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Attorneys for Water Dist. 37-B Groundwater Group

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

**AFFIDAVIT OF DYLAN B.
LAWRENCE IN SUPPORT OF
RESPONSE TO JOINT MOTION
FOR STAY AND MOTION TO
COMPEL**

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Dylan B. Lawrence, who being first duly sworn under oath, deposes, avers and says:

AFFIDAVIT OF DYLAN B. LAWRENCE IN SUPPORT OF RESPONSE TO JOINT
MOTION FOR STAY AND MOTION TO COMPEL – 1 –

ORIGINAL

1. My name is Dylan Lawrence. I represent the Water Dist. 37-B Groundwater Group, an Idaho non-profit association, in these delivery call proceedings. I am of sound mind and the age of majority. I have access to the relevant documents and files, and make this affidavit based upon my own personal knowledge.

2. Attached hereto as Exhibit A is a true and correct copy of discovery requests that I served on Petitioner's counsel on or about August 4, 2015.

3. Attached hereto as Exhibit B is a true and correct copy of a letter that I sent to Petitioner's counsel on or about August 17, 2015.

4. As of the September 8, 2015 deadline for responses to the discovery requests in Exhibit A, I had not received discovery responses or a response to my correspondence in Exhibit B.

5. Attached hereto as Exhibit C is a true and correct copy of a letter that I sent to Petitioner's counsel on or about September 15, 2015.

6. Attached hereto as Exhibit D is a true and correct copy of an e-mail that I sent to Petitioner's counsel on or about September 18, 2015.

7. As of the date of this affidavit, I have not received responses to the discovery requests attached hereto as Exhibit A or responses to the correspondences attached hereto as Exhibits B, C, and D.

8. Based on the foregoing, I certify that I have in good faith attempted to confer with Petitioner's counsel in an effort to secure the responses to the discovery requests in Exhibit A without action or intervention by the Director.

RESPECTFULLY SUBMITTED this 28th day of September, 2015.


Dylan B. Lawrence

SUBSCRIBED AND SWORN to before me this 28th day of September, 2015.




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: June 16, 2017

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 29th day of September, 2015, I served a true and correct copy of the foregoing document to all parties listed on the Combined Certificate of Service List posted on the Department's website at <http://idwr.idaho.gov/legal-actions/delivery-call-actions/big-wood-river.html> and <http://idwr.idaho.gov/legal-actions/delivery-call-actions/little-wood-river.html> updated the 21st day of September, 2015 by the following method:

☐

Placing a copy of the document in the United States mail, postage prepaid and properly addressed.

☒

Emailing only to parties who have consented to service by email as indicated on the above-described Certificate of Service List; placing a copy of the document in the United States mail, postage prepaid and properly addressed, to parties who have not consented to service by email; and emailing to parties who provided e-mail addresses to the Department but have not consented to service by email.



Dylan B. Lawrence

EXHIBIT A

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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
WATER DISTRICT 37-B
GROUNDWATER GROUP'S FIRST
SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO PETITIONERS

TO: BIG WOOD & LITTLE WOOD WATER USERS ASSOCIATION AND ITS
ATTORNEYS OF RECORD:

YOU WILL PLEASE TAKE NOTICE that Water District 37-B Groundwater Group requires you to answer, under oath, the following Interrogatories and Requests for Production, in accordance with IDAPA 37.01.01.521, all provisions of Rules 26, 33, and 34 of the Idaho Rules of Civil Procedure, and the Director's May 13, 2015 Order Authorizing Discovery, by delivering verified written responses and furnishing copies of

**WATER DISTRICT 37-B GROUNDWATER GROUP'S FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PETITIONERS- 1 -**

any responsive documents to the law offices of Varin Wardwell LLC at the address listed above.

In answering these Interrogatories, please furnish all information available to you, including information in the possession of your attorneys (and investigators, experts, etc., retained by you and your attorneys), not merely information known of your own personal knowledge.

If you cannot answer in full after exercising due diligence to secure the information to do so, answer to the extent possible, specify your inability to answer the remainder, and state whatever information and knowledge you have concerning the unanswered portion.

The Interrogatories are deemed continuing Interrogatories, and your answers thereto are to be supplemented as additional information and knowledge becomes available to you pursuant to Rule 26(e).

DEFINITIONS AND INSTRUCTIONS

“Camas Prairie” refers to the topographic feature known as the Camas Prairie Rift of Idaho, centered around Fairfield, Idaho and Camas Creek, and lying within portions of Blaine, Camas, and Elmore Counties, Idaho.

“Date” means the day, month and year, if known or ascertainable and, if not, the closest approximation that can be made.

“Document” or “Documentary” means and includes any and all tangible things and papers, whether written, recorded, graphic, typewritten, printed, photographed or otherwise produced or reproduced, and whether produced manually or by mechanical, electrical, electronic, or other artificial process or a combination of these methods, including but not limited to papers, computer records and/or files, agreements, contracts, letters, cables,

wires, notes, memoranda, correspondence, telegrams, patents, books, reports, studies, minutes, records, accounting books, maps, plans, blue prints, sketches, charts, drawings, diagrams, photographs, movies, films, computer printouts, tape recordings, information stored on computers, assignments, notebooks, ledgers, billings, statements, invoices, checks, receipts, analyses, surveys, transcriptions, recordings, analyses, studies, and things similar to any of the foregoing, regardless of their authority or origin, and however denominated by you of which you have any knowledge or information, referring, relating or pertaining in any way to the subject matters in connection with which the word is used. The term "Document" or "Documentary" includes, without limitation, originals, all file copies, and all the copies no matter how or by whom prepared and all drafts prepared in connection with such writings, whether used or not.

"IDWR" means the Idaho Department of Water Resources.

"Petitioner" refers to Big Wood & Little Wood Water Users Association, and its members, officers, agents, and/or employees for purposes of this action.

"Relate to" or "Relating to" means constituting; evidencing; reflecting; representing; supporting; contradicting; referring to; containing; mentioning; recording; noting; embodying; studying; analyzing; evaluating; relevant to; generated in anticipation of or as a result of; or relied upon, referred to, or mentioned in connection with any item or event. The terms "Relate to" or "Relating to," as applied to a specific document, such as an agreement, deed of trust, promissory note, etc., requests that specific Document as well any Documents otherwise relating to it.

“You” or “Your” means Big Wood & Little Wood Water Users Association, together with any of its members and managers, officers, directors, counsel, consultants, experts, investigators, principals, agents, employees, representatives, volunteers, predecessors-in-interest and any other person acting on its behalf, including without limitations, any consultants, accountants, bookkeepers, and attorneys.

Terms and abbreviations not specifically defined herein shall be defined by reference to the meanings attributed to them by IDWR rules, state water resource laws, and common usage.

The Requests for Production listed below include all Documents in your possession or under your control, including Documents in the possession of your attorneys, accountants, consultants, expert witnesses or other agents or persons from whom you have a legal right to obtain such Document(s).

All of the Interrogatories and Requests herein are deemed continuing. If, after responding to these Interrogatories and Requests for Production You acquire any further information or any Documents requested herein, or any other information related to any Document herein, which is not reflected by any Documents produced or any response to these Interrogatories and Requests for Production, You must file a supplemental response or indicate to counsel for the party propounding these Interrogatories and Requests for Production of the existence of such Documents. Such supplemental response is in addition to any required by the Idaho Rules of Civil Procedure.

If any Document or any portion of any Document or any other information which is requested herein is or will be withheld from your answers to Interrogatories, from

production, inspection or copying (whether because it is claimed to be work product, communication from attorney to client, or is claimed to be entitled to be withheld for any other reason), please fully identify each such Document or portion thereof in Your response and fully state in your response the reason it is or will be withheld. In addition, if any Document is practically impossible of production, inspection or copying, please fully identify such Document and the reason for the practical impossibility.

INTERROGATORIES

INTERROGATORY NO. 1: Please identify each person who assisted You in the review and evaluation of these written discovery requests and in the preparation of Your responses thereto.

INTERROGATORY NO. 2: Please identify each expert witness You intend or expect to call at the hearing in this matter, and please include a complete statement of all opinions to be expressed and the basis and reasons therefore; the data or other information considered by the witness in forming the opinions; any exhibits to be used as a summary of or support for the opinions; any qualifications of the witness, including a list of all publications authored by the witness within the preceding ten years; the compensation to be paid for the testimony; and a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years.

INTERROGATORY NO. 3: Please identify each lay witness You intend or expect to call at the hearing in this matter, and please describe the expected scope and substance of each such witness's testimony.

INTERROGATORY NO. 4: Please explain in detail Your understanding of the mechanisms by which, and the extent to which, withdrawals of ground water occurring on the Camas Prairie affect the surface flows available to each of the Petitioners' points of diversion.

INTERROGATORY NO. 5: Please identify each and every ground water well and ground water right on the Camas Prairie that you contend materially injures the water diversions and water uses of the Petitioners.

REQUESTS FOR PRODUCTION

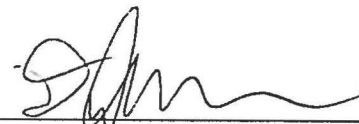
REQUEST FOR PRODUCTION NO. 1: Please produce copies of any Documents that You reviewed in preparing responses to these written discovery requests, that are identified in Your responses to these written discovery requests, or that otherwise support Your answers to these written discovery requests.

REQUEST FOR PRODUCTION NO. 2: Please produce copies of any reports, studies, measurements, data, or other Documents discussing, analyzing, documenting, or addressing ground water hydrology and hydrogeology within the Camas Prairie.

REQUEST FOR PRODUCTION NO. 3: Please produce copies of any reports, studies, measurements, data, or other Documents discussing, analyzing, documenting, or addressing the relationships and interactions between ground water withdrawals within the Camas Prairie and surface flows within the Big Wood River and Little Wood River.

DATED THIS 4th day of August, 2015.

Varin Wardwell LLC

By: 

Dylan B. Lawrence
Attorneys for Water District 37-B
Groundwater Group

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of August, I caused to be served a true and correct copy of the foregoing by placing a copy of the same in the United States mail, postage prepaid and properly addressed and by e-mail to participants who have provided e-mail addressed to the Department for service to the following:

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AARON DECHEVRIEUX
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GRACE EAKIN
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WARD WOODS (LOVING CREEK
RANCH)
POINT OF ROCKS RANCH LLC
(JOHN & ELAINE FRENCH)
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RICHARD SPRINGS III (DICK &
MELINDA SPRINGS)
HEART ROCK RANCH LLC (HARRY
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B LAMBERT TRUST (TOBY B
LAMBERT)
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WEBB LANDSCAPE INC (MARK
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SCI PROPERTIES LLC (BRENDA A
LEVINE)
REDCLIFF PARTNERS LP (RANNEY
E DRAPER)
RED CLIFFS HOA
AQUARIUS SAW LLC
SANDOR & TERI SZOMBATHY
RIVER ROCK RANCH LP (SHEILA
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CLIFFSIDE HOA
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ELIZABETH K GRAY
DONNA F TUTTLE TRUST
LINDA WOODCOCK
AIRPORT WEST BUSINESS PARK
OWNERS ASSN INC
CLEAR CREEK LLC
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THE ANNE L WINGATE TRUST
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THE VERNON IRREVOCABLE
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**WATER DISTRICT 37-B GROUNDWATER GROUP'S FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PETITIONERS- 11 -**

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**WATER DISTRICT 37-B GROUNDWATER GROUP'S FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PETITIONERS- 14 -**

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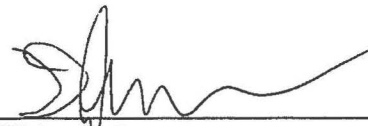
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Dylan B. Lawrence

EXHIBIT B



ATTORNEYS AT LAW

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August 17, 2015

VIA REGULAR MAIL

Joseph J. James
Brown & James
130 Fourth Avenue West
Gooding, Idaho 83330

Re: Big Wood & Little Wood Water Users Association Delivery Call

Dear Mr. James:

As you know, on August 4, 2015, I served the enclosed discovery requests on the Big Wood & Little Wood Water Users Association, on behalf of the Water District 37-B Groundwater Group. By now, you have probably observed that these requests are relatively short and narrowly tailored. Due to these factors, the Group and I are expecting timely responses on or before the September 8, 2015 deadline. If your client needs additional time to respond to those requests, please lodge that extension request with me as soon as it is apparent that more time will be necessary. Otherwise, we will assume we will receive timely responses.

If you have any questions or would like to discuss this further, please do not hesitate to contact me. Thank you for your attention to this matter.

Sincerely,

VARIN WARDWELL LLC

A handwritten signature in black ink, appearing to read "Dylan B. Lawrence", written over a horizontal line.

Dylan B. Lawrence

Enclosure

RECEIVED

AUG 04 2015

DEPARTMENT OF
WATER RESOURCES

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Attorneys for Water District 37-B Groundwater Group

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

NOTICE OF SERVICE OF
DISCOVERY REQUESTS

Notice is hereby given that on the 4th day of August, 2015 I served the Water District 37-B Groundwater Group's First Set of Interrogatories and Requests for Production of Documents to Petitioners, along with a true and correct copy of this Notice of Service, by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

NOTICE OF SERVICE - 1 -

COPY

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LITTLE WOOD WATER USERS ASSN
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STEPHANIE EISENBARTH
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JOHN FERY MARK GATES AND
WARD WOODS (LOVING CREEK
RANCH)
POINT OF ROCKS RANCH LLC
(JOHN & ELAINE FRENCH)
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BARSOTTI)
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PICABO LIVESTOCK (NICK PURDY)
ROCKY & TERRI SHERBINE
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RIVER RANCH/SHARON LEE)
SYLVIA WOOD
PAM LARSEN
MATT & KATE GARNER

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ASSN INC (KATHY LYNN)
RICHARD SPRINGS III (DICK &
MELINDA SPRINGS)
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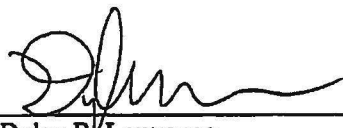
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DATED THIS 4th day of August, 2015.

Varin Wardwell LLC

By: 
Dylan B. Lawrence
Attorneys for Water District 37-B
Groundwater Group

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Attorneys for Water District 37-B Groundwater Group

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
WATER DISTRICT 37-B
GROUNDWATER GROUP'S FIRST
SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO PETITIONERS

TO: BIG WOOD & LITTLE WOOD WATER USERS ASSOCIATION AND ITS
ATTORNEYS OF RECORD:

YOU WILL PLEASE TAKE NOTICE that Water District 37-B Groundwater Group requires you to answer, under oath, the following Interrogatories and Requests for Production, in accordance with IDAPA 37.01.01.521, all provisions of Rules 26, 33, and 34 of the Idaho Rules of Civil Procedure, and the Director's May 13, 2015 Order Authorizing Discovery, by delivering verified written responses and furnishing copies of

**WATER DISTRICT 37-B GROUNDWATER GROUP'S FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PETITIONERS- 1 -**

any responsive documents to the law offices of Varin Wardwell LLC at the address listed above.

In answering these Interrogatories, please furnish all information available to you, including information in the possession of your attorneys (and investigators, experts, etc., retained by you and your attorneys), not merely information known of your own personal knowledge.

If you cannot answer in full after exercising due diligence to secure the information to do so, answer to the extent possible, specify your inability to answer the remainder, and state whatever information and knowledge you have concerning the unanswered portion.

The Interrogatories are deemed continuing Interrogatories, and your answers thereto are to be supplemented as additional information and knowledge becomes available to you pursuant to Rule 26(e).

DEFINITIONS AND INSTRUCTIONS

“Camas Prairie” refers to the topographic feature known as the Camas Prairie Rift of Idaho, centered around Fairfield, Idaho and Camas Creek, and lying within portions of Blaine, Camas, and Elmore Counties, Idaho.

“Date” means the day, month and year, if known or ascertainable and, if not, the closest approximation that can be made.

“Document” or “Documentary” means and includes any and all tangible things and papers, whether written, recorded, graphic, typewritten, printed, photographed or otherwise produced or reproduced, and whether produced manually or by mechanical, electrical, electronic, or other artificial process or a combination of these methods, including but not limited to papers, computer records and/or files, agreements, contracts, letters, cables,

wires, notes, memoranda, correspondence, telegrams, patents, books, reports, studies, minutes, records, accounting books, maps, plans, blue prints, sketches, charts, drawings, diagrams, photographs, movies, films, computer printouts, tape recordings, information stored on computers, assignments, notebooks, ledgers, billings, statements, invoices, checks, receipts, analyses, surveys, transcriptions, recordings, analyses, studies, and things similar to any of the foregoing, regardless of their authority or origin, and however denominated by you of which you have any knowledge or information, referring, relating or pertaining in any way to the subject matters in connection with which the word is used. The term "Document" or "Documentary" includes, without limitation, originals, all file copies, and all the copies no matter how or by whom prepared and all drafts prepared in connection with such writings, whether used or not.

"IDWR" means the Idaho Department of Water Resources.

"Petitioner" refers to Big Wood & Little Wood Water Users Association, and its members, officers, agents, and/or employees for purposes of this action.

"Relate to" or "Relating to" means constituting; evidencing; reflecting; representing; supporting; contradicting; referring to; containing; mentioning; recording; noting; embodying; studying; analyzing; evaluating; relevant to; generated in anticipation of or as a result of; or relied upon, referred to, or mentioned in connection with any item or event. The terms "Relate to" or "Relating to," as applied to a specific document, such as an agreement, deed of trust, promissory note, etc., requests that specific Document as well any Documents otherwise relating to it.

“You” or “Your” means Big Wood & Little Wood Water Users Association, together with any of its members and managers, officers, directors, counsel, consultants, experts, investigators, principals, agents, employees, representatives, volunteers, predecessors-in-interest and any other person acting on its behalf, including without limitations, any consultants, accountants, bookkeepers, and attorneys.

Terms and abbreviations not specifically defined herein shall be defined by reference to the meanings attributed to them by IDWR rules, state water resource laws, and common usage.

The Requests for Production listed below include all Documents in your possession or under your control, including Documents in the possession of your attorneys, accountants, consultants, expert witnesses or other agents or persons from whom you have a legal right to obtain such Document(s).

All of the Interrogatories and Requests herein are deemed continuing. If, after responding to these Interrogatories and Requests for Production You acquire any further information or any Documents requested herein, or any other information related to any Document herein, which is not reflected by any Documents produced or any response to these Interrogatories and Requests for Production, You must file a supplemental response or indicate to counsel for the party propounding these Interrogatories and Requests for Production of the existence of such Documents. Such supplemental response is in addition to any required by the Idaho Rules of Civil Procedure.

If any Document or any portion of any Document or any other information which is requested herein is or will be withheld from your answers to Interrogatories, from

production, inspection or copying (whether because it is claimed to be work product, communication from attorney to client, or is claimed to be entitled to be withheld for any other reason), please fully identify each such Document or portion thereof in Your response and fully state in your response the reason it is or will be withheld. In addition, if any Document is practically impossible of production, inspection or copying, please fully identify such Document and the reason for the practical impossibility.

INTERROGATORIES

INTERROGATORY NO. 1: Please identify each person who assisted You in the review and evaluation of these written discovery requests and in the preparation of Your responses thereto.

INTERROGATORY NO. 2: Please identify each expert witness You intend or expect to call at the hearing in this matter, and please include a complete statement of all opinions to be expressed and the basis and reasons therefore; the data or other information considered by the witness in forming the opinions; any exhibits to be used as a summary of or support for the opinions; any qualifications of the witness, including a list of all publications authored by the witness within the preceding ten years; the compensation to be paid for the testimony; and a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years.

INTERROGATORY NO. 3: Please identify each lay witness You intend or expect to call at the hearing in this matter, and please describe the expected scope and substance of each such witness's testimony.

INTERROGATORY NO. 4: Please explain in detail Your understanding of the mechanisms by which, and the extent to which, withdrawals of ground water occurring on the Camas Prairie affect the surface flows available to each of the Petitioners' points of diversion.

INTERROGATORY NO. 5: Please identify each and every ground water well and ground water right on the Camas Prairie that you contend materially injures the water diversions and water uses of the Petitioners.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Please produce copies of any Documents that You reviewed in preparing responses to these written discovery requests, that are identified in Your responses to these written discovery requests, or that otherwise support Your answers to these written discovery requests.

REQUEST FOR PRODUCTION NO. 2: Please produce copies of any reports, studies, measurements, data, or other Documents discussing, analyzing, documenting, or addressing ground water hydrology and hydrogeology within the Camas Prairie.

REQUEST FOR PRODUCTION NO. 3: Please produce copies of any reports, studies, measurements, data, or other Documents discussing, analyzing, documenting, or addressing the relationships and interactions between ground water withdrawals within the Camas Prairie and surface flows within the Big Wood River and Little Wood River.

DATED THIS 4th day of August, 2015.

Varin Wardwell LLC

By: 

Dylan B. Lawrence
Attorneys for Water District 37-B
Groundwater Group

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of August, I caused to be served a true and correct copy of the foregoing by placing a copy of the same in the United States mail, postage prepaid and properly addressed and by e-mail to participants who have provided e-mail addressed to the Department for service to the following:

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LITTLE WOOD WATER USERS ASSN
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RANCH)
POINT OF ROCKS RANCH LLC
(JOHN & ELAINE FRENCH)
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RON HARRISON
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MATT & KATE GARNER
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**WATER DISTRICT 37-B GROUNDWATER GROUP'S FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PETITIONERS- 9 -**

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CAMPION)
B LAMBERT TRUST (TOBY B
LAMBERT)
GULCH TRUST (TERESA L MASON)
WEBB LANDSCAPE INC (MARK
PALMER)
SCI PROPERTIES LLC (BRENDA A
LEVINE)
REDCLIFF PARTNERS LP (RANNEY
E DRAPER)
RED CLIFFS HOA
AQUARIUS SAW LLC
SANDOR & TERI SZOMBATHY
RIVER ROCK RANCH LP (SHEILA
WITMER)
BARBER FAMILY ASSOCIATES LP
ROBERT ROHE
GRIFFIN RANCH PUD SUBDIVISION

HOA (CHERI HICKS)
GRIFFIN RANCH SUBDIVISION HOA
(CHERI HICKS)
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PATZER & WILLIAM LEHMAN)
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BELLEUE FARMS LANDOWNERS
ASSN INC
CLIFFSIDE HOA
CHANEY CREEK RANCH LLC
ELIZABETH K GRAY
DONNA F TUTTLE TRUST
LINDA WOODCOCK
AIRPORT WEST BUSINESS PARK
OWNERS ASSN INC
CLEAR CREEK LLC
MID-VALLEY WATER CO LLC
THE ANNE L WINGATE TRUST
DON R & JUDY H ATKINSON
BARRIE FAMILY PARTNERS
JAMES P & JOAN CONGER
THE DANIEL T MONOOGIAN
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DAN S FAIRMAN MD & MELYNDA
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FLOWERS BENCH LLC
R THOMAS GOODRICH & REBECCA
LEA PATTON
IDAHO RANCH LLC
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LAURAL LUCERE
MARGO PECK
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THE RESTATED MCMAHAN 1986
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SALIGAO LLC
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CAROL BURDZY THIELEN
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PROPERTIES LLC
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**WATER DISTRICT 37-B GROUNDWATER GROUP'S FIRST SET OF
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**WATER DISTRICT 37-B GROUNDWATER GROUP'S FIRST SET OF
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TO PETITIONERS- 14 -**

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Dylan B. Lawrence

EXHIBIT C



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September 15, 2015

VIA REGULAR MAIL

Joseph J. James
Brown & James
130 Fourth Avenue West
Gooding, Idaho 83330

Re: Big Wood & Little Wood Water Users Association Delivery Call

Dear Mr. James:

It is now one week past the deadline for your client's response to the discovery requests of the Water Dist. 37-B Groundwater Group, and I have not received the responses or a request for an extension. As I indicated in my follow-up letter of August 17, those discovery requests were limited in scope and narrowly tailored, and timely responses should be achievable. In addition, you will recall that in a letter dated September 1, I requested a copy of your client's responses to the Sun Valley Company discovery requests.

Please let me know at your earliest convenience when you expect to provide these responses. If I do not receive a response by the end of this week, I will assume it will be necessary to file a motion to compel.

Thank you for your attention to this matter.

Sincerely,

VARIN WARDWELL LLC

A handwritten signature in black ink, appearing to read "Dylan B. Lawrence", written over a horizontal line.

Dylan B. Lawrence

EXHIBIT D



Dylan Lawrence <dylanlawrence@varinwardwell.com>

Delivery call

1 message

Dylan Lawrence <dylanlawrence@varinwardwell.com>

Fri, Sep 18, 2015 at 2:49 PM

To: joe@brownjameslaw.com

Bcc: Dylan Lawrence <dylanlawrence@varinwardwell.com>

Joe,

I represent a group of ground water users on the Camas Prairie, who are participating in the Big Wood & Little Wood WUA delivery calls as the Water Dist. 37-B Groundwater Group. We served discovery requests on your client back on August 4, and the deadline for responses was September 8, but I haven't received any responses or extension requests.

I have reviewed the joint motion for stay that you and counsel for some of the other parties filed yesterday. While I don't oppose the stay as a general matter, given that the responses were already significantly late by the time those were filed, I still believe responses before a stay goes into effect would be appropriate. As I am sure you know, the Camas Prairie aquifer is not part of the ground water modeling effort that has been taking place with respect to the Big Wood River aquifer, and so it is particularly important for us to understand what information you are relying on when you assert that junior ground water diversions in Water District 37-B are causing material injury to the BW&LWWUA (as was asserted in the first paragraph of both the motion and the stipulation).

I really do not want to go through the time and expense of filing a motion to compel responses, but am prepared to do so before a stay goes into effect if necessary. Please contact me at your earliest convenience next week if you believe there is some basis on which you believe we can avoid that.

Thank you for your consideration.

Dylan

Dylan Lawrence

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