delivery calls, dated March 20, 2015 21

Legal Notice of Water Right Delivery Calls filed by the Big Wood & Little Wood Water Users Association, Dated March 20, 2015 22

Letter of Participation from Gregory R. Bloomfield Revocable Trust, dated March 25, 2015 23-24

Letter of Participation from Jeffrey T. Seely on behalf of Greenhorn Homeowners Association, dated March 25, 2015 25

Letter of Participation from David R. Tuthill, Jr., Ph.D., P.E. on behalf of Innovative Mitigation Solutions, LLC, dated March 25, 2015 26

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Letter of Participation from Kiril Sololoff, dated March 26, 2015 27

Notice of Status Conference, dated March 26, 2015 28-29

Letter of Participation from Pepin Corso-Harris on behalf of Cattle-Lack Ranch HOA, dated March 27, 2015 30

Letter of Participation from Janell L. Goddard on behalf of Community School, dated March 27, 2015 31

Letter of Participation from Lynn Campion on behalf of Deer Creek Farm, dated March 27, 2015 32

Letter of Participation from Paul and Tana Dean, dated March 27, 2015 33

Letter of Participation from Poppy Englehardt, dated March 27, 2015 34

Letter of Participation from Toby B. Lambert on behalf of Toby B. Lambert Trust, dated March 30, 2015 35

Letter of Participation from Jared R. Williams on behalf of Jared R. Williams Revocable Trust, dated March 30, 2015 36

Letter of Participation from Marlys J. Schmidt transmitted by e-mail, dated March 30, 2015 37

Letter of Participation from Ken Sangha on behalf of Ken Sangha and ASAM Trust transmitted by e-mail, dated March 30, 2015 38

Letter of Participation from Harry S. Rinker on behalf of the Rinker Company transmitted by e-mail, dated March 30, 2015 39

Letter of Participation from Laird B. Stone on behalf of Dean R. Rogers III, dated March 30, 2015 40

Letter of Participation from Gary Hoffman on behalf of Sun Valley Trailer Parks, dated April 1, 2015 41

Letter of Participation from Ralph Campanale, M.D., dated April 1, 2015 42

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Letter of Participation from Robert Pittman, dated April 1, 2015 43

Letter of Participation from Starlite Homeowners Association, dated April 1, 2015 44

Letter of Participation from Jim W. Koonce, dated April 1, 2015 45

Letter of Participation from Mark Palmer on behalf of Webb Landscape, Inc., dated April 3, 2015 46

Letter of Participation from Teresa L. Mason on behalf of Gulch Trust, dated April 3, 2015 47

Letter of Participation from Ernest J. Getto, dated April 6, 2015 48

Letter of Participation from Ranney E. Draper on behalf of Redcliff Properties, LP, dated April 6, 2015 49

Letter of Participation from Brenda A. Levine on behalf of SCI Properties, LLC, dated April 6, 2015 50

Letter of Participation from William R. and Kathryn L. Ratliffe, dated April 6, 2015 51

Letter of Participation from J. Evan Robertson on behalf of Eccles Window Rock Ranch, LLC, Eccles Flying Hat Ranch, LLC, Sun Valley Water and Sewer District and J. Evan Robertson, dated April 7, 2015 52-53

Letter of Participation from Albert P. Barker on behalf of South Valley Ground Water District, dated April 7, 2015 54-56

Letter of Participation from John R. Lane on behalf of Timberview Terrace Homeowners Association, Inc., dated April 7, 2015 57

Notice of Intent to Participate and Designation of Legal Representative filed by Aquarius SAW, LLC, dated April 9, 2015 58

Letter of Participation from Sandor Szombathy on behalf of Sandor and Teri Szombathy, dated April 9, 2015 59

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Letter of Participation from Matthew B. Engel on behalf of Airport West Business Park Owners Association, Inc., dated April 9, 2015 60

Letter of Participation from Erin P. Smith on behalf of Canadian Club Homeowners Association, dated April 9, 2015 61

Notice of Intent to Participate filed by John K. Simpson on behalf of Idaho Power Company, dated April 13, 2015 62-63

Letter of Participation from Frederick C. Allington on behalf of the City of Bellevue, dated April 13, 2015 64

Letter of Participation from Britta S. Hubbard, dated April 13, 2015 65

Letter of Participation from Sheila Witmer on behalf of River Rock Ranch, LP, dated April 13, 2015 66

Letter of Participation from Chas F. McDevitt on behalf of The Idaho Foundation for Parks and Lands, Inc., dated April 13, 2015 67

Notice of Intent to Participate filed by Scott L. Campbell on behalf of Sun Valley Company, dated April 13, 2015 68-71

Letter of Participation from George R. Kirk II on behalf of Mid-Valley Water Company, LLC and Clear Creek, LLC, dated April 15, 2015 72

Letter of Participation from Clark and Karen Olson, dated April 15, 2015 73

Letter of Participation from Robin L. Moore on behalf of Holly Farms, LTD transmitted by e-mail, dated April 16, 2015 74

Letter of Participation from James D. White transmitted by e-mail, dated April 16, 2015 75

Notice of Intent to Participate and Designation of Legal Representative filed by Barber Family Associates, LP, dated April 16, 2015 76

Letter of Participation from Dennis Strom, dated April 16, 2015 77

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Letter of Participation from Albert P. Barker on behalf of additional members of the South Valley Groundwater District, dated April 16, 2015 78-79

Letter of Participation from Philip J. VanDerhoef on behalf of Philip J. VanDerhoef and Kathleen McKay, dated April 17, 2015 80

Notice of Intent to Participate and Designation of Legal Representative filed by Robert Rohe, dated April 17, 2015 81

Letter of Participation from Lawrence Schoen, dated April 20, 2105 82

Letter of Participation from Robyn L. Mattison on behalf of the City of Ketchum, dated April 20, 2015 83

Letter of Participation from Karl Nichols on behalf of Cold Springs Water Company, Hulen Meadows Water Company and Association, Inc., Sage Springs Homeowners Association, Inc., Starweather Owners Association, Inc., and Valley Club Owners Association, Inc., dated April 20, 2015 84

Letter of Participation from Jessica Nielsen on behalf of Bernard I. Friedlander, Ph.D. transmitted by e-mail, dated April 21, 2015 85

Notice of Intent to Participate filed by Michael C. Creamer on behalf of the City of Hailey, dated April 21, 2015 86-87

Notice of Intent to Participate filed by Michael C. Creamer on behalf of the Valley Club, Inc, dated April 21, 2015 88-89

Notice of Intent to Participate filed by Patrick D. Brown on behalf of Jacob Bloom, Ruth Bloom, and Hailey Cemetery Maintenance, dated April 22, 2015 90-91

Letter of Participation from Robert E. Williams on behalf of Golden Eagle Ranch Homeowners Association, Inc., dated April 22, 2015 92

Letter of Participation from Cheri Hicks on behalf of Griffin Ranch PUD Subdivision HOA, dated April 22, 2015 93

Letter of Participation from H. Philip Cash, dated April 22, 2015 94

Letter of Participation from Steven C. Funk, dated April 22, 2015 95

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Letter of Participation from William A. Simon on behalf of Water District 37-B Groundwater Group, dated April 22, 2015 96

Notice of Appearance filed by Candice M. McHugh on behalf of the City of Bellevue, dated April 23, 2015 97-98

Letter of Participation from Katherine Breckenridge/B Bar B Inc., dated April 23, 2015 99

Letter of Participation from Robert J. Struthers, dated April 23, 2015 101-102

Letter of Participation from Albert P. Barker on behalf of additional members of the South Valley Groundwater District, dated April 23, 2015 103-104

Notice of Intent to Participate filed by Susan E. Buxton on behalf of the City of Ketchum, dated April 23, 2015 105-107

Letter of Participation from Jim Rice on behalf of Gwinn Rice Ranch, Inc., dated April 23, 2015 108

Letter of Participation from Anthony and Judy D'Angelo, dated April 23, 2015 109

Notice of Intent to Participate filed by Chris M. Bromley on behalf of Michelle Wolf, dated April 23, 2015 110-111

Notice of Intent to Participate filed by Michael P. Lawrence on behalf of Y-3 Ranch and Emerald Assets, LLC, dated April 23, 2015 112-113

Letter of Participation from Heather E. O'Leary on behalf of Helios Development LLC, dated April 24, 2015 114

Letter of Participation from Heather E. O'Leary on behalf of Animal Shelter of Wood River Valley, dated April 24, 2015 115

Letter of Participation from Greg Vik on behalf of Black Butte Hills, LLC dated April 24, 2015 116

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Letter of Participation from Nancie C. Tatum and Thomas F. Hennig, dated April 24, 2015 117

Letter of Participation from Heather E. O'Leary on behalf of Dennis J. Card and Maureen M. McCanty, dated April 24, 2015 118

Letter of Participation from Heather E. O'Leary on behalf of Edward A. Lawson, dated April 24, 2015 119

Letter of Participation from Heather E. O'Leary on behalf of Southern Comfort Homeowners Association, dated April 24, 2015 120

Letter of Participation from Kathy Pruett on behalf of Village Green at the Valley Club Homeowners Association, Inc., dated April 24, 2015 121

Letter of Participation from Chad Stoesz on behalf of Wood River Trust, dated April 24, 2015 122

Letter of Participation from Greg Vik on behalf of SV Ranch, LLC, dated April 24, 2015 123

Letter of Participation from Greg Vik on behalf of South Cove Ventures, LLC, dated April 24, 2015 124

Letter of Participation from Greg Vik on behalf of Smokey Dome, LLC, dated April 24, 2015 125

Letter of Participation from Bruce and Karen Truxal, dated April 28, 2015 126-127

Notice of Intent to Participate and Designation of Legal Representative filed by Blaine County Recreation District, dated April 27, 2015 128

Letter of Participation from Jack E. Bartieau, Jr. on behalf of Flying Heart Ranch II Subdivision Owners Association, dated April 27, 2015 129

Letter of Participation from Allan Patzer and William Lehman on behalf of Aspen Hollow Homeowners Association, dated April 27, 2015 130

Letter of Participation from Matt McLam on behalf of Deborah L. and Matt A. McLam, dated April 27, 2015 131

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Letter of Participation from F. Alfredo Rego, dated April 27, 2015 132

Notice of Intent to Participate and Designation of Legal Representative filed by Blaine County School District No. 61, dated April 27, 2015 133-135

Letter of Participation from Robert F. Bouttier, dated April 27, 2015 136

Letter of Participation from Linda D. Woodcock, dated April 27, 2015 137

Letter of Participation from Jerry Cenarrusa on behalf of Holly Farms, LTD, Ron Hill Estate/NelLisa Carper, Paul and Polly Carney, Mark and Susan Williams and Lloyd and DeAnn Richins, and Fish Creek Irrigation District, dated April 27, 2015 138

Notice of Intent to Participate and Designation of Legal Representative filed by Henry and Jane Burdick, dated April 27, 2105 139-140

Notice of Intent to Participate filed by Fritz X. Haemmerle on behalf of AF 2014 Trust, dated April 27, 2015 141-142

Notice of Intent to Participate filed by Fritz X. Haemmerle on behalf of Geoffrey Smith, LLC, dated April 27, 2015 143-144

Notice of Intent to Participate filed by Fritz X. Haemmerle on behalf of Heart Rock Ranch, LLC, dated April 27, 2015 145-146

Letter of Participation from Thomas Mistick on behalf of Thomas and Amy Mistick, dated April 27, 2015 147

Letter of Participation from Kathryn J. Conant on behalf of USDA Forest Service, dated April 27, 2015 148

Letter of Participation from Luboff Senavsky on behalf of Luboff Senavsky and Charles Timothy Floyd transmitted by email, dated April 28, 2015 149

Notice of Intent to Participate filed by Travis L. Thompson on behalf of Thomas M. O'Gara Family Trust, Robert L. Baker Revocable Trust, Catherine S. Dawson Revocable Trust, Syringa Ranch, LLC, and Deer Creek Ranch, Inc., dated April 29, 2015 150-151

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Letter of Participation from Paul and Polly Carney on behalf of Paul and Polly Carney, Lloyd and DeAnn Richins, Mark and Susan Williams, and Fish Creek Reservoir Ranch, Inc., dated April 29, 2015 152

Sun Valley Company's Motion for Order Authorizing Discovery, dated April 29, 2015 153-157

Letter of Participation from Charles G. Brockway on behalf of Heatherlands Homeowners Association, Inc., dated April 30, 2015 158-159

Roster of Attendance for Status Conference, dated May 4, 2015 160-164

Groundwater Model Development for the Wood River Valley presentation by Sean Vincent, IDWR, (April 4, 2015), presented at the public meeting on May 4, 2015 165-177

Big & Little Wood River Delivery Calls – 2015, Preliminary Overview of Delivery Call Water Rights presentation by Tim Luke (IDWR), presented at the public meeting held on May 4, 2015 178-202

VOLUME II

Notice of Intent to Participate and Designation of Legal Representative filed by Bellevue Farms Landowners Association, Inc., dated May 4, 2015 203

Notice of Intent to Participate and Designation of Legal Representative filed by Elizabeth K. Gray, dated May 4, 2015 204

Notice of Intent to Participate and Designation of Legal Representative filed by Chaney Creek Ranch, LLC, dated May 4, 2015 205

Notice of Intent to Participate and Designation of Legal Representative filed by Cliffside Homeowners Association, Inc., dated May 4, 2015 206

Notice of IGWA's Intent to Participate, dated May 6, 2015 207-209

Letter of Participation from Donna Tuttle on behalf of Donna F. Tuttle Trust, dated May 8, 2015 210

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Letter of Participation from David A. Simon on behalf of David A. and Karen L. Simon, dated May 8, 2015 211

Letter of Participation from Peter (Zach) & Lori Sewell, dated May 11, 2015 212

Second Amended Petition for Administration of Water Rights Under the Prior Appropriation Doctrine, dated May 11, 2015 213-218

Order Authorizing Discovery; Notice of Prehearing Conference, dated May 13, 2015 219-225

Order Governing Participation, dated May 13, 2015 226-233

Letter of Participation from Barbara Call transmitted by e-mail, dated May 19, 2015 234

Notice of Service Sun Valley Company's First Set of Discovery Requests to the Big Wood and Little Wood Water Users Association and Its Members, dated May 19, 2015 235-238

Letter to Joseph F. James from Gary Spackman requesting additional information, with attachments, dated May 20, 2015 239-319

Letter of Participation from Heather E. O'Leary on behalf of The Village Green at the Valley Club Homeowners Association, Inc., dated May 21, 2015 320

Notice of Intent to Participate filed by Susan E. Buxton on behalf of the City of Fairfield, dated May 26, 2015 321-323

Letter of Participation from David Berman transmitted by e-mail, dated May 26, 2015 324-325

Letter of Participation from Michael Cord on behalf of Silver Sage Owners Association, Inc., dated May 26, 2015 326

Letter of Participation from Douglas C. Walton and Diana L. Whiting, dated May 26, 2015 327

Letter Withdrawing Participation from Jerry Cenarrusa, dated May 26, 2015 328

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Notice of Representation filed by James P. Speck, dated May 27, 2015 329-340

Letter of Participation from Albert P. Barker regarding third supplemental list of members of the South Valley Groundwater District, dated May 27, 2015 341-342

Letter of Participation from Brian M. McCoy on behalf of Bluegrouse Ridge Homeowners Association, Inc., dated May 27, 2015 343

Amended Notice of Intent to Participate filed by the City of Fairfield, dated May 27, 2015 344-345

Notice of Intent to Participate filed by James P. Speck on behalf of various ground water user and entities, dated May 27, 2015 346-357

Letter of Representation from Heather E. O'Leary on behalf of Flying Heart Ranch II Subdivision Owners Association, dated May 27, 2015 358

Notice of Intent to No Longer Participate filed by Michael P. Lawrence on behalf of Y-3 Ranch and Emerald Assets, LLC, dated May 27, 2015 359-362

Letter of Participation from Brian Lamar Smith and Diane Steffey-Smith, dated June 1, 2015 363

Petitioner's Motion for Scheduling Order and Motion for Protective Order, dated June 2, 2015 364-370

Notice of Representation filed by James P. Speck on behalf of Starlite Homeowners Association, dated June 4, 2015 371-380

Notice of Appearance filed by Eileen McDevitt on behalf of the Idaho Foundation for Parks and Lands, dated June 3, 2015 381-386

Affidavit of Publication from The Camas Courier, Notice of Water Right Delivery Calls filed by the Big Wood and Little Wood Water Users Association, dated June 5, 2015 387-388

Roster of Attendance of Pre-Hearing Conference, dated June 5, 2015 389-391

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Letter to Parties from Gary Spackman requesting dates be reserved for hearing, dated June 11, 2015 392-399

VOLUME III

Notice of Substitution of Counsel filed by James P. Speck on behalf of Golden Eagle Ranch Homeowners Association, Inc., dated June 11, 2015 400-409

Request for Staff Memoranda, dated June 12, 2015 410-420

Notice of Representation filed by James P. Speck on behalf of Timberview Terrace Homeowners Association, Inc., dated June 15, 2015 421-430

Opposition to Motion for Protective Order filed by Sun Valley Company, dated June 16, 2015 431-439

Petitioner's Motion to Allow Amendment to the Pleadings, dated June 22, 2015 440-447

Joinder in and Support of Opposition to Motion for Protective Order filed by James P. Speck, dated June 22, 2015 448-457

Motion to Dismiss Contested Case filed by Sun Valley Company, dated June 25, 2015 458-478

Joint Motion to Designate ACGWS by Rulemaking and to Dismiss Delivery Calls filed by Cities of Hailey and Bellevue, dated June 26, 2015 479-487

Memorandum in Support of Joint Motion to Designate ACGWS by Rulemaking and to Dismiss Delivery Calls filed by Cities of Hailey and Bellevue, dated June 26, 2015 488-510

Joint Motion to Modify Request for Staff Memoranda filed by Cities of Hailey and Bellevue, dated June 26, 2015 511-527

Affidavit of Chris M. Bromley (Attachments of Recordings to Affidavit located on Agency Record DVD only), dated June 26, 2015 (continued) 528-600

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

VOLUME IV

Affidavit of Chris M. Bromley (Attachments of Recordings to Affidavit located on Agency Record DVD only), dated June 26, 2015 (continued) 601-648

Email to Deborah Gibson from Judy D'Angelo re. service, dated June 30, 2015 649

Joinder in and Support of Joint Motion to Modify Request for Staff Memorandum filed by James P. Speck, dated July 1, 2015 650-660

Joinder in and Support of Joint Motion to Designate ACGWS by Rulemaking and to Dismiss Delivery Calls filed by James P. Speck, dated July 1, 2015 661-671

Joinder in and Support of Motion to Dismiss Contested Case Proceedings filed by James P. Speck, dated July 1, 2015 672-682

Notice of Representation filed by James P. Speck on behalf of Heatherlands Homeowners Association, Inc., dated July 1, 2015 683-692

Sun Valley Company's Motion to Modify/Withdraw "Request for Staff Memoranda" and May 20, 2015 "Request for Additional Information", dated July 1, 2015 693-712

Affidavit of Counsel in Support of Sun Valley Company's Motion to Modify/Withdraw "Request for Staff Memoranda" and May 20, 2015 Request for Additional Information, dated July 1, 2015 713-725

Email to Deborah Gibson from David Berman re. service, dated July 1, 2015 726

Order Denying Motion for Protective Order; Scheduling Order, dated July 2, 2015 727-736

Joinder in and Support of Motion to Dismiss Contested Case filed by City of Bellevue, dated July 6, 2015 737-744

Joinder in and Support of Motion to Designate ACGWS by Rulemaking and to Dismiss Delivery Calls filed by Cities of Ketchum and Fairfield, dated July 6, 2015 745-751

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Joinder in and Support of Opposition to Motion for Protective Order filed by Cities of Ketchum and Fairfield, dated July 6, 2015 752-759

City of Hailey's Joinder in and Support of Sun Valley Company's Motion to Dismiss Contested Case Proceedings, dated July 7, 2015 760-767

Joinder in and Support of Motion to Dismiss Contested Case Proceedings filed by Cities of Ketchum and Fairfield, dated July 8, 2015 768-774

Joinder in and Support of Motion to Dismiss Contested Case Proceedings filed by AF 2014 Trust, Geoffrey Smith and the Mariana S. Paen Trust, dated July 9, 2014 775-783

Notice of Appearance filed by Dylan B. Lawrence on behalf of Water District 37-B Groundwater Group, dated July 10, 2015 784-799

VOLUME V

Joinder in Cities' Motion to Dismiss filed by Water District 37-B Groundwater Group, dated July 10, 2015 800-810

Joinder in and Support of Joint Motion to Modify Request for Staff Memorandum and Motion to Modify/Withdraw "Request for Staff Memoranda" and May 2, 2015 "Request for Additional Information" filed by Cities of Ketchum and Fairfield, dated July 13, 2015 811-818

Notice of Intent to Participate filed by Laird B. Stone on behalf of Dean R. Rogers, III, dated July 13, 2015 819-828

Joinder in and Support of Motion to Dismiss Contested Case Proceedings filed by Dean R. Rogers, Inc., and Dean R. Rogers, III, dated July 13, 2015 829-838

Petitioner's Motion for Enlargement of Time, dated July 15, 2015 839-847

Response to Motion to Modify/Withdraw "Request for Staff Memoranda" filed by Water District 37-B Groundwater Group, dated July 15, 2015 848-858

Sun Valley Company's Motion to Compel, dated July 16, 2015 859-868

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Affidavit of Matthew J. McGee in Support of Sun Valley Company's Motion to Compel, dated July 16, 2015 869-882

Joinder in and Support of Motion to Modify/Withdraw "Request for Staff Memoranda" and May 20, 2015 "Request for Additional Information" filed by James P. Speck, dated July 16, 2015 883-890

Joinder in and Support of Sun Valley Company's Motion to Dismiss Contested Case Proceedings filed by Heather E. O'Leary, dated July 16, 2015 891-899

Notice of Substitution of Parties filed by Albert P. Barker on behalf of South Valley Ground Water District, dated July 20, 2015 900-913

Joinder in and Support of Joint Response in Opposition to Petitioners' Motion for Enlargement of Time filed by Cities of Ketchum and Fairfield, dated July 22, 2015 914-921

Joint Response in Opposition to Petitioners' Motion for Enlargement of Time filed by Cities of Bellevue and Hailey and Sun Valley Company, dated July 22, 2015 922-937

Notice of Substitution of Counsel filed by Albert P. Barker on Behalf of Webb Landscape, Inc., Blaine County Recreation District, Chaney Creek Ranch, LLC, SCI Properties, LLC and Ralph W. and Kandi L. Girton 1999 Irrevocable Trust, dated July 22, 2015 938-946

Order Denying Joint Motion to Designate ACGWS By Rulemaking and to Dismiss Delivery Calls, dated July 22, 2015 947-957

Order Denying Joint Motion to Modify Request for Staff Memoranda, dated July 22, 2015 958-967

Order Denying Motion for Enlargement of Time, dated July 22, 2015 968-975

Order Denying Sun Valley Company's Motion to Dismiss, dated July 22, 2015 976-986

Order Denying Sun Valley Company's Motion to Modify/Withdraw, dated July 22, 2015 987-996

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Letter from Cattle-Lack Ranch HOA informing IDWR of South Valley Ground Water District Membership and requesting removal of individual participation, dated July 28, 2015 997

VOLUME VI

Joint Motion to Determine Consolidated Case Status filed by Sun Valley Company and Sun Valley Water and Sewer District, dated July 30, 2015 998-1007

Affidavit of Matthew J. McGee in Support of Joint Motion to Determine Consolidated Case Status, dated July 30, 2015 1008-1016

Association's Response to the Director's Request for Participation (Attachments to Association's Response located on Agency Record DVD only), dated August 3, 2015 1017-1033

Joinder in and Support of Joint Motion to Determine Consolidated Case Status filed by Cities of Ketchum and Fairfield, dated August 3, 2015 1034-1041

Notice of Service of Discovery Requests filed by Water District 37-B Groundwater Group, dated August 4, 2015 1042-1050

Motion for Review of Interlocutory Order filed by Sun Valley Company, dated August 6, 2015 1051-1065

Joinder in and Support of Motion for Review of Interlocutory Order filed by Cities of Ketchum and Fairfield, dated August 7, 2015 1066-1072

Notice of Taking Deposition Duces Tecum of Jennifer Sukow, dated August 12, 2015 1073-1081

Notice of Taking Deposition Duces Tecum of Tim Luke, dated August 12, 2015 1082-1092

Order Granting Motions to Allow Amendment to Pleadings, dated August 12, 2105 1091-1098

Order Granting Sun Valley Company's Motion to Compel; Denying Request for Attorney Fees and Costs, dated August 12, 2015 1099-1107

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Stipulation and Order filed by The Village Green at the Valley Club Homeowner's Association, Inc., dated August 14, 2015 1108-1116

Joint Motion for Review of Interlocutory Order filed by Cities of Hailey and Bellevue, dated August 18, 2015 1117-1125

Joint Petition for Judicial Review of Agency Action filed by Cities of Hailey and Bellevue, dated August 18, 2015 1126-1146

Notice of Service of Association's Responses to Sun Valley Company's First Set of Discovery Requests, dated August 19, 2015 1147-1153

Petition for Judicial Review filed by Sun Valley Company, dated August 19, 2015 1154-1177

Joinder in and Support of Joint Motion for Review of Interlocutory Order filed by James P. Speck, dated August 20, 2015 1178-1184

Order Granting Late Request to Participate, dated August 21, 2015 1185-1192

Cross Notice of Taking Rule 30(B)(6) Deposition of Big Wood & Little Wood Water Users Association, dated August 25, 2015 1193-1202

VOLUME VII

Notice of Clarification Regarding Strom Ranches, Inc., dated August 25, 2015 1203-1213

Notice of Substitution of Counsel filed by Dylan Lawrence on behalf of Michelle Wolf, dated August 25, 2015 1214-1223

Notice of Deposition Duces Tecum of Kaysi Sharon Hubsmith, dated August 25, 2015 1224-1232

Notice of Deposition Duces Tecum of Rodney Fred Hubsmith, dated August 25, 2015 1233-1241

Notice of Taking Rule 30(b)(6) Deposition Duces Tecum of 7 Mile Ranch, dated August 25, 2015 1242-1250

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Notice of Taking Rule 30(B)(6) Deposition Duces Tecum of Big Wood Canal Company, dated August 25, 2015 1251-1559

Notice of Taking Rule 30(b)(6) Deposition Duces Tecum of Big Wood & Little Wood Water Users Association, dated August 25, 2015 1260-1268

Notice of Vacating Deposition Duces Tecum of Jennifer Sukow, dated August 25, 2015 1269-1275

Subpoena Duces Tecum of Alton Huyser, dated August 25, 2015 1276-1285

Amended Notice of Taking Deposition Duces Tecum of Jennifer Sukow, dated August 26, 2015 1286-1294

Letter from Bruce and Karen Truxal regarding service, dated August 27, 2015 1295

Hydrology, Hydrogeology, and Hydrologic Data Staff Memo by Jennifer Sukow (Supplemental Files to Staff Memo located on Agency Record DVD only), dated August 28, 2015 1296-1320

Surface Water Delivery Systems Staff Memo with Appendices 1 and 2, dated August 31, 2015 (continued) 1321-1403

VOLUME VIII

Surface Water Delivery Systems Staff Memo with Appendices 1 and 2, dated August 31, 2015 (continued) 1404-1558

Notice of Non-Profit Association Status and Updated Membership List filed by Water District 37-B Groundwater Group, dated August 31, 2015 1559-1572

Notice of Lodging the Agency Record and Transcript with the Agency, dated September ____, 2015 .....

Order Settling the Agency Record, dated September _____, 2015 .....

Agency's Certificate of Record, dated September_____, 2015 .....

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Big Wood Delivery Call; CM-DC-2015-001)

Notice of Lodging the Agency Record and Transcript with the District Court, dated September _____, 2015 .....

EXHIBIT B

TABLE OF CONTENTS

AGENCY RECORD
Prepared by the Idaho Department of Water Resources
Sun Valley Company v. IDWR; CV-WA-2015-14500
Filed August 19, 2015

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 (Little Wood Delivery Call) IDWR Docket No. CM-DC-2015-002

VOLUME I

Letter to Gary Spackman from Joseph F. James on behalf of Big Wood River Water Users Association requesting administration of water rights, dated February 23, 2015 1-5

Letter to Joseph F. James from Gary Spackman acknowledging request for administration as delivery calls, dated March 6, 2015 6

First Amended Petition for Administration of Water Rights Under the Prior Appropriation Doctrine, dated March 12, 2015 7-11

Letter to Junior Priority ground water right holders from Gary Spackman re. Water Right Delivery Calls filed by the Big Wood and Little Wood Water Users Association, dated March 20, 2015 12

Mailing List for Letter to Junior Priority ground water holder from Gary Spackman re. Water Right Delivery Calls filed by the Big Wood and Little Wood Water Users Association, dated March 20, 2015 13-20

Letter to Joseph F. James from Deborah Gibson re. legal notice of water right delivery calls, dated March 20, 2015 21

Legal Notice of Water Right Delivery Calls filed by the Big Wood & Little Wood Water Users Association, Dated March 20, 2015 22

Letter of Participation from Gregory R. Bloomfield Revocable Trust, dated March 25, 2015 23-24

Letter of Participation from Jeffrey T. Seely on behalf of Greenhorn Homeowners Association, dated March 25, 2015 25

Letter of Participation from David R. Tuthill, Jr., Ph.D., P.E. on behalf of Innovative Mitigation Solutions, LLC, dated March 25, 2015 26

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Letter of Participation from Kiril Sololoff, dated March 26, 2015 27

Notice of Status Conference, dated March 26, 2015 28-29

Letter of Participation from Pepin Corso-Harris on behalf of Cattle-Lack Ranch HOA, dated March 27, 2015 30

Letter of Participation from Janell L. Goddard on behalf of Community School, dated March 27, 2015 31

Letter of Participation from Lynn Campion on behalf of Deer Creek Farm, dated March 27, 2015 32

Letter of Participation from Paul and Tana Dean, dated March 27, 2015 33

Letter of Participation from Poppy Englehardt, dated March 27, 2015 34

Letter of Participation from Toby B. Lambert on behalf of Toby B. Lambert Trust, dated March 30, 2015 35

Letter of Participation from Jared R. Williams on behalf of Jared R. Williams Revocable Trust, dated March 30, 2015 36

Letter of Participation from Marlys J. Schmidt transmitted by e-mail, dated March 30, 2015 37

Letter of Participation from Ken Sangha on behalf of Ken Sangha and ASAM Trust transmitted by e-mail, dated March 30, 2015 38

Letter of Participation from Harry S. Rinker on behalf of the Rinker Company transmitted by e-mail, dated March 30, 2015 39

Letter of Participation from Laird B. Stone on behalf of Dean R. Rogers III, dated March 30, 2015 40

Letter of Participation from Gary Hoffman on behalf of Sun Valley Trailer Parks, dated April 1, 2015 41

Letter of Participation from Ralph Campanale, M.D., dated April 1, 2015 42

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Letter of Participation from Robert Pittman, dated April 1, 2015 43

Letter of Participation from Starlite Homeowners Association, dated April 1, 2015 44

Letter of Participation from Jim W. Koonce, dated April 1, 2015 45

Letter of Participation from Mark Palmer on behalf of Webb Landscape, Inc., dated April 3, 2015 46

Letter of Participation from Teresa L. Mason on behalf of Gulch Trust, dated April 3, 2015 47

Letter of Participation from Ernest J. Getto, dated April 6, 2015 48

Letter of Participation from Ranney E. Draper on behalf of Redcliff Properties, LP, dated April 6, 2015 49

Letter of Participation from Brenda A. Levine on behalf of SCI Properties, LLC, dated April 6, 2015 50

Letter of Participation from William R. and Kathryn L. Ratliffe, dated April 6, 2015 51

Letter of Participation from J. Evan Robertson on behalf of Eccles Window Rock Ranch, LLC, Eccles Flying Hat Ranch, LLC, Sun Valley Water and Sewer District and J. Evan Robertson, dated April 7, 2015 52-53

Letter of Participation from Albert P. Barker on behalf of South Valley Ground Water District, dated April 7, 2015 54-56

Letter of Participation from John R. Lane on behalf of Timberview Terrace Homeowners Association, Inc., dated April 7, 2015 57

Notice of Intent to Participate and Designation of Legal Representative filed by Aquarius SAW, LLC, dated April 9, 2015 58

Letter of Participation from Sandor Szombathy on behalf of Sandor and Teri Szombathy, dated April 9, 2015 59

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Letter of Participation from Matthew B. Engel on behalf of Airport West Business Park Owners Association, Inc., dated April 9, 2015 60

Letter of Participation from Erin P. Smith on behalf of Canadian Club Homeowners Association, dated April 9, 2015 61

Letter of Participation from Frederick C. Allington on behalf of the City of Bellevue, dated April 13, 2015 62

Letter of Participation from Britta S. Hubbard, dated April 13, 2015 63

Letter of Participation from Sheila Witmer on behalf of River Rock Ranch, LP, dated April 13, 2015 64

Letter of Participation from Chas F. McDevitt on behalf of The Idaho Foundation for Parks and Lands, Inc., dated April 13, 2015 65

Notice of Intent to Participate filed by Scott L. Campbell on behalf of Sun Valley Company, dated April 13, 2015 66-69

Letter of Participation from George R. Kirk II on behalf of Mid-Valley Water Company, LLC and Clear Creek, LLC, dated April 15, 2015 70

Letter of Participation from Clark and Karen Olson, dated April 15, 2015 71

Letter of Participation from Robin L. Moore on behalf of Holly Farms, LTD transmitted by e-mail, dated April 16, 2015 72

Letter of Participation from James D. White transmitted by e-mail, dated April 16, 2015 73

Notice of Intent to Participate and Designation of Legal Representative filed by Barber Family Associates, LP, dated April 16, 2015 74

Letter of Participation from Dennis Strom, dated April 16, 2015 75

Letter of Participation from Albert P. Barker on behalf of additional members of the South Valley Groundwater District, dated April 16, 2015 76-77

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Letter of Participation from Philip J. VanDerhoef on behalf of Philip J. VanDerhoef and Kathleen McKay, dated April 17, 2015 78

Notice of Intent to Participate and Designation of Legal Representative filed by Robert Rohe, dated April 17, 2015 79

Letter of Participation from Lawrence Schoen, dated April 20, 2105 80

Letter of Participation from Robyn L. Mattison on behalf of the City of Ketchum, dated April 20, 2015 81

Letter of Participation from Karl Nichols on behalf of Cold Springs Water Company, Hulen Meadows Water Company and Association, Inc., Sage Springs Homeowners Association, Inc., Starweather Owners Association, Inc., and Valley Club Owners Association, Inc., dated April 20, 2015 82

Notice of Intent to Participate filed by Michael C. Creamer on behalf of the City of Hailey, dated April 21, 2015 83-84

Notice of Intent to Participate filed by Michael C. Creamer on behalf of the Valley Club, Inc, dated April 21, 2015 85-86

Notice of Intent to Participate filed by John K. Simpson on behalf of Idaho Power Company, dated April 22, 2015 87-88

Notice of Intent to Participate filed by Patrick D. Brown on behalf of Jacob Bloom, Ruth Bloom, and Hailey Cemetery Maintenance, dated April 22, 2015 89-90

Letter of Participation from Robert E. Williams on behalf of Golden Eagle Ranch Homeowners Association, Inc., dated April 22, 2015 91

Letter of Participation from Cheri Hicks on behalf of Griffin Ranch PUD Subdivision HOA, dated April 22, 2015 92

Letter of Participation from H. Philip Cash, dated April 22, 2015 93

Letter of Participation from Steven C. Funk, dated April 22, 2015 94

Notice of Appearance filed by Candice M. McHugh on behalf of the City of Bellevue, dated April 23, 2015 95-96

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Letter of Participation from Katherine Breckenridge/B Bar B Inc., dated April 23, 2015 97-98

Letter of Participation from Robert J. Struthers, dated April 23, 2015 99-100

Letter of Participation from Albert P. Barker on behalf of additional members of the South Valley Groundwater District, dated April 23, 2015 101-102

Notice of Intent to Participate filed by Susan E. Buxton on behalf of the City of Ketchum, dated April 23, 2015 103-105

Letter of Participation from Jim Rice on behalf of Gwinn Rice Ranch, Inc., dated April 23, 2015 106

Letter of Participation from Anthony and Judy D'Angelo, dated April 23, 2015 107

Notice of Intent to Participate filed by Chris M. Bromley on behalf of Michelle Wolf, dated April 23, 2015 108-109

Notice of Intent to Participate filed by Michael P. Lawrence on behalf of Y-3 Ranch and Emerald Assets, LLC, dated April 23, 2015 110-111

Letter of Participation from Heather E. O'Leary on behalf of Helios Development LLC, dated April 24, 2015 112

Letter of Participation from Heather E. O'Leary on behalf of Animal Shelter of Wood River Valley, dated April 24, 2015 113

Letter of Participation from Greg Vik on behalf of Black Butte Hills, LLC dated April 24, 2015 114

Letter of Participation from Nancie C. Tatum and Thomas F. Hennig, dated April 24, 2015 115

Letter of Participation from Heather E. O'Leary on behalf of Dennis J. Card and Maureen M. McCanty, dated April 24, 2015 116

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Letter of Participation from Heather E. O'Leary on behalf of Edward A. Lawson, dated April 24, 2015 117

Letter of Participation from Heather E. O'Leary on behalf of Southern Comfort Homeowners Association, dated April 24, 2015 118

Letter of Participation from Kathy Pruett on behalf of Village Green at the Valley Club Homeowners Association, Inc., dated April 24, 2015 119

Letter of Participation from Chad Stoesz on behalf of Wood River Trust, dated April 24, 2015 120

Letter of Participation from Greg Vik on behalf of SV Ranch, LLC, dated April 24, 2015 121

Letter of Participation from Greg Vik on behalf of South Cove Ventures, LLC, dated April 24, 2015 122

Letter of Participation from Greg Vik on behalf of Smokey Dome, LLC, dated April 24, 2015 123

Notice of Intent to Participate filed by Fritx X. Haemmerle on behalf of The Mariana S. Paen Trust, dated April 27, 2015 124-125

Letter of Participation from Bruce and Karen Truxal, dated April 28, 2015 126-127

Notice of Intent to Participate and Designation of Legal Representative filed by Blaine County Recreation District, dated April 27, 2015 128

Letter of Participation from Jack E. Bartieau, Jr. on behalf of Flying Heart Ranch II Subdivision Owners Association, dated April 27, 2015 129

Letter of Participation from Allan Patzer and William Lehman on behalf of Aspen Hollow Homeowners Association, dated April 27, 2015 130

Letter of Participation from Matt McLam on behalf of Deborah L. and Matt A. McLam, dated April 27, 2015 131

Letter of Participation from F. Alfredo Rego, dated April 27, 2015 132

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Notice of Intent to Participate and Designation of Legal Representative filed by Blaine County School District No. 61, dated April 27, 2015 133-135

Letter of Participation from Robert F. Bouttier, dated April 27, 2015 136

Letter of Participation from Linda D. Woodcock, dated April 27, 2015 137

Letter of Participation from Jerry Cenarrusa on behalf of Holly Farms, LTD, Ron Hill Estate/NelLisa Carper, Paul and Polly Carney, Mark and Susan Williams and Lloyd and DeAnn Richins, and Fish Creek Irrigation District, dated April 27, 2015 138

Notice of Intent to Participate and Designation of Legal Representative filed by Henry and Jane Burdick, dated April 27, 2105 139-140

Notice of Intent to Participate filed by Fritz X. Haemmerle on behalf of AF 2014 Trust, dated April 27, 2015 141-142

Notice of Intent to Participate filed by Fritz X. Haemmerle on behalf of Geoffrey Smith, LLC, dated April 27, 2015 143-144

Notice of Intent to Participate filed by Fritz X. Haemmerle on behalf of Heart Rock Ranch, LLC, dated April 27, 2015 145-146

Letter of Participation from Thomas Mistick on behalf of Thomas and Amy Mistick, dated April 27, 2015 147

Letter of Participation from Kathryn J. Conant on behalf of USDA Forest Service, dated April 27, 2015 148

Letter of Participation from Luboff Senavsky on behalf of Luboff Senavsky and Charles Timothy Floyd transmitted by email, dated April 28, 2015 149

Notice of Intent to Participate filed by Travis L. Thompson on behalf of Thomas M. O'Gara Family Trust, Robert L. Baker Revocable Trust, Catherine S. Dawson Revocable Trust, Syringa Ranch, LLC, and Deer Creek Ranch, Inc., dated April 29, 2015 150-151

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Letter of Participation from Paul and Polly Carney on behalf of Paul and Polly Carney, Lloyd and DeAnn Richins, Mark and Susan Williams, and Fish Creek Reservoir Ranch, Inc., dated April 29, 2015 152

Sun Valley Company's Motion for Order Authorizing Discovery, dated April 29, 2015 153-157

Letter of Participation from Charles G. Brockway on behalf of Heatherlands Homeowners Association, Inc., dated April 30, 2015 158-159

Roster of Attendance for Status Conference, dated May 4, 2015 160-164

Groundwater Model Development for the Wood River Valley presentation by Sean Vincent, IDWR, (April 4, 2015), presented at the public meeting on May 4, 2015 165-177

Big & Little Wood River Delivery Calls – 2015, Preliminary Overview of Delivery Call Water Rights presentation by Tim Luke (IDWR), presented at the public meeting held on May 4, 2015 178-202

VOLUME II

Notice of Intent to Participate and Designation of Legal Representative filed by Bellevue Farms Landowners Association, Inc., dated May 4, 2015 203

Notice of Intent to Participate and Designation of Legal Representative filed by Elizabeth K. Gray, dated May 4, 2015 204

Notice of Intent to Participate and Designation of Legal Representative filed by Chaney Creek Ranch, LLC, dated May 4, 2015 205

Notice of Intent to Participate and Designation of Legal Representative filed by Cliffside Homeowners Association, Inc., dated May 4, 2015 206

Notice of IGWA's Intent to Participate, dated May 6, 2015 207-209

Letter of Participation from Donna Tuttle on behalf of Donna F. Tuttle Trust, dated May 8, 2015 210

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Letter of Participation from David A. Simon on behalf of David A. and Karen L. Simon, dated May 8, 2015 211

Letter of Participation from Peter (Zach) & Lori Sewell, dated May 11, 2015 212

Second Amended Petition for Administration of Water Rights Under the Prior Appropriation Doctrine, dated May 11, 2015 213-218

Order Authorizing Discovery; Notice of Prehearing Conference, dated May 13, 2015 219-225

Order Governing Participation, dated May 13, 2015 226-233

Letter of Participation from Barbara Call transmitted by e-mail, dated May 19, 2015 234

Notice of Service Sun Valley Company's First Set of Discovery Requests to the Big Wood and Little Wood Water Users Association and Its Members, dated May 19, 2015 235-238

Letter to Joseph F. James from Gary Spackman requesting additional information, with attachments, dated May 20, 2015 239-316

Letter of Participation from Heather E. O'Leary on behalf of The Village Green at the Valley Club Homeowners Association, Inc., dated May 21, 2015 317

Notice of Intent to Participate filed by Susan E. Buxton on behalf of the City of Fairfield, dated May 26, 2015 318-320

Letter of Participation from David Berman transmitted by e-mail, dated May 26, 2015 321-322

Letter of Participation from Michael Cord on behalf of Silver Sage Owners Association, Inc., dated May 26, 2015 323

Letter of Participation from Douglas C. Walton and Diana L. Whiting, dated May 26, 2015 324

Letter Withdrawing Participation from Jerry Cenarrusa, dated May 26, 2015 325

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Notice of Representation filed by James P. Speck, dated May 27, 2015 326-337

Letter of Participation from Albert P. Barker regarding third supplemental list of members of the South Valley Groundwater District, dated May 27, 2015 338-330

Letter of Participation from Brian M. McCoy on behalf of Bluegrouse Ridge Homeowners Association, Inc., dated May 27, 2015 340

Amended Notice of Intent to Participate filed by the City of Fairfield, dated May 27, 2015 341-342

Notice of Intent to Participate filed by James P. Speck on behalf of various ground water user and entities, dated May 27, 2015 343-354

Letter of Representation from Heather E. O'Leary on behalf of Flying Heart Ranch II Subdivision Owners Association, dated May 27, 2015 355

Notice of Intent to No Longer Participate filed by Michael P. Lawrence on behalf of Y-3 Ranch and Emerald Assets, LLC, dated May 27, 2015 356-359

Amended Notice of Intent to Participate filed by Michael C. Creamer on behalf of The Valley Club, Inc., dated May 29, 2015 360-361

Letter of Participation from Brian Lamar Smith and Diane Steffey-Smith, dated June 1, 2015 362

Petitioner's Motion for Scheduling Order and Motion for Protective Order, dated June 2, 2015 363-369

Notice of Representation filed by James P. Speck on behalf of Starlite Homeowners Association, dated June 4, 2015 370-379

Notice of Appearance filed by Eileen McDevitt on behalf of the Idaho Foundation for Parks and Lands, dated June 3, 2015 380-385

Affidavit of Publication from The Camas Courier, Notice of Water Right Delivery Calls filed by the Big Wood and Little Wood Water Users Association, dated June 5, 2015 386-387

Roster of Attendance of Pre-Hearing Conference, dated June 5, 2015 388-390

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Letter to Parties from Gary Spackman requesting dates be reserved for hearing, dated June 11, 2015 391-398

VOLUME III

Notice of Substitution of Counsel filed by James P. Speck on behalf of Golden Eagle Ranch Homeowners Association, Inc., dated June 11, 2015 399-408

Request for Staff Memoranda, dated June 12, 2015 409-419

Notice of Representation filed by James P. Speck on behalf of Timberview Terrace Homeowners Association, Inc., dated June 15, 2015 420-429

Opposition to Motion for Protective Order filed by Sun Valley Company, dated June 16, 2015 430-438

Petitioner's Motion to Allow Amendment to the Pleadings, dated June 22, 2015 439-446

Joinder in and Support of Opposition to Motion for Protective Order filed by James P. Speck, dated June 22, 2015 447-456

Motion to Dismiss Contested Case filed by Sun Valley Company, dated June 25, 2015 457-479

Joint Motion to Designate ACGWS by Rulemaking and to Dismiss Delivery Calls filed by Cities of Hailey and Bellevue, dated June 26, 2015 478-486

Memorandum in Support of Joint Motion to Designate ACGWS by Rulemaking and to Dismiss Delivery Calls filed by Cities of Hailey and Bellevue, dated June 26, 2015 487-509

Joint Motion to Modify Request for Staff Memoranda filed by Cities of Hailey and Bellevue, dated June 26, 2015 510

Affidavit of Chris M. Bromley (Attachments of Recordings to Affidavit located on Agency Record DVD only), dated June 26, 2015 (continued) 527-599

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

VOLUME IV

Affidavit of Chris M. Bromley (Attachments of Recordings to Affidavit located on Agency Record DVD only), dated June 26, 2015 (continued) 600-647

Email to Deborah Gibson from Judy D'Angelo re. service, dated June 30, 2015 648

Joinder in and Support of Joint Motion to Modify Request for Staff Memorandum filed by James P. Speck, dated July 1, 2015 649-659

Joinder in and Support of Joint Motion to Designate ACGWS by Rulemaking and to Dismiss Delivery Calls filed by James P. Speck, dated July 1, 2015 660-670

Joinder in and Support of Motion to Dismiss Contested Case Proceedings filed by James P. Speck, dated July 1, 2015 671-681

Notice of Representation filed by James P. Speck on behalf of Heatherlands Homeowners Association, Inc., dated July 1, 2015 682-691

Sun Valley Company's Motion to Modify/Withdraw "Request for Staff Memoranda" and May 20, 2015 "Request for Additional Information", dated July 1, 2015 692-711

Affidavit of Counsel in Support of Sun Valley Company's Motion to Modify/Withdraw "Request for Staff Memoranda" and May 20, 2015 Request for Additional Information, dated July 1, 2015 712-724

Email to Deborah Gibson from David Berman re. service, dated July 1, 2015 725

Order Denying Motion for Protective Order; Scheduling Order, dated July 2, 2015 726-735

Joinder in and Support of Motion to Dismiss Contested Case filed by City of Bellevue, dated July 6, 2015 736-743

Joinder in and Support of Motion to Designate ACGWS by Rulemaking and to Dismiss Delivery Calls filed by Cities of Ketchum and Fairfield, dated July 6, 2015 744-751

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Joinder in and Support of Opposition to Motion for Protective Order filed by Cities of Ketchum and Fairfield, dated July 6, 2015 752-758

City of Hailey's Joinder in and Support of Sun Valley Company's Motion to Dismiss Contested Case Proceedings, dated July 7, 2015 759-766

Joinder in and Support of Motion to Dismiss Contested Case Proceedings filed by Cities of Ketchum and Fairfield, dated July 8, 2015 767-773

Joinder in and Support of Motion to Dismiss Contested Case Proceedings filed by AF 2014 Trust, Geoffrey Smith and the Mariana S. Paen Trust, dated July 9, 2014 774-782

Notice of Appearance filed by Dylan B. Lawrence on behalf of Water District 37-B Groundwater Group, dated July 10, 2015 783-798

VOLUME V

Joinder in Cities' Motion to Dismiss filed by Water District 37-B Groundwater Group, dated July 10, 2015 799-809

Joinder in and Support of Joint Motion to Modify Request for Staff Memorandum and Motion to Modify/Withdraw "Request for Staff Memoranda" and May 2, 2015 "Request for Additional Information" filed by Cities of Ketchum and Fairfield, dated July 13, 2015 810-817

Notice of Intent to Participate filed by Laird B. Stone on behalf of Dean R. Rogers, III, dated July 13, 2015 818-827

Joinder in and Support of Motion to Dismiss Contested Case Proceedings filed by Dean R. Rogers, Inc., and Dean R. Rogers, III, dated July 13, 2015 828-837

Petitioner's Motion for Enlargement of Time, dated July 15, 2015 838-846

Response to Motion to Modify/Withdraw "Request for Staff Memoranda" filed by Water District 37-B Groundwater Group, dated July 15, 2015 847-857

Sun Valley Company's Motion to Compel, dated July 16, 2015 858-867

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Affidavit of Matthew J. McGee in Support of Sun Valley Company's Motion to Compel, dated July 16, 2015 868-881

Joinder in and Support of Motion to Modify/Withdraw "Request for Staff Memoranda" and May 20, 2015 "Request for Additional Information" filed by James P. Speck, dated July 16, 2015 882-889

Joinder in and Support of Sun Valley Company's Motion to Dismiss Contested Case Proceedings filed by Heather E. O'Leary, dated July 16, 2015 890-898

Notice of Substitution of Parties filed by Albert P. Barker on behalf of South Valley Ground Water District, dated July 20, 2015 899-912

Joinder in and Support of Joint Response in Opposition to Petitioners' Motion for Enlargement of Time filed by Cities of Ketchum and Fairfield, dated July 22, 2015 913-920

Joint Response in Opposition to Petitioners' Motion for Enlargement of Time filed by Cities of Bellevue and Hailey and Sun Valley Company, dated July 22, 2015 921-936

Notice of Substitution of Counsel filed by Albert P. Barker on Behalf of Webb Landscape, Inc., Blaine County Recreation District, Chaney Creek Ranch, LLC, SCI Properties, LLC and Ralph W. and Kandi L. Girton 1999 Irrevocable Trust, dated July 22, 2015 937-945

Order Denying Joint Motion to Designate ACGWS By Rulemaking and to Dismiss Delivery Calls, dated July 22, 2015 946-956

Order Denying Joint Motion to Modify Request for Staff Memoranda, dated July 22, 2015 957-966

Order Denying Motion for Enlargement of Time, dated July 22, 2015 967-974

Order Denying Sun Valley Company's Motion to Dismiss, dated July 22, 2015 975-985

Order Denying Sun Valley Company's Motion to Modify/Withdraw, dated July 22, 2015 986-995

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Letter from Cattle-Lack Ranch HOA informing IDWR of South Valley Ground Water District Membership and requesting removal of individual participation, dated July 28, 2015 996

Joint Motion to Determine Consolidated Case Status filed by Sun Valley Company and Sun Valley Water and Sewer District, dated July 30, 2015 997-1006

VOLUME VI

Affidavit of Matthew J. McGee in Support of Joint Motion to Determine Consolidated Case Status, dated July 30, 2015 1007-1015

Association's Response to the Director's Request for Participation (Attachments to Association's Response located on Agency Record DVD only), dated August 3, 2015 1016-1032

Joinder in and Support of Joint Motion to Determine Consolidated Case Status filed by Cities of Ketchum and Fairfield, dated August 3, 2015 1033-1040

Motion for Review of Interlocutory Order filed by Sun Valley Company, dated August 6, 2015 1041-1055

Joinder in and Support of Motion for Review of Interlocutory Order filed by Cities of Ketchum and Fairfield, dated August 7, 2015 1056-1062

Notice of Taking Deposition Duces Tecum of Jennifer Sukow, dated August 12, 2015 1063-1071

Notice of Taking Deposition Duces Tecum of Tim Luke, dated August 12, 2015 1072-1080

Order Granting Motions to Allow Amendment to Pleadings, dated August 12, 2105 1081-1088

Order Granting Sun Valley Company's Motion to Compel; Denying Request for Attorney Fees and Costs, dated August 12, 2015 1089-1097

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Stipulation and Order filed by The Village Green at the Valley Club Homeowner's Association, Inc., dated August 14, 2015 1098-1106

Joint Motion for Review of Interlocutory Order filed by Cities of Hailey and Bellevue, dated August 18, 2015 1107-1115

Joint Petition for Judicial Review of Agency Action filed by Cities of Hailey and Bellevue, dated August 18, 2015 1116-1136

Notice of Service of Association's Responses to Sun Valley Company's First Set of Discovery Requests, dated August 19, 2015 1137-1143

Petition for Judicial Review filed by Sun Valley Company, dated August 19, 2015 1144-1167

Joinder in and Support of Joint Motion for Review of Interlocutory Order filed by James P. Speck, dated August 20, 2015 1168-1174

Order Granting Late Request to Participate, dated August 21, 2015 1175-1182

Notice of Deposition Duces Tecum of Kaysi Sharon Hubsmith, dated August 25, 2015 1183-1191

Notice of Deposition Duces Tecum of Rodney Fred Hubsmith, dated August 25, 2015 1192-1200

VOLUME VII

Notice of Taking Rule 30(b)(6) Deposition Duces Tecum of 7 Mile Ranch, dated August 25, 2015 1201-1209

Notice of Taking Rule 30(B)(6) Deposition Duces Tecum of Big Wood Canal Company, dated August 25, 2015 1210-1218

Notice of Taking Rule 30(b)(6) Deposition Duces Tecum of Big Wood & Little Wood Water Users Association, dated August 25, 2015 1219-1227

Notice of Vacating Deposition Duces Tecum of Jennifer Sukow, dated August 25, 2015 1228-1234

TABLE OF CONTENTS

AGENCY RECORD
Sun Valley Company v. IDWR; CV-WA-2015-14500
(Little Wood Delivery Call; CM-DC-2015-002)

Subpoena Duces Tecum of Alton Huyser, dated August 25, 2015 1235-1244

Amended Notice of Taking Deposition Duces Tecum of Jennifer Sukow, dated August 26, 2015 1245-1253

Letter from Bruce and Karen Truxal regarding service, dated August 27, 2015 1254-1254

Hydrology, Hydrogeology, and Hydrologic Data Staff Memo by Jennifer Sukow (Supplemental Files to Staff Memo located on Agency Record DVD only), dated August 28, 2015 1255-1279

Surface Water Delivery Systems Staff Memo with Appendices 1 and 2, dated August 31, 2015 (continued) 1280-1401

VOLUME VIII

Surface Water Delivery Systems Staff Memo with Appendices 1 and 2, dated August 31, 2015 (continued) 1402-1517

Motion to Grant Late Request to Participate as Respondent/Petition to Intervene filed by Water District 37-B Groundwater Group, dated August 31, 2015 1518-1527

Notice of Lodging the Agency Record and Transcript with the Agency, dated September ____, 2015 .....

Order Settling the Agency Record, dated September _____, 2015 .....

Agency's Certificate of Record, dated September_____, 2015 .....

Notice of Lodging the Agency Record and Transcript with the District Court, dated September _____, 2015 .....