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DEPARTMENT OF
WATER RESOURCES

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

SUN VALLEY COMPANY, a Wyoming
corporation,

Petitioner,

vs.

GARY SPACKMAN, in his official capacity
as Director of the Idaho Department of Water
Resources; and the IDAHO DEPARTMENT
OF WATER RESOURCES,

Respondents,

and

CITY OF KETCHUM, CITY OF
FAIRFIELD, WATER DISTRICT 37-B
GROUNDWATER GROUP, BIG WOOD &
LITTLE WOOD WATER USERS
ASSOCIATION, SOUTH VALLEY

Case No. CV-WA-2015-14500

**MOTION FOR LEAVE TO
(1) PRESENT ADDITIONAL
EVIDENCE; AND (2) CONDUCT
LIMITED DISCOVERY**

**MOTION FOR LEAVE TO (1) PRESENT ADDITIONAL
EVIDENCE; AND (2) CONDUCT LIMITED DISCOVERY - 1**

GROUND WATER DISTRICT, ANIMAL
SHELTER OF WOOD RIVER VALLEY,
DENNIS J. CARD and MAUREEN E.
MCCANTY, EDWARD A LAWSON,
FLYING HEART RANCH II SUBDIVISION
OWNERS ASSOCIATION, INC., HELIOS
DEVELOPMENT, LLC, SOUTHERN
COMFORT HOMEOWNER'S
ASSOCIATION, THE VILLAGE GREEN AT
THE VALLEY CLUB HOMEOWNERS
ASSOCIATION, INC., AIRPORT WEST
BUSINESS PARK OWNERS ASSN INC.,
ANNE L. WINGATE TRUST, AQUARIUS
SAW LLC, ASPEN HOLLOW
HOMEOWNERS, DON R. and JUDY H.
ATKINSON, BARRIE FAMILY
PARTNERS, BELLEVUE FARMS
LANDOWNERS ASSN, BLAINE COUNTY
RECREATION DISTRICT, BLAINE
COUNTY SCHOOL DISTRICT #61, HENRY
and JANNE BURDICK, LYNN H.
CAMPION, CLEAR CREEK LLC,
CLIFFSIDE HOMEOWNERS ASSN INC,
THE COMMUNITY SCHOOL INC,
JAMES P. and JOAN CONGER, DANIEL T.
MANOOGIAN REVOCABLE TRUST,
DONNA F. TUTTLE TRUST, DAN S.
FAIRMAN MD and MELYNDA KIM
STANDLEE FAIRMAN, JAMES K. and
SANDRA D. FIGGE, FLOWERS BENCH
LLC, ELIZABETH K. GRAY, R. THOMAS
GOODRICH and REBECCA LEA PATTON,
GREENHORN OWNERS ASSN INC,
GRIFFIN RANCH HOMEOWNERS ASSN
and GRIFFIN RANCH PUD SUBDIVISION
HOMEOWNERS ASSN INC, GULCH
TRUST, IDAHO RANCH LLC, THE JONES
TRUST, LOUISA JANE H. JUDGE,
RALPH R. LAPHAM, LAURA L. LUCERE,
CHARLES L. MATTHIESEN, MID
VALLEY WATER CO LCC, MARGO
PECK, PIONEER RESIDENTIAL &
RECREATIONAL PROPERTIES LLC,
RALPH W. & KANDI L. GIRTON 1999
REVOCABLE TRUST, RED CLIFFS

HOMEOWNERS ASSOCIATION,
F. ALFREDO REGO, RESTATED
MC MAHAN 1986 REVOCABLE TRUST,
RHYTHM RANCH HOMEOWNERS ASSN,
RIVER ROCK RANCH LP, ROBERT ROHE,
MARION R. and ROBERT M.
ROSENTHAL, SAGE WILLOW LLC,
SALIGAO LLC, KIRIL SOKOLOFF,
STONEGATE HOMEOWNERS ASSN INC,
SANDOR and TERI SZOMBATHY, THE
BARKER LIVING TRUST, CAROL
BURDZY THIELEN, TOBY B. LAMBERT
LIVING TRUST, VERNON IRREVOCABLE
TRUST, CHARLES & COLLEEN WEAVER,
THOMAS W. WEISEL, MATS and SONYA
WILANDER, MICHAEL E. WILLARD,
LINDA D. WOODCOCK, STARLITE
HOMEOWNERS ASSOCIATION, GOLDEN
EAGLE RANCH HOMEOWNERS ASSN
INC, TIMBERVIEW TERRACE
HOMEOWNERS ASSN, and
HEATHERLANDS HOMEOWNERS
ASSOCIATION INC.,

Intervenors.

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 AND
LITTLE WOOD RIVERS

COMES NOW Sun Valley Company ("Sun Valley"), by and through undersigned
counsel of record, and pursuant to Idaho Code Section 67-5276, moves the Court for leave to:

1. Present additional evidence concerning irregularities in procedure before
the Director of the Idaho Department of Water Resources in the contested case proceedings that
are at issue in the above-captioned case; and


**MOTION FOR LEAVE TO (1) PRESENT ADDITIONAL
EVIDENCE; AND (2) CONDUCT LIMITED DISCOVERY - 3**

2. Conduct limited discovery related to such irregularities in order to (a) ascertain who was present at site views at the Petitioners' properties, including any and all unidentified persons in the photographs included in the Appendices to the August 31, 2015 Staff Memorandum regarding Big Wood and Little Wood Water Users Association Delivery Calls from the Big Wood and Little Wood Rivers – Response to Director's Request for Memoranda Dated June 12, 2015, authored by Time Luke; (b) discover any communications that may have occurred by and among such persons; (c) ascertain the identity of each person who participated in the collection of information for, and the preparation of, the technical memoranda requested by the Director on June 12, 2015; and (d) discover any and all substantive communications, written or oral, direct or indirect, between the Director or his agents and the Petitioners and their respective agents.

This motion is supported by a memorandum in support thereof, as well as the Affidavit of Scott L. Campbell, each contemporaneously filed herewith.

DATED this 7th day of December, 2015.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 
Scott L. Campbell – Of the Firm
Attorneys for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of December, 2015, I caused a true and correct copy of the foregoing **MOTION FOR LEAVE TO (1) PRESENT ADDITIONAL EVIDENCE; AND (2) CONDUCT LIMITED DISCOVERY** to be served by the method indicated below, and addressed to the following:

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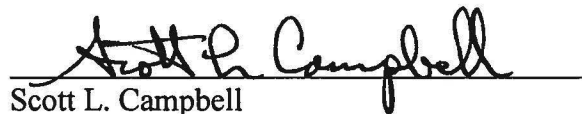
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